

ORDINANCE NO. 2515

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO ENTER INTO A CONTRACT WITH THE STATE OF OREGON, BY AND THROUGH ITS STATE HIGHWAY COMMISSION, FOR THE PURPOSE OF ALTERING AN AGREEMENT REGARDING THE MAINTENANCE OF TRAFFIC SIGNAL LIGHTS.

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

Section 1: That the Mayor and City Manager be and they are hereby authorized to enter into an agreement altering an agreement heretofore made by and between the City of Albany and the State of Oregon, by and through its State Highway Commission, regarding the maintenance of traffic signal lights located at 1st Avenue and Ellsworth Street in said City, said agreement dated December 31, 1943, a copy of the altering agreement being in substantially the form attached hereto and made a part hereof.

Passed by the Council March 10, 1954

Approved by the Mayor March 10, 1954


Mayor

ATTEST:


City Recorder

A G R E E M E N T

THIS AGREEMENT, made and entered into this _____ day of _____, 1954, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State", and the CITY OF ALBANY, a municipal corporation, acting by and through its City Officials, hereinafter called "City",

W I T N E S S E T H:

RECITALS:

1. The parties hereto have heretofore entered into a certain agreement under the date of December 31, 1943 wherein certain things were agreed to with respect to the installation of a traffic signal at the intersection of those certain city streets known as First and Ellsworth Streets.
2. Among other things, said agreement placed the burden of maintenance entirely upon the City.
3. It is presently the policy of the State to participate with the various cities in the cost of replacing signal installations which were originally installed pursuant to an agreement wherein each the State and City would contribute toward the cost of said installation. In order to effectuate the aforesaid policy it is the desire of State and City to amend the said earlier agreement so that State and City will share equally in the cost of replacing any signal installation equipment which was installed pursuant to said earlier agreement.

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the State and City as follows:

1. The following provision shall be and hereby is made a part of the aforesaid agreement heretofore entered into by these parties under date of December 31, 1943:

"It is understood and agreed between the parties hereto that at such future time as any part of the signal installation equipment covered by this agreement is in need of replacement such equipment shall be replaced and the cost thereof shall be borne equally by the State and City; provided, however, that this provision shall have no application whatever in the event that the Albany-Corvallis Highway, or any other state highway, is not routed over and through the above named street intersection at such time as the replacement of said equipment is accomplished."

A G R E E M E N T (con't.)

It is understood that the said earlier agreement shall remain in full force and effect in all respects except as amended herein.

IN WITNESS WHEREOF, the parties above named have hereunto set their hands and official seals as of the day and year first above written, the city officers acting in accordance with and pursuant to _____ No. _____ adopted by its City Council on the _____ day of _____, 1954.

ATTEST:

Secretary

APPROVED:

State Highway Engineer

APPROVED AS TO FORM:

Chief Counsel

ATTEST:

STATE OF OREGON, by and through
its State Highway Commission:

By _____
Chairman

By _____
Commissioner

By _____
Commissioner

STATE

CITY OF ALBANY, by and through
its City Officials:

By /s/ Chas. K. McCormack
Mayor

By _____

CITY