

Lawling, Albany, Oregon

An Ordinance authorizing the Mayor and Recorder of the City of Albany, Oregon, to enter into a contract with W. W. McClain for the building and constructing of a lateral sewer beginning at the manhole in Third Street trunk where same connects with Twelfth Street and running thence westerly along said Twelfth Street parallel with and six feet from the south side thereof 152 feet to the intersection with the center line of the alley known as Block "A" Central Addition thence southerly along the center line of said alley and the extension thereof 250 feet to a point in the street or road running southerly and northeasterly and eight feet from the northwesterly side thereof thence northwesterly along said street or road, parallel with and eight feet from the northwestern side thereof 30 feet, and being a total distance of 432 feet, with vitrified terra cotta sewer pipe according to the plans, specifications and profiles filed in the office of the Recorder of the City of Albany on the 28th day of April, 1915.

Whereas, by Resolution No. 17 passed by the Council of the City of Albany on the 28th day of April, 1915, it was ordered that the above described lateral sewer be constructed, said improvement to be made in accordance with the charter and ordinances of the City of Albany and the plans, specifications and estimates of the City Engineer then on file with the Recorder of the City of Albany; 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 23rd day of June, 1915, W. W. McClain presented to the Council of said City his bid for making said improvement with vitrified terra cotta sewer pipe, which bid was made in due form and in conformity with all the conditions imposed by law and by said ordinance, by which said bid said W. W. McClain proposed to furnish all material and implements and perform the labor necessary to make the above described improvement with vitrified terra cotta sewer pipe for the sum of \$2,500.00; and

Whereas, W. W. McClain was the lowest bidder to said proposed work with vitrified terra cotta sewer pipe, and said bid was the lowest and best bid received,

Therefore

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

Section 1. That the said bid of said W. W. McClain for said improvement with vitrified terra cotta sewer pipe be and the same is hereby accepted and the Mayor and Recorder

the City of Albany are hereby authorized to enter into a contract in writing with the said W. B. McClain, for the making of said improvements as aforesaid on the part of the City of Albany, Oregon, upon the terms and conditions in said ordinance, advertisement and bill hereinafore 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 15th day of August, 1915, and the City of Albany, Oregon, shall be deemed to suffer damages to the extent of \$2500 per day, or more and every day the work is delayed beyond said specified time.

Said contract shall further provide that the said W. B. McClain shall promptly, as due, make payment to all persons supplying to the said W. B. McClain labor or material for the prosecution of the hereinabove described work and that the said W. B. McClain 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. B. McClain shall furnish a penal bond in the sum of \$1500.00 with good and sufficient surety, to be approved by the Mayor of the City of Albany, to secure the faithful performance of all the obligations of said contract on the part of said W. B. McClain and particularly against any claim or lien for labor, work or material on the part of third persons arising out of said contract.

Attest:

Passed by the Council June 24th, 1915.

F. W. Tassel

Approved June 26, 1915

Recorder of the City of Albany, Oregon

L. M. Lough  
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. 821 V.....

.....  
has been by me carefully compared with the original Ordinance No. 821 V.....  
now on file in my office, and that it is a true and correct copy of all and the whole of said Ordinance No. 821 V.....  
as presented to the Council of the City of Albany, Oregon,  
June 24th, 1915.....

Witness, my hand and official signature and the seal of the City of Albany, this 24th day of June.....1915.

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