

Ordinance No. 19995

An Ordinance providing for the time and manner of improving ~~as a district improve-~~ment, Hall Street from ~~the~~ the east line of 14th Street to its intersection with Heights Terrace, Heights Terrace from its intersection with Hall Street to a place near College Street where Heights Terrace intersects the west line of 16th Street

THE CITY OF PORTLAND DOES ORDAIN AS FOLLOWS:

SECTION 1.

That Hall Street from the east line of 14th Street to its intersection with Heights Terrace, Heights Terrace from its intersection with Hall Street to a place near College Street where Heights Terrace intersects the west line of 16th Street

shall be improved as follows:

First. By grading said street to the proper subgrade.
Second. By bringing the roadway of said street to the proper grade with crushed rock.
Third. By constructing artificial stone sidewalks and curbs.
Fourth. By constructing combination artificial stone curb and gutters.
Fifth. By constructing concrete retaining walls.
Sixth. By constructing iron fence.
Seventh. By laying vitrified pipe.
Eighth. By constructing inlets.
Ninth. By laying crosswalks.
Said improvement to be made in accordance with the Charter and ordinances of the City of Portland, and the plans, specifications and estimates of the City Engineer, filed in the office of the Auditor on the 23rd day of July, 1909, in-
dorsed: "City Engineer's plans and specifications for the improvement of Hall Street and Heights Terrace from the east line of Fourteenth Street to a place near College Street where Heights Terrace intersects the west line of Sixteenth Street, and the estimates of the work to be done and the probable total cost thereof."
The cost of said improvement to be assessed as provided by the City Charter upon the property specially and peculiarly benefited thereby, and which is hereby declared to be all the lots, parts thereof and parcels of land lying within the district bounded and described as follows: Beginning at a point on the west line of Fourteenth Street 100 feet south from the south line of Hall Street, thence easterly 150 feet at right angles to said west line of Fourteenth Street, thence northerly and parallel with said west line of Fourteenth Street 250 feet; thence westerly and parallel with the north line of Hall Street to the westerly line of Block 2 Subdivision Tract "Z" Portland; thence in a direct line to the northeast corner of lot 1 block 37 Carters Addition to the City of Ports-

land; said corner being also on the south line of Harrison Street, now vacated; thence westerly along the north line of said lot 1, 110 feet; thence northerly to the southwest corner of lot 4 in block 36 Carters Addition to the City of Portland. Said point being on the north line of said Harrison Street, now vacated; thence northerly along the west line of said lot 4, 80 feet; thence westerly along the dividing line between lots 5 and 6 block 36 Carters Addition to the City of Portland to the east line of Seventeenth Street, now vacated; thence northerly along the east line of Seventeenth Street now vacated, 80 feet; thence westerly to the northeast corner of lot 2 in block 35, Carters Addition to the City of Portland; thence westerly along the dividing line between lots 2 and 3 block 35 said Carters Addition 100 feet; thence southerly in a direct line to the northwest corner of lot 1 block 30 said Carters Addition, said point being on the south line of Hall Street; thence easterly along the south line of Hall Street to the northeast corner of lot 1 in said block 30, said point being on the west line of Seventeenth Street; thence southerly along the west line of Seventeenth Street to the north line of Hawthorn Terrace; thence easterly along the north line of Hawthorn Terrace to the southeast corner of block 112 Groves Addition to the City of Portland; thence in a direct line to the southwest corner of lot 2 block "G" of Skyland, said point being on the north line of Davenport Street; thence easterly along said north line of Davenport Street to intersection with the southerly extension of the west line of Fourteenth Street; thence northerly along said southerly extension and along the west line of Fourteenth Street to the place of beginning.
The City Engineer's estimate of the probable total cost for the improvement of said streets is \$13,552.00.
The above improvement is to be classed as a macadam improvement and the roadway of said street shall be maintained by the City for a period of four years.

SECTION 2.

The said improvements shall in all respects be done and completed in conformity with the provisions of Ordinance No. 14253, entitled "An Ordinance in relation to the improvement of streets," as amended, except as otherwise provided by this Ordinance.

SECTION 3.

The surface of the street shall be cleared of all timber, planks or other obstructions, excepting such sidewalks, crosswalks and plank roadways of the proper width, as are in good condition, and are on the established grade, and which are not included in the estimate of the City Engineer for said improvement.

SECTION 4.

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 so to do from the City Engineer.

SECTION 5.

The contractor or contractors shall take entire charge of the work during its progress 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 Executive Board of the said City of Portland.

SECTION 6.

The contractor or contractors to whom a contract or contracts may be awarded for the completion of said improvement, shall complete the same within the time to be fixed by the Executive Board, and upon commencing said work shall continue the same without delay until completed unless the time for the completion of the improvement is extended by the Executive Board, and each contract shall contain a provision that for each day required for the completion of such contract after the expiration of the time fixed by the Executive Board there shall be forfeited by the contractor to the city the sum prescribed in Ordinance No. ~~15373~~ **19745**, entitled, "An Ordinance fixing the amount to be forfeited to the city by contractors for street improvements and construction of sewers for non-completion of work within time provided by contract." **and repealing Ordinance number 15373"**

SECTION 7.

The contract or contracts, 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 such improvement and collected and paid into the

City Treasury for that purpose, and that they will not require the City of Portland by any legal process or otherwise to pay the same out of any other fund, except as provided by the Charter.

The contract or contracts shall also be subject to the provisions of Ordinance No. 9183, entitled, "An Ordinance to protect material men, laborers and sub-contractors, who furnish labor or material to contractors for the improvement of streets or construction of sewers."

SECTION 8.

Whereas there is an immediate necessity that this Ordinance shall take effect upon its approval by the Mayor an emergency is hereby declared and said ordinance is hereby declared to be necessary for the immediate preservation of the health, peace and safety of the people of the City of Portland for the following reasons: That an immediate necessity exists for said improvement, and that all provisions of the Charter may be legally complied with. Therefore this Ordinance shall take effect and be in force immediately upon its approval by the Mayor.

Passed the Council Sep 8 1909

A. L. Barbur

Auditor of the City of Portland.

Approved Sept 9 1909

Joseph Simon

Mayor

Submitted to the Mayor Sep 9 1909 190