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40th	Common Trench Excavation
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100th	Common Trench Excavation

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: 150 days after receipt of notice to proceed by December 1, 1981, 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, JUN 4 1981

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

Attest:

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

*No. 151692*

Letter Dist Calendar No. 1763

Page 73

File C 9359

# Ordinance No. 151692

(IMPROVEMENT)

Time and manner of Improving  
as a District: Streets within District  
No. 1 of the Kenton H.C.D. Street  
Improvement project and the construction  
of a storm drainage system, and declaring an emergency.

Ordinance read,  
Council **JUN 3 1981**

Introduced by *Mike Lindberg*

**JUN 3 1981**

**CONTINUED TO JUN 4 1981**

Referred to Commissioner of Public  
Works

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

Filed **MAY 12 1981**

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

By *Gordon*  
Deputy.