

22666
Ordinance No. 22666

An Ordinance providing for the time and manner of improving

East Twenty-second Street from the south line of Broadway
to the north line of Weidler Street

THE CITY OF PORTLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. That

East Twenty-second Street from the south line of Broadway
to the north line of Weidler Street

shall be improved as follows:

First. By grading the street to the proper subgrade.
Second. By paving the roadway of said street full width, with Warren's Bitulithic Waterproof Pavement.
Third. By laying along block headers, double row.
Fourth. By laying drain tile.
Fifth. By laying vitrified sewer service pipes and branches.
Sixth. By laying water service pipes.
Said improvement to be made in accordance with the Charter and ordinances of the City of Portland, and the plans, specifications and estimates of the City Engineer, filed in the office of the Auditor of the City of Portland on the 9th day of December, 1918, endorsed: "City Engineer's plans and specifications for the improvement of East Twenty-second street from the south line of Broadway to the north line of Weidler street, and the estimates of the work to be done and the probable cost thereof."
The cost of said improvement to be assessed as provided by the City Charter upon the property, specially and peculiarly benefited thereby, and which is hereby determined and declared to be all the lots, parts thereof and parcels of land lying between a line 200 feet east of and parallel with the east line of East Twenty-second street and a line 200 feet west of and parallel with the west line of East Twenty-second street, and between the south line of Broadway and the north line of Weidler street.
The City Engineer's estimate of the probable total cost for the improvement of said street is \$1778.00.
The above improvement is to be classed as a Warren's Bitulithic Waterproof Pavement, and the roadway of said street shall be maintained by the City for a period of ten years.

SECTION 2. That said improvements shall in all respects be done and completed in conformity with the provisions of Ordinance No. 21172, entitled: "An Ordinance in relation to the improvement of streets, and declaring an emergency."

SECTION 3. The surface of the street shall be cleared of all timber, planks or other obstructions, excepting such sidewalks, crosswalks and plank roadways of the proper width, as are in good condition, and are on the established grade, and which are not included in the estimate of the City Engineer for said improvement.

SECTION 4. The contractor or contractors for said improvement shall not dig up or disturb the surface of the street within the limits of said improvement for a greater distance than two blocks without having first obtained a permit so to do from the City Engineer.

SECTION 5. The contractor or contractors shall take entire charge of the work during its progress and shall be responsible for any loss or accident resulting from carelessness or neglect, and the improvement shall be completed to the satisfaction of the Executive Board of the said City of Portland.

SECTION 6. The contractor or contractors to whom a contract or contracts may be awarded for the completion of said improvement, shall complete the same within the time to be fixed by the Executive Board, and upon commencing said work shall continue the same without delay until completed unless the time for the completion of the improvement is extended by the Executive Board, and each contract shall contain a provision that for each day required for the completion of such contract after the expiration of the time fixed by the Executive Board there shall be forfeited by the contractor to the city the sum prescribed in Ordinance No. 19745, entitled, "An Ordinance fixing the amount to be forfeited to the city by contractors for street improvements and construction of sewers for non-completion of work within time provided by contract, and repealing Ordinance No. 15373."

SECTION 7. The contract or contracts shall also contain a stipulation to the effect that the person, firm or corporation to whom the contract is let shall look for payment only to the fund to be assessed upon the property liable to pay for such improvement and collected and paid into the City Treasury for that purpose, and

erty liable to pay for such improvement and collected and paid into the City Treasury for that purpose, and

that they will not require the City of Portland by any legal process or otherwise to pay the same out of any other fund, except as provided by the Charter.

The contract or contracts shall also be subject to the provisions of Ordinance No. 9183, entitled, "An Ordinance to protect material men, laborers and sub-contractors, who furnish labor or material to contractors for the improvement of streets or construction of sewers."

Passed by the Council

Jan 11 1911

Submitted to the Mayor

Jan 12 1911

Approved

JAN 19 1911

A. L. BARBUR

Auditor of the City of Portland.

JOSEPH SIMON

Mayor.

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