

ORDINANCE NO. 149356

(IMPROVEMENT-TIME AND MANNER)

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An Ordinance providing for the time and manner of improving N. Edison Street from the east line of N. Baltimore Avenue to the west line of N. Trumbull Avenue and construct a storm sewer, and declaring an emergency.

## THE CITY OF PORTLAND ORDAINS:

Section 1. That N. Edison Street from the east line of N. Baltimore Avenue to the west line of N. Trumbull Avenue and construct a storm sewer, shall be improved as follows:

that the cost of said improvement shall be assessed as provided by the Charter and Ordinances of said City upon the property specially and peculiarly benefited thereby, which property is hereby determined and declared to be all the lots, parts thereof and parcels of land within the district of said City described as follows:

Beginning at the southeast corner of Lot 4, Block 19, James Johns Addition; thence northwesterly and parallel to the south line of N. Edison Street to the southwest corner of Lot 3, Block 20, James Johns Addition; thence northwesterly to a point on the west line of N. New York Avenue 75 feet south of the south line of N. Edison Street; thence northwesterly in a line south of and parallel to the south line of N. Edison Street to a point on the east line of Lot 3, Block 21, James Johns Addition; thence southwesterly to the southeast corner of Lot 3, of said Block 21; thence northwesterly to the southwest corner of Lot 1, Block 1, Byars Addition; thence northeasterly to the southeast corner of Tax Lot 1 of Lots 2 and 3, Block 1, Byars Addition, as shown on the County Assessor's Map, February, 1980; thence northwesterly along the southerly line of said Tax Lot 1 to the east line of Lot 4, Block 1, Byars Addition; thence southwesterly along the east line of said Lot 4 to a point 85 feet south of the south line of N. Edison Street; thence northwesterly along a line south of and parallel to the south line of N. Edison Street to a point 25 feet west of the west line of Lot 5 of said Block 1; thence southwesterly along a line parallel to the west line of said Lot 5 to a point on the north line of Lot 11, Block 1, Byars Addition; thence northwesterly to the southwest corner of Lot 8 of said Block 1; thence northeasterly along the east line of N. Trumbull Avenue to the northwest corner of Lot 9, Block 12; St. Johns Park Addition; thence southeasterly along a line parallel to the north line of N. Edison Street to the west line of N. Baltimore Avenue; thence southwesterly along the west line of N. Baltimore Avenue to the point of beginning.

That the Council of said City does hereby determine that the character of said improvement to be laid and made shall be as follows:

- 1st: By grading street to the proper subgrade;
  - 2nd: Constructing concrete sidewalk, corner, driveway connections;
  - 3rd: Constructing concrete driveway 8" thick;
  - 4th: Constructing concrete curb;
  - 5th: Sawcut concrete;
  - 6th: Constructing concrete steps;
  - 7th: Installing 8" concrete pipe, class "C" Bedding;
  - 8th: Installing 10" concrete pipe, class "C" Bedding;
  - 9th: Constructing double inlets;
  - 10th: Constructing inlets;
  - 11th: Adjusting Manholes;
  - 12th: Seal and abandon inlets;
  - 13th: Improving the roadway with asphalt concrete Class "C", 1-1/2" thick, on asphalt concrete Class "B", 1-1/2" thick, on a crushed rock base 6" thick;
  - 14th: Skinpatch;
  - 15th: Constructing a storm sewer.
- That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$108,864.05; that advertising costs, right-of-way cost, and a fee for engineering and superintendence will be added to the final cost in accordance with the provisions of the Code of the City of Portland.

ACCEPTED BY THE CITY ENGINEER

Section 2. That said improvement shall in all respects be done and completed in conformity with the plans and specifications therefor heretofore adopted by the Council and in conformity with the requirements of the Code of the City of Portland, Oregon.

Section 3. 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 to do so from the City Engineer.

Section 4. The contractor or contractors shall take entire charge of the work covered by the contract during the progress of the work 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 Council of said City of Portland.

Section 5. The contractor or contractors shall complete said work covered by the contract by the time fixed by the Council, to wit: <sup>60 days from Notice to Proceed</sup> by November 1, 1980, and upon commencing said work shall continue the same without delay until completed unless the time for the completion of the same be extended by the Council, and the contract shall contain a provision that for each day required for the completion of the work covered by the contract after the expiration of said time there shall be forfeited by the contractor to the City the sum prescribed in the General Specifications adopted pursuant to Section 17.16.010 of the Code of the City of Portland, Oregon.

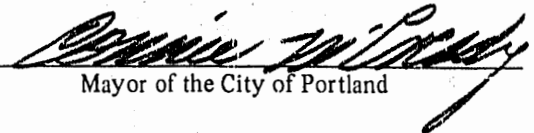
Section 6. The contract shall also contain a stipulation to the effect that the person, firm or corporation to whom the contract is let shall look for payment only to the fund to be assessed upon the property liable to pay for said improvement and collected and paid into the City Treasury for that purpose, and that neither the contractor nor anyone claiming under him will require the City of Portland by any legal process or otherwise to pay the same out of any other fund.

Section 7. The Auditor is hereby directed to advertise for proposals for the aforesaid improvement.

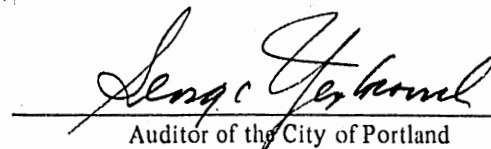
Section 8. The Mayor and Commissioner of Public Works are hereby directed to enter into a contract for the improvement provided for by this Ordinance.

Section 9. Inasmuch as this ordinance is necessary for the immediate preservation of the public health, peace and safety of the City of Portland in this: That said improvement should be made as soon as practicable; therefore, an emergency is hereby declared to exist and this ordinance shall be in force and effect from and after its passage by the Council.

Passed by the Council, **APR 3 1980**

  
 \_\_\_\_\_  
 Mayor of the City of Portland

Attest:

  
 \_\_\_\_\_  
 Auditor of the City of Portland

*petition representing  
nine ppty owners  
reconstruction*

*Report of CE + CPW  
dated 3-28-80*

*Revenue  
overhead*

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**Ordinance No. 149356**

**(IMPROVEMENT)**

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Compared se  
Council APR 2 1980

Introduced by Mike Lindberg Jr

Referred to Commissioner of Public Works

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
IVANCIE	1	
JORDAN	1	
LINDBERG	1	
SCHWAB		
McNEALY	1	

Filed MAR 11 1980  
**GEORGE YERKOVICH**

AUDITOR OF THE CITY OF PORTLAND

By Gordon Croell  
Deputy.