

# ORDINANCE NO. 150871

(IMPROVEMENT-TIME AND MANNER)

Letter R Page 31 File C-9288

An Ordinance providing for the time and manner of improving SE Rural Street from the west line of SE 39th Avenue to the east line of SE 41st Avenue, and declaring an emergency.

### THE CITY OF PORTLAND ORDAINS:

Section 1. That SE Rural Street from the west line of SE 39th Avenue to the east line of SE 41st 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 on the east line of SE 39th Avenue at a point 87 ft. north of the north line of SE Rural St.; thence east parallel to the north line of SE Rural St. to the west line of SE 41st Avenue; thence south on the west line of SE 41st Avenue to a point 87 ft. south of the south line of SE Rural St.; thence west parallel to the south line of SE Rural St. to the east line of SE 39th Avenue; thence north 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 connection.
- 3rd: Constructing concrete driveway 6" thick.
- 4th: Constructing concrete curb.
- 5th: Installing 8-Inch Concrete Sewer Pipe.
- 6th: Installing 8-Inch Concrete Sewer Pipe 1/8 bend.
- 7th: Constructing inlets.
- 8th: Filling abandoned inlet.
- 9th: Reconstructing Manhole Cone.
- 10th: Improving the roadway with asphalt concrete Class "C", 1 1/2" thick on asphalt concrete Class "B" 1 1/2" thick or a crushed rock base 6" thick.
- 11th: Skidpatching.

That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$27,350.00 that advertising costs, progress payment interest 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.

ORDINANCE NO. 11811

CHAPTER 118 OF THE CITY CODE

Section 2. That said improvement shall in all respects be done and completed in conformity with the plans and specifications theretofore 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: 30 days after notice to proceed 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, **DEC 17 1980**

Attest:

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*George J. ...*  
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Auditor of the City of Portland

*105 10/10/80 R*

Letter R Calendar No. 4403

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**Ordinance No. 150871**  
**(IMPROVEMENT)**

Time and manner of improving SE Rural Street from the west line of SE 39th Avenue to the east line of SE 41st Avenue and declaring an emergency.

Ordained *de*  
Council **DEC 10 1980**

Introduced by *Mike Lindberg*

CONTINUED TO **DEC 17 1980**

Referred to Commissioner of Public Works

Filed NOV 25 1980

**GEORGE YERKOVICH**  
AUDITOR OF THE CITY OF PORTLAND

By *George Crull*  
Deputy.

THE COMMISSIONERS VOTED AS FOLLOWS		
	YEAS	NAYS
JORDAN	/	
LINDBERG	/	
SCHWAB	/	
IVANCIE	/	