

ORDINANCE NO. 152977

(IMPROVEMENT-TIME AND MANNER)

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An Ordinance providing for the time and manner of improving SW 33rd Avenue from the south line of SW Carson Street to the centerline of SW Hume Street, and declaring an emergency.

THE CITY OF PORTLAND ORDAINS:

Section 1. That SW 33rd Avenue from the south line of SW Carson Street to the centerline of SW Hume Street, 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 south line of SW Hume Street at a point 165 feet W. of the W/L of SW 33rd Avenue; thence east to a point 116 feet E. of E/L of SW 33rd Avenue; thence south to the north line of Lot 2, Primrose Acres; thence west 10 feet; thence south to the north line of SW Carson Street; thence west to the east line of SW 33rd Avenue; thence south westerly to a point on the west line of SW 33rd Avenue, said point being 310 feet S. of SW Hume Street; thence west on a line 310 feet south of and parallel to the south line of SW Hume Street to a point 165 feet W. of W/L of SW 33rd 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: Excavation, concrete;
- 2nd: Constructing concrete driveway connections;
- 3rd: Constructing concrete driveway, 6" thick;
- 4th: Constructing concrete curbs;
- 5th: Constructing asphalt concrete driveway connections;
- 6th: Install "No Parking Signs";
- 7th: Remove tree;
- 8th: 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 8" thick;
- 9th: Skin patching;
- 10th: By grading street to proper sub-grade.

That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$22,110.00; 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.

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.

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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 receipt notice to proceed by Sept. 15, 1982, 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, **MAR 17 1982**

Mayor of the City of Portland

Attest:

Senge Schmitt
Auditor of the City of Portland

*Account
approved*

*1 - memo, R
part of 88-1210*

1 - late memo

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(IMPROVEMENT)

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33rd Avenue from the south line
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declaring an emergency.

Compared *De*
Council **MAR 17 1982**

Mike Lindberg

Introduced by _____

Referred to Commissioner of Public
Works

Filed **FEB 24 1982**

GEORGE YERKOVICH
AUDITOR OF THE CITY OF PORTLAND

By *Gordon E. Hall*
Deputy.

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