

Ordinance No. 23283

An Ordinance providing for the time and manner of improving Portland Boulevard from the east line of Vancouver avenue to the easterly line of Willamette Boulevard,

THE CITY OF PORTLAND DOES ORDAIN AS FOLLOWS:

SECTION 1. That Portland Boulevard from the east line of Vancouver avenue to the easterly line of Willamette Boulevard,

shall be improved as follows:

First. By grading the street full width to the established grade.
Second. By constructing wooden and artificial stone sidewalks and curbs.
Third. By laying crosswalks.
Fourth. By laying box gutters.
Said improvement to be made in accordance with the Charter and Ordinances of the City of Portland, and the plans and specifications and estimates of the City Engineer, filed in the office of the Auditor of the City of Portland on the 25th day of March, 1911, endorsed "City Engineer's plans and specifications for the improvement of Portland boulevard, from the east line of Vancouver avenue to the east line of Willamette boulevard, 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 within the district bounded and described as follows:
Commencing at a point in the easterly line of Willamette boulevard, 275 feet north of the north line of Holman street, measured at right angles, thence east parallel with the north line of Holman street to the west line of block 7, Park Addition; thence north to a point 275 feet north of the north line of Holman street; thence east parallel with the north line of Holman street to the east line of Campbell street; thence north to a point 100 feet north of the north line of Highland street; thence east parallel with the north line of Highland street to the west line of Patton avenue; thence south 150 feet, thence east to a point in the east line of Commercial street, 150 feet south of the south line of Portland boulevard; thence north to a point 121 feet north of the north line of Highland street; thence east parallel with the north line of Highland street to a point 82 feet east of the east line of Vancouver avenue; thence north to the north line of Portland boulevard; thence east to a point 150 feet east of the east line of Vancouver avenue; thence north parallel with the east line of Vancouver avenue to a point 298 feet north of the north line of Portland boulevard; thence east parallel with the north line of Portland boulevard to the east line of Umattila avenue; thence south to a point 140 feet north of the north line of Portland boulevard; thence west parallel with the north line of Portland boulevard to the east line of Patton avenue; thence north to a point 27.5 feet north of the north line of Portland boulevard; thence west parallel with the north line of Portland boulevard to the west line of block 3, Willburton; thence south to a point 121 feet north of the north line of Portland boulevard; thence west parallel with the north line of Portland boulevard to the east line of Newcastle street; thence north to a point 27.5 feet north of the north line of Portland boulevard; thence west parallel with the north line of Portland boulevard to the east line of Villard avenue; thence south to a point 150 feet north of the north line of Portland boulevard; thence west parallel with the north line of Portland boulevard to the east line of Willamette boulevard; thence southeasterly along the easterly line of Willamette boulevard to the place of beginning.
The City Engineer's estimate of the probable total cost for the improvement of

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 streets 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

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."

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Passed by the Council May 10 1911
Submitted to the Mayor May 11 1911
Approved May 18 1911

A. L. BARBUR
Auditor of the City of Portland.

JOSEPH SIMON
Mayor.

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