

ORDINANCE NO. 31039

(IMPROVEMENT)

An Ordinance providing for the time and manner of improving **AINSWORTH AVENUE**

from the east line of East Ninth Street, extended south, to the east line of East Tenth Street, extended south.

The City of Portland does ordain as follows:

Section 1. That **AINSWORTH AVENUE from the east line of East Ninth Street, extended south, to the east line of East Tenth Street, extended south,**

shall be improved as follows:

- 1st. By grading said street, full width, except the central 24-foot strip of roadway between intersecting streets, to the proper subgrade.
- 2d. By forming said central 24-foot strip of roadway between intersecting streets into park strips.
- 3d. By furnishing and placing a top soil four inches in depth on park strips.
- 4th. By constructing concrete sidewalks.
- 5th. By constructing concrete curbs.
- 6th. By laying curb guard.
- 7th. By laying pavement header.
- 8th. By laying drain tile.
- 9th. By laying sidewalk drain pipe.
- 10th. By laying water service pipe.
- 11th. By providing water service connections.
- 12th. By laying vitrified pipe for surface drain.
- 13th. By constructing catch basin.
- 14th. By constructing outlet.
- 15th. By installing street washers for hose connections in park strips.
- 16th. By enclosing park strips with concrete curb.
- 17th. By paving the roadway of said street, full width, except the central 24-foot park strip hereinbefore mentioned, with bitulithic pavement on a crushed rock base.

All of which shall be made in accordance with the Charter and Ordinances of the City of Portland and the plans and specifications of the City Engineer of said City filed in the office of the Auditor of said City on the twelfth day of February, 1916, endorsed: "Plans, specifications and preliminary estimates for two or more kinds of appropriate improvements, and the probable total cost of each class of improvement, including all items of material and work required in improving Ainsworth avenue from the east line of East Ninth street, extended south, to the east line of East Tenth street, extended south, together with a map and description of the boundaries of the proposed assessment district to be benefited and assessed therefor," which plans and specifications are satisfactory to the Council and are hereby approved and adopted.

That the cost of said improvement will be assessed as provided by the Charter and Ordinances of the City of Portland upon all the lots, parts thereof and parcels of land lying within the district bounded and described as follows:

Beginning at a point in the east line of East Ninth street 323.9 feet north of the north line of Ainsworth avenue; thence east parallel to the south line of lot 13, block 1, Highland Park, to the east line of East Tenth street; thence south along the east line of East Tenth

street to a point 325 feet north of the north line of Ainsworth avenue; thence east parallel to the south line of lot 13, block 2, Highland Park, to the east line of said lot 13; thence south parallel to the east line of East Tenth street to the north line of Ainsworth avenue; thence southerly to the north-east corner of lot 2, block 12, Highland Park; thence south to the southeast corner of lot 11, said block 12, thence west parallel to the south line of Ainsworth avenue to the east line of East Ninth street; thence north along the east line of East Ninth street to the south line of Ainsworth avenue; thence northerly to the point of intersection of the north line of Ainsworth avenue with the east line of East Ninth street; thence north to the point of beginning.

That the amount of the lowest responsible bid submitted for said improvement is:

Excavation, earth, per cubic yard.	\$.25
Excavation, old concrete sidewalk and curb, per cubic yard.	1.00
Embankment, top soil four inches deep for center park, per cubic yard.	.25
Embankment, rolled, per cubic yard.	.01
Sidewalk, concrete, per square foot.	.09
Curb, concrete, per lineal foot.	.26
Curb guard, per lineal foot.	.16
Header (pavement), per lineal foot.	.15
Drain tile, 3-inch, with bitulithic pavement, per lineal foot.	.97
Sewer pipe, 3-inch (sidewalk drain), per lineal foot.	.10
Iron pipe, 1/2-inch (water service), per lineal foot.	.17
Vitrified pipe, 6-inch (surface drain), per lineal foot.	.49
Vitrified pipe, 8-inch (surface drain), per lineal foot.	.45
Catch basins, each.	17.50
Outlets per plan "C," each.	12.50
Water service connections, each.	6.00
Street washer hose connections, each.	7.00
Bitulithic pavement in roadway, per square yard.	1.25
aggregating \$2,475.65, according to said Engineer's estimate of the quantities required; that said Engineer's estimate of the probable cost of said improvement is \$2,945.00.	

The above improvement shall be classed as a Bitulithic pavement on a crushed rock base, and the roadway of said street, except the central 24-foot park strip hereinbefore mentioned, shall be maintained by the City for a period of ten years.

Section 2. That said improvement shall in all respects be done and completed in conformity with the provisions of Ordinance No. 26717, entitled: "An Ordinance in relation to the improvement of streets and repealing Ordinance No. 21172, as amended, entitled 'An Ordinance in relation to the improvement of streets and declaring an emergency,' approved May 4, 1910," approved March 13, 1913, as amended by Ordinance No. 27884, entitled "An Ordinance to amend Sections 1, 3 and 4 of Ordinance No. 26717, entitled 'An Ordinance in relation to the improvement of streets and repealing Ordinance No. 21172, as amended, entitled 'An Ordinance in relation to the improvement of streets and declaring an emergency,' approved May 4, 1910,' approved March 13, 1913," passed by the Council October 8, 1913, ~~and of~~ Ordinance No. 28915, entitled "An Ordinance adopting the standard specifications for materials and the laying of pavements in the City of Portland, and declaring an emergency," passed by the Council May 11, 1914, as amended by Ordinances numbered 28958, entitled "An Ordinance to amend Ordinance No. 28915, entitled, 'An Ordinance adopting the standard specifications for materials and the laying of pavements in the City of Portland, and declaring an emergency,' passed by the Council May 11, 1914, and declaring an emergency," passed by the Council May 14, 1914, 29107, entitled "An Ordinance to amend subdivision e of standard specifications No. 123, of Section 1 of Ordinance No. 28915, and declaring an emergency," passed by the Council June 18, 1914, and 29314, entitled "An Ordinance to amend Ordinance No. 28915, as amended, entitled, 'An Ordinance adopting the standard specifications for materials and the laying of pavements in the City of Portland,' and declaring an emergency," passed by the Council, May 11, 1914, by adding between Standard Specifications No. 105 and No. 111, Standard Specifications No. 106, for concrete sidewalks and curbs, and declaring an emergency," passed by the Council August 12, 1914, ~~20138, 20428,~~

2675 and 30744, and of ordinance No. 20295.

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 Council of the said City of Portland.

Section 6. The contractor or contractors shall complete the same within the time fixed by the Council, to-wit:.....75.....days from the date of ~~making the contract~~ ^{passing this Ordinance}, 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 Council, 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 Council there shall be forfeited by the contractor to the city the sum prescribed in Ordinance No. 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 the time provided by contract and repealing Ordinance number 15373," approved July 30, 1909.

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. 25211, entitled, "An Ordinance to protect material men and laborers who furnish labor or material to contractors for the improvement of streets or construction of sewers," approved May 15, 1912.

Section 8. The Mayor and Commissioner of Public Works are hereby directed to enter into contract for the improvement provided for by this ordinance.

Passed by the Council..... **APR 21 1916**

..... **H. R. ALBEE**

Mayor of the City of Portland.

..... *G. J. [Signature]*

Attest:
Auditor of the City of Portland.