

Ord No
159

An ordinance authorizing the Mayor and Recorder of the City of Albany to enter into a contract with W. E. Wearn for the building and construction of a lateral sewer beginning at the sewer on the west side of Block No. 124 in Hackleman's Addition to the City of Albany, Oregon, running thence westerly across Lafayette Street and thence westerly along the center of Block No. 117 in Hackleman's Addition to the City of Albany, Oregon, a distance of 221 feet according to the plans, profiles and specifications filed in the office of the Recorder of the City of Albany on the 9th day of September, 1914.

Whereas in Resolution No. 32 of the City of Albany, Oregon, passed by the Council on the 9th day of September, 1914, it was ordered that a lateral sewer be constructed beginning at the sewer on the west side of Block No. 124 in Hackleman's Addition to the City of Albany, Oregon, running thence westerly across Lafayette Street and thence westerly along the center of Block No. 117 in Hackleman's Addition to the City of Albany, Oregon, a distance of 221 feet, said improvement to be made in accordance with the Charter and ordinances of the City of Albany and the plans and specifications and estimates of the City Engineer then on file with the Recorder of the City of Albany; and

Whereas it was provided in ordinance that the Recorder of the City of Albany give notice for bids for the making of said improvements in the manner provided by law and by said ordinance; and

Whereas after due notice and advertisement for bids made and given by the Recorder of the City of Albany according to said ordinance, on the 28th day of September, 1914, W. E. Wearn presented to the Council of said city his bid for making said improvements, which bid was made in due form and in conformity with all the conditions imposed by law and by ordinance, in which bid said W. E. Wearn proposed to furnish all material and implement and perform the labor necessary to make the above described improvements at a cost of \$18,722; and

Whereas W. E. Wearn was the lowest bidder for said proposed work and said bid was the lowest and best therefore,

Therefore:

The People of the City of Albany do Ordain as follows:

Section 1. That the said bid of the said W. E. Wearn for said improvement be and the same is hereby accepted and the City of Albany

and Recorder of the City of Albany are hereby authorized to enter into a contract in writing with the said W. S. Weavers for the making of said improvement as provided on behalf of the City of Albany, Albany, upon the terms and conditions in said ordinance, advertisement and bid hereinabove mentioned. Said contract shall provide that the work on said sewer shall commence within ten days after the signing of said contract and be prosecuted with such vigor that all the work embraced in said contract shall be entirely completed on or before the 1st day of December, 1914; and the City of Albany shall be deemed to suffer damages to the extent of \$1.50 per day for each and every day the work is delayed beyond said specified time.

Said contract shall further provide that the said W. S. Weavers shall promptly, as due, make payment to all persons supplying to the said W. S. Weavers labor or material for the prosecution of the hereinabove described work and that the said W. S. Weavers shall not permit any lien or claim to be filed or prosecuted against the City of Albany for or on account of any material or labor furnished for the said work.

The said W. S. Weavers shall furnish a penal bond in the sum of \$25.00 with good and sufficient sureties to be approved by the Mayor of the City of Albany to secure the faithful performance of all the obligations of such contract on the part of the said W. S. Weavers and particularly against any claims or lien for labor, work or material on the part of any person arising out of said contract.

Attest:

F. Van Tassel

Passed by the Council Oct. 30, 1914.

Albany, Oct. 30, 1914.

Recorder of the City of Albany.

L. M. Cull
Mayor

CITY RECORDER'S CERTIFICATE

State of Oregon, }
County of Linn } ss.

I, F. E. Van Tassel, Recorder of the City of Albany, Linn County, and State of Oregon, do hereby certify that the foregoing annexed copy of

..... Ordinance No. 759
has been by me carefully compared with the original Ordinance Bill No. 828
now on file in my office, and that it is a true and correct copy of all and the whole of said Ordinance

Bill No. 828, as passed by the Council of the City of Albany, Oregon,
October 20th, 1914.

Witness, my hand and official signature and the seal of the City of Albany, this 21st day
of October, 1914.

F. E. Van Tassel
Recorder of the City of Albany.