

ORDINANCE NO. 152978

(IMPROVEMENT-TIME AND MANNER)

Letter _____ Dist. _____ Page 51 File C- 9285

An Ordinance providing for the time and manner of improving as a District: Se 145th Avenue from the north line of SE Duke Street to the centerline of SE Barbara Welch Road; SE Duke Street from the west line of SE 145th Avenue to the east line of SE 148th Avenue, to construct a sanitary sewer system, to construct a storm sewer system, and to install a street light system, and declaring an emergency.

THE CITY OF PORTLAND ORDAINS:

Section 1. That as a District: SE 145th Avenue from the north line of SE Duke Street to the centerline of SE Barbara Welch Road; SE Duke Street from the west line of SE 145th Avenue to the east line of SE 148th Avenue, to construct a sanitary sewer system, to construct a storm sewer system, and to install a street light system, 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 a point on the easterly line of SE Barbara Welch Road, said point being the intersection of the northwesterly line of T.L. (4) of Lot 13 Johnson Creek Park with the easterly line of SE Barbara Welch Road; thence northeasterly along the easterly line of SE Barbara Welch Road to its intersection with the westerly line of SE 145th Avenue; thence northeasterly to the intersection of the north line of T.L. (2) of Lots 11 and 12 with the easterly line of SE 145th Avenue, thence easterly to the east line of T.L. (3) of Lots 11 and 12 Johnson Creek Park; thence north on the west line of said tax lot to a point 300 feet north of the center line of SE Duke Street; thence east on a line 300 feet north of and parallel to the centerline of SE Duke Street to the east line of T.L. (2) of 11 and 12 Johnson Creek Park; thence south on said east line extended south to a point 100 feet south of the south line of SE Cooper Street; thence west on a line 100 feet south of and parallel to the south line of SE Cooper Street to the point being the center of Lot 19 Johnson Creek Park; thence north to the south line of Lot 20 Johnson Creek Park; thence west to the west line of Lot 20 Johnson Creek Park; thence north to the south line of T.L. (18) of Lot 13 Johnson Creek Park; thence west to the south west corner of T.L. (4) of Lot 13 Johnson Creek Park; thence northwesterly to the point of beginning. All tax lots as shown on County Assessors map March 1981.

- 1st: Clearing & grubbing;
 - 2nd: By grading street to the proper subgrade;
 - 3rd: Constructing concrete sidewalk (where necessary);
 - 4th: Constructing concrete driveway (where necessary);
 - 5th: Constructing concrete curb (where necessary);
 - 6th: Installing guard rail;
 - 7th: 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 6" thick;
 - 8th: Installing signs;
 - 9th: Constructing sanitary sewer;
 - 10th: Constructing storm sewer & drainage facilities;
 - 11th: Installing street lights;
- That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$308,410.00; 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.

152978

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: 120 days after receipt notice to proceed by August 1, 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:

Auditor of the City of Portland

*Revisions
approved*

*5-KMOR R
Report of 152978
dated 3-15-82*

Letter Dist. Calendar No. 673

Page 51

File C- 9285

Ordinance No. 152978

(IMPROVEMENT)

Time and manner of Improving as a District:

SE 145th Avenue from the north line of SE Duke Street to the centerline of SE Barbara Welch Road; SE Duke Street from the west line of SE 145th Avenue to the east line of SE 148th Avenue, to construct a sanitary sewer system, to construct a storm sewer system, and to install a street light system, and declaring ~~an~~ emergency.

Council MAR 17 1982

Introduced by

Mike Lindberg

Referred to Commissioner of Public Works

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

Filed FEB 24 1982

GEORGE YERKOVICH

AUDITOR OF THE CITY OF PORTLAND

By *Robert C. Smith*
Deputy.