

ORDINANCE NO. 36847 (IMPROVEMENT)

Letter A Page 9 File C-325

An Ordinance providing for the time and manner of improving

AINSWORTH AVENUE from the east line of East Tenth Street
to the east line of East Seventeenth Street

THE CITY OF PORTLAND DOES ORDAIN AS FOLLOWS:

Section 1. That Ainsworth Avenue from the east line of East Tenth Street to the east line of East Seventeenth Street, shall be improved as follows:

First. By grading said street to the proper subgrade.

Second. By constructing concrete sidewalks and curbs.

Third. By constructing concrete driveways, where requested by property owners.

Fourth. By constructing inlets.

Fifth. By laying vitrified pipe for surface drainage.

Sixth. By laying wood header.

Seventh. By paving the roadway of said street, full width, except as hereinafter specified, with asphaltic concrete pavement No. 1 on crushed rock base.

Eighth. The central 24 feet of said street, except where broken by the intersecting streets, shall not be paved but shall be formed into parks enclosed by concrete curbs and surfaced with a layer of top soil to a depth of 4 inches.

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 3rd day of December, 1919, 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 Tenth Street to the east line of East Seventeenth Street, to-

gether with a map and description 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 shall be assessed as provided by the charter and ordinances of the City of Portland, up all the lots, parts thereof and parcels of land lying within the district bounded and described as follows:

Beginning at a point on the east line of East Tenth street, 325 feet north of the north line of Ainsworth Avenue; thence east parallel to the north line of Ainsworth Avenue to the west line of East Thirteenth street; thence north easterly to a point on the east line of East Thirteenth street, 350 feet north of the north line of Ainsworth Avenue; thence east parallel to the north line of Ainsworth Avenue to a point 100 feet east of the east line of East Seventeenth street; thence south parallel to the east line of East Seventeenth street to a point 288 feet south of the south line of Ainsworth Avenue; thence west parallel to the south line of Ainsworth Avenue to the east line of East Fourteenth street; thence westerly to a point on the west line of East Fourteenth street, 230 feet south of the south line of Ainsworth Avenue; thence west parallel to the south line of Ainsworth Avenue to the east line of East Tenth

street; thence north along the east line of East Tenth street to the place of beginning.

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

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| Excavation, earth, per cubic yard | \$ 1.75 |
| Excavation, old concrete sidewalk and curb, per cubic yard | 2.00 |
| Embankment, common, per cubic yard | .30 |
| Embankment, top soil 4 inches deep on parking strip, per cubic yard | 2.50 |
| Sidewalk, concrete, per square foot | .25 |
| Curb, concrete, per lineal foot | .65 |
| Header, wood, 4x12-inch, per lineal foot | .35 |
| 8-inch vitrified pipe (surface drain) per lineal foot | 1.75 |
| Driveway, concrete, 6 inches thick, per square foot | .45 |
| Inlets, each | 25.00 |
| Asphaltic concrete pavement No. 1 in roadway, top 2 inches thick, per square yard | 1.42 |
| Crushed rock base, 4 inches thick, per square yard | .70 |
| Aggregating \$22,718.80 according to said Engineer's estimate of the quantities required; that said Engineer's estimate of the probable cost of said improvement is \$31,034.00. | |

The above improvement shall be classed as an asphaltic concrete pavement No. 1 and the roadway of said street 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 plans and specifications therefor heretofore adopted by the Council and in conformity with the requirements of Ordinance No. 32924, as amended by Ordinances numbered 33605, 33935, 34003, ~~and~~ 35155, and 36152.

Section 3. The surface of the street shall be cleared of all timber, planks or other obstructions, excepting such sidewalks, cross-walks 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 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 6. The contractor or contractors shall complete said work covered by the contract within the time fixed by the Council, to wit: 120 days from the date of the passage of this ordinance, 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 Section 6 of Article X of said Ordinance No. 32924 as amended by Ordinance No. 33935.

Section 7. 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 8. The Mayor and Commissioner of Public Works are hereby directed to enter into a contract for the improvement provided for by this ordinance, ~~except the asphaltic concrete wearing surface which shall be laid by the City and the cost of laying such wearing surface by the City shall be included in the assessment to be made for the cost of said improvement.~~

Passed by the Council, FEB 25 1920

GEORGE L. BAKER
Mayor of the City of Portland.

Attest:

Geo R. Frank
Auditor of the City of Portland