

ORDINANCE NO. 151798

(IMPROVEMENT-TIME AND MANNER)

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An Ordinance providing for the time and manner of improving SE Nehalem St. from the west line of SE 19th Avenue to the east line of SE 21st Avenue, and declaring an emergency.

THE CITY OF PORTLAND ORDAINS:

Section 1. That SE Nehalem St. from the west line of SE 19th Avenue to the east line of SE 21st 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 NE corner of Lot 3, Block 93, Sellwood; thence S 1/4 to the SE corner of Lot 2, Block 94, Sellwood; thence W 1/4 to the SW corner of Lot 12 of said Block 94; thence N 1/4 along the E/L of SE 19th Avenue to a point 67 ft. N of the N/E of SE Nehalem Street; thence E 1/4 along a line parallel to the N/L of SE Nehalem Street a distance of 75 ft.; thence N 1/4 along a line parallel to the E/L of SE 19th Avenue a distance of 33 ft.; thence E 1/4 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: Construct concrete sidewalk corner.
- 3rd: Construct concrete driveway, 4" thick.
- 4th: Construct concrete driveway, 6" thick.
- 5th: Construct concrete curb.
- 6th: Sawn concrete.
- 7th: Install 6" concrete pipe W/C "C" Bedding.
- 8th: Fence removal, other.
- 9th: Inlets.
- 10th: Filling abandoned inlets.
- 11th: Adjusting manholes.
- 12th: Construct Aggregate Driveway, 4" thick.
- 13th: Improving the roadway with asphalt concrete, Class C, 2 1/2" thick on asphalt concrete, Class B, 1 1/2" thick on a crushed rock base 6" thick.
- 14th: Skinpatching.
- 15th: Construct asphalt concrete driveway connections.
- 16th: Install new traffic control signing.
- 17th: Install new traffic control sign post w/brackets.

That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$45,000.00. That 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.

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: _____, 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.~~
 60 days after receipt of notice to proceed
 by the Council, to wit: by Nov. 1, 1981

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 24 1981**

 Mayor of the City of Portland

Attest:

Senja Gaborik
 Auditor of the City of Portland

no record. R

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Compared SE
Council JUN 24 1981

Introduced by Mike Lindberg

Referred to Commissioner of Public Works

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

Filed JUN 2 1981

GEORGE YERKOVICH

AUDITOR OF THE CITY OF PORTLAND

By Robert Crull
Deputy.