

ORDINANCE NO. 149514

(IMPROVEMENT-TIME AND MANNER)

Letter G Page 19 File C 9258

An Ordinance providing for the time and manner of improving NE Going Street from the west line of NE 36th Avenue to the east line of NE 37th Avenue, and declaring an emergency.

THE CITY OF PORTLAND ORDAINS:

Section 1. That NE Going Street from the west line of NE 36th Avenue to the east line of NE 37th Avenue, 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 northwest corner of Lot 20, Block 11, Willamette Add. thence easterly to the northeast corner of Lot 23 of said Block 11; thence southerly to the southeast corner of Lot 39, Block 10, Willamette Add; thence westerly to the southwest corner of Lot 2, of said Block 10; thence northerly 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: Adjusting inlets;

3rd: Improving the roadway with asphalt concrete Class "C" 1 1/4" thick, on asphalt concrete Class "B", 1 1/2" thick, on a crushed rock base 6" thick;

4th: Skinpatching.

That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$13,089.37; that advertising costs, 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.

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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: By June 30, 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 Commissioner of Public Works is hereby directed to have the Maintenance Bureau perform the necessary work for the improvement provided by this Ordinance.

Section 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 30 1980

William A. Schweb
PRESIDENT OF THE COUNCIL AND ACTING Mayor of the City of Portland

Attest:

George J. Johnson
Auditor of the City of Portland

no memo

Letter G Calendar No. 1458

Page 19

File C- 9258

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Compared SE
Council APR 30 1980

Mike Lindberg

Introduced by _____

Referred to Commissioner of Public
Works

Filed APR 10 1980

AUDITOR OF THE CITY OF PORTLAND

By Edna Cervera
Deputy.

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
IVANCE	✓	
JORDAN	✓	
LINDBERG	✓	
SCHWAB	✓	
McCREARY	✓	