

2253

**ORDINANCE No. 1210.**

AN ORDINANCE providing for the time and manner of constructing a main sewer in the City of Albany, Oregon, as follows, to-wit:

Beginning at manhole No. 5 on Cottage Street Trunk Sewer, between Seventh and Eighth Streets, in Albany, Oregon, and running thence southeasterly 31 feet to manhole No. 1; thence southerly 1132 feet to manhole No. 2; thence southerly 1428.5 feet to manhole No. 6, which is 16 feet south of the north line of Willow Street; thence westerly on Willow Street 975.1 feet to manhole No. 8, which is 16 feet south of the southeast corner of lot 1 in Block 1 in Albany Height's Addition to Albany, Oregon, all being a total length of 3566.6 feet; providing how the cost of constructing said sewer shall be paid, the penalty or damage to the City of Albany by the person or persons constructing said sewer, if the same shall not be completed within the time agreed upon, and the giving of a good and sufficient bond for the faithful performance of the work to be done; providing for the publication of notice for bids for constructing said sewer, and declaring an emergency.

**THE PEOPLE OF THE CITY OF ALBANY DO ORDAIN AS FOLLOWS:**

Section 1. There shall be constructed in the City of Albany, Oregon, a main sewer as follows, to-wit:

Beginning at manhole No. 5 on Cottage Street Trunk Sewer between Seventh and Eighth Streets, in Albany, Oregon, and running thence southeasterly 31 feet to manhole No. 1; thence southerly 1132 feet to manhole No. 2; thence southerly 1428.5 feet to manhole No. 6, which is 16 feet south of the north line of Willow Street; thence westerly on Willow Street 975.1 feet to manhole No. 8, which is 16 feet south of the southeast corner of Lot 1 in Block 1 in Albany Height's Addition to Albany, Oregon, all being a total length of 3566.6 feet.

Said sewer shall be made and constructed in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans, specifications and estimates of Charles E. Leonard, Engineer for the construction of said sewer, which said plans, specifications and estimates were filed in the office of the Recorder of said City on the 1st day of October, 1925, endorsed: "Plans and Specifications for Extension of Cottage Street Sewer."

The cost of constructing said sewer shall be paid for out of a fund to be created by the sale of bonds authorized by Section No. 197 of Article III of the charter of the City of Albany, Oregon.

Any person, firm or corporation with whom any contract for the construction of said sewer may be entered into shall, before commencing said construction work, make, execute and deliver to the City of Albany a good and sufficient bond with good and sufficient surety or sureties thereon in a sum equal to fifty per centum (50%) of the aggregate bid for the faithful performance of such contract.

Said sewer construction shall be completed within three months from the date of the contract for doing such work.

The Council hereby reserves the right to reject any and all bids for construction of said sewer.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany to construct said sewer shall not complete the same within the time mentioned and specified in such contract said City shall be deemed to suffer damages on account thereof to the amount of \$25.00 per day for each and every day the completion of said work is delayed beyond the time stated in such contract, which amount shall be paid by the contractor doing the work at the completion thereof, unless the time for the completion thereof is extended by the Council.

Section 3. The Recorder of the City of Albany is hereby authorized and directed to immediately give proper notice for bids for the making of said improvement by publication of such notice ten (10) days in the Albany Democrat-Herald, a newspaper of general circulation, published in the City of Albany, Linn County, Oregon, fully describing in such notice the time and manner of doing the work of such sewer construction.

Section 4. That in order to preserve the peace, health and safety of the City of Albany, Oregon, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council October 1, 1925.  
Approved by the Mayor October 1, 1925.

ATTEST:--

F. P. Nutting,  
Recorder of the City of Albany, Oregon.

J. H. ROBERTT,  
Mayor.

State of Oregon,  
County of Linn, ss.

I, F. P. Nutting, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the foregoing and annexed copy of ordinance No. 1210 has been by me carefully compared with the original Ordinance Bill No. 1310, now on file in my office, and that it is a true and correct copy of all of said Ordinance Bill No. 1310, passed by the Council Oct. 1, 1925, and approved by the Mayor October 1, 1925.

WITNESS my hand and official signature, and the seal of the City of Albany, this 2nd day of October, 1925.

  
City Recorder of Albany, Or.