

ORDINANCE NO. 1297

AN ORDINANCE providing for the time and manner of building and constructing a lateral sewer beginning at a point on the Geary Street trunk sewer on Geary Street in the City of Albany, Oregon, 25 feet southerly from the center line of Salem Road, and running thence south 76° west 650 feet to a point 17 feet distant from the center line of said Salem Road; providing how the cost of said improvement shall be paid, the penalty or damage to the City of Albany by the person or persons making such improvement, if the same shall be not completed within the time agreed upon, the giving of a good and sufficient bond for the faithful performance of the work of making such improvement and the giving of notice of bids therefor by the Recorder of said City.

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

Section 1. That there shall be constructed an 8-inch lateral sewer, beginning at a point on the Geary Street Trunk Sewer on Geary Street, in the City of Albany, Oregon, 25 feet southerly from the center line of Salem Road, and running thence south 76° west 650 feet to a point 17 feet distant from the center line of said Salem Road.

Said improvement shall be made in accordance with the charter and ordinances of the City of Albany, Oregon, and the plans and specifications of Charles H. Leonard, Engineer, for the making of such improvement, filed in the office of the Recorder of the City of Albany on the 11th day of October, 1927.

The cost of making said improvement shall be paid out of the funds to be collected and arising out of the assessments to be made, ascertained and declared by the Council of the City of Albany on the lots and parts of lots adjacent to said improvement so to be made, and especially and particularly benefited thereby, as provided by the charter of said City, except that portion of said improvement within street intersections which shall be paid out of the general funds of said City.

Said improvement shall be completed on or before the 1st day of January, 1929.

All bids submitted for the making of said improvement deemed by the Council to be unreasonable may be rejected.

Any person, firm or corporation with whom any contract may be entered into by the City of Albany for the making of said improvement shall, before commencing the same, and at the time of signing such contract, furnish said City with a good and sufficient bond, with good and sufficient surety thereon, to be approved by the Mayor of said City, in a sum equal to at least fifty (50%) per centum of the amount to be paid on such contract for the faithful performance thereof.

Section 2. If the person, firm or corporation entering into such contract with the City of Albany for the making of said improvement shall not complete the same within the time mentioned and specified in such contract, the City of Albany shall be deemed to have suffered damages on account thereof in the sum of \$5.00 per day for each and every day the completion of said work is delayed beyond the time so stated in said contract, which amount shall be paid by the contractor doing the work at the time of the completion thereof, provided the Council may extend the time for the completion of said improvement should circumstances warrant such extension.

Section 3. The Recorder of the City of Albany, Oregon, is hereby directed to immediately give proper notice of the time and place of receiving bids for said improvement by publication thereof for (100 ten days in the Albany Democrat-Herald, a daily newspaper of general circulation published in Albany, Oregon, describing in such notice the time and manner of making such improvement.

Passed by the Council November 2, 1928
Approved by the Mayor November 2, 1928

MARK V. WEATHERFORD,
Mayor

Attest:--
F.P. Nutting,
Recorder

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. 1297 has been by me carefully compared with Ordinance Bill No. 1399, now on file in my office, that it is a true and correct copy of all of said Ordinance Bill No. 1397, passed by the Council November 2, 1928 and approved by the Mayor Nov. 2, 1928.

WITNESS my hand and official signature and the seal of the City of Albany this 5th day of November, 1928.

F. P. Nutting

City Recorder