

A BILL FOR:

AN ORDINANCE providing for the time and manner of constructing main sewers in the City of Albany, Oregon, in and upon the following described Streets and Highways of said City, to-wit:

From the North line of the Southern Pac. R. R. on 6th and Hill Sts. and running southerly on Hill St. 2390 ft., thence Easterly 655 ft. to Sherman St and Hackleman St., thence southerly diagonally across Sherman St. 170 ft. Also, as branch main beginning at the intersection of Hill and Hackleman Sts. and running Westerly along Hackleman St. 1185 ft. to the east line of block 6, in Hackleman's Sunrise Add. to Albany, Oregon.

Also, beginning at the manhole at the junction of the Montgomery St. and the 12th St. sewers and running Southerly 1200 ft; also beginning at its intersection with the center line of Block 2 in Bacon's add. to the City of Albany, and running thence Easterly 900 feet to the center line of Block 4, in Hackleman's Sunrise addition.

Also, from the intersection of Fifth and Geary Sts., Easterly to the Southeast corner of Lot 9 in Block 1, Bryant's Add. and main beginning near the Northwest corner of Lot 6 in St. James Park Add. and running Easterly to a point North of the center line of Lot 4, St. James Park Add.

Providing how the cost of such 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 not be completed within the time agreed upon, and the giving of a good and sufficient bond for the faithful performance of the work of such improvement, and providing further for the giving by the Recorder of said City of Albany, notice for bids for the completion of said improvement, and declaring an emergency.

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

SECTION 1. That main sewers be constructed within the City of Albany, Oregon, in and upon the following described Streets and Highways of said City, to-wit:

From the North line of the Southern Pac. R. R. on 6th and Hill Sts. and running southerly on Hill Street 2390 feet, thence Easterly 655 ft. to Sherman St. 170 ft. Also, a branch main beginning at the intersection of Hill and Hackleman Sts. and running Westerly along Hackleman St. 1185 ft. to the East line of block 6 in Hackleman's Sunrise Add. to Albany, Ore.

Also, beginning at the manhole at the junction of the Montgomery St. and the 12th St. Sewers and running Southerly 1200 feet; also beg. at its intersection with the center line of Block 2 in Bacon's Add. to the City of Albany, and running thence Easterly 900 feet. to the center line of block 4 in Hackleman's Sunrise Addition.

Also, from the intersection of Fifth and Geary Sts., Easterly to the Southeast corner of Lot 9 in Block 1, Bryant's Add., and main beginning near the Northwest corner of Lot 6 in St. James Park Add. and running Easterly to a point north of the center line of Lot 4, in St. James Park Addition.

That said improvements be made in accordance with the Charter and Ordinances of the City of Albany, Oregon, and the plans and specifications and estimates therefore of Walter W. Larsen, City Engineer of said City, filed in the office of the Recorder of the City of Albany on the 24th day of April, 1946.

The cost of the construction of said main sewers shall be paid out of the fund to be created by the sale of the sewer bonds as now authorized by the Charter of the City of Albany, Oregon.

That the construction of said main sewers shall be completed on or before two months from the date of the execution of the contract for the construction of the same.

The Council of the City of Albany hereby reserved the right to reject any and all bids for the construction of said sewers.

Any person, firm or corporation with whom any contract may be entered into by a City of Albany for the construction of said main sewers shall, before commencing said work and at the time of signing such contract, make, execute and deliver to the City of Albany a good and sufficient bond, with good and sufficient surety or sureties, in a sum equal to fifty per cent of the amount of the bid therefore, conditioned for the faithful performance of such contract in the manner provided by law.

Section 2. If the person, firm or corporation entering into any contract with the City of Albany for the construction of said main sewers shall not complete the same within the time stipulated in said contract and as herein provided, the contractor shall pay to the City of Albany the sum of \$25.00 per day, for each day of delay required to complete said contract beyond said specified time, said sum to be as fixed and liquidated damages to said City by reason of such delay.

ORDINANCE NO. 1708 Continued

Should the City of Albany or its authorized agents cause the delay of the completion of said contract beyond the time specified therein for the completion thereof, then the contractor shall be allowed additional time for the completion thereof, said additional time not to be greater than the actual delay caused by said City or its Agents, as may be determined by the City Engineer, whose decision shall be binding upon all parties.

Section 3. The Recorder of the City of Albany is hereby ordered and directed to immediately give proper notices for bids for the construction of said main sewers by a publication thereof on May 10th, May 15th, and May 20th, 1946 in the Albany Democrat-Herald, a newspaper of general circulation published in the City of Albany, Linn County, Oregon, fully describing in said notice the time and manner of doing the work as provided herein.

Section 4. WHEREAS, the peace, health and safety of the people of the City of Albany are involved. Therefore, an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage by the Council and approval by the Mayor.

Passed by the Council, May 8th, 1946.

Approved by the Mayor, May 8th, 1946.

G. C. KNOBELL, MAYOR

Attest: C. R. ASHTON:

I, C. R. ASHTON, Recorder of the City of Albany, Linn County, Oregon, do hereby certify that the above copy of Ordinance No. 1708 has been by me carefully compared with the Ordinance Bill No. 1829, as passed by the Council, May 8, 1946, and approved by the Mayor on the 8th day of May, 1946.

Witness my hand and official signature and seal of the City of Albany, Oregon on the 8th day of May, 1946.

C. R. Ashton  
Recorder of the City of Albany, Oregon.