

ORDINANCE NO. 149055

(IMPROVEMENT-TIME AND MANNER)

Letter _____ Dist. _____ Page 42 File C-9239

An Ordinance providing for the time and manner of improving as a District: N. Courtenay Avenue from the north line of N. Girard Street to the centerline of N. Willis Boulevard and N. Girard Street from the centerline of N. Haven Avenue to its westerly terminus (approximately 300 feet), and declaring an emergency,

THE CITY OF PORTLAND ORDAINS:

Section 1. That as a district: N. Courtenay Avenue from the north line of N. Girard Street to the centerline of N. Willis Boulevard and N. Girard Street from the centerline of N. Haven Avenue to its westerly terminus (approximately 300 feet), shall be improved as follows:

that the cost of said improvement shall be assessed as provided by the Charter and Ordinance 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 the southeast corner of Lot 1, Block 11, Portsmouth Villa Extended; thence northerly to the northeast corner of Lot 12, of said Block 11; thence westerly along the north line of said Lot 12 a distance of 50 feet; thence northerly in a line parallel to the east line of N. Courtenay Avenue to a point on the south line of N. Willis Boulevard; thence westerly to the northwest corner of Lot 17, Block 12, Portsmouth Villa Extended; thence southerly to the southwest corner of Lot 32 of said Block 12; thence southwesterly in a line parallel to the east line of Lot 11, Block 1, Portsmouth Villa Extended, to a point on the south line of said Lot 11; thence southeasterly to the southeast corner of said Lot 11; thence southwesterly along the west line of Lot 1, Block 101, University Park, to a point 55 feet south of the south line of N. Girard Street; thence southeasterly along a line 55 feet south of and parallel to the south line of N. Girard Street to a point on the west line of N. Haven Avenue; thence northeasterly along the west line of N. Haven Avenue to a point 100 feet north of the north line of N. Girard Street; thence northwesterly along a line 100 feet north of and parallel to the north line of N. Girard Street to a point on the south line of Lot 1, Block 11, Portsmouth Villa Extended; thence easterly 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: By grading street to proper subgrade;
- 2nd: Excavation, Common Trench;
- 3rd: Embankment, Common Backfill Material;
- 4th: Constructing concrete sidewalk, corner, driveway connections;
- 5th: Constructing driveway, concrete, 6 inches thick;
- 6th: Constructing curb, concrete;
- 7th: Sawcut concrete;
- 8th: Concrete steps;
- 9th: Installing 8-inch concrete pipe with Class "C" bedding;
- 10th: Fence removal, chain link;
- 11th: Fence removal, other;
- 12th: Installing inlets;
- 13th: Seal and abandon inlets;
- 14th: Improving the roadway with asphalt concrete Class "C", 1-1/2 inches thick, on asphalt concrete Class "B", 1-1/2 inches thick, on a crushed rock base 6 inches thick;
- 15th: Skimpatch; and
- 16th: Constructing a storm sewer.

That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$90,138.00; 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.

EXHIBIT 1

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.

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 ^{45 days from notice to proceed} by the Council, to wit: by November 1, 1980, 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.

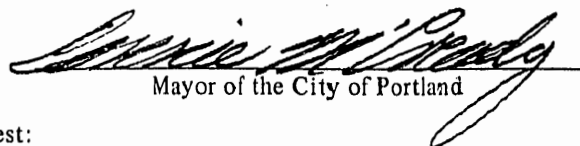
Section 6. The contract shall also contain a stipulation to the effect that the person, firm or corporation to whom the contract is let shall look for payment only to the fund to be assessed upon the property liable to pay for said improvement and collected and paid into the City Treasury for that purpose, 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.

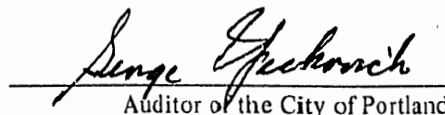
Section 8. The Mayor and Commissioner of Public Works are hereby directed to enter into a contract for the improvement provided for by this Ordinance.

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, **JAN 30 1980**


Mayor of the City of Portland

Attest:


Auditor of the City of Portland

Letter Dist Calendar No. 292

Page 42

File C 9239

Ordinance No. 149055

(IMPROVEMENT)

Time and manner of Improving as a
District: N. Courtenay Avenue from
the north line of N. Girard Street
to the centerline of N. Willis Boulevard
and N. Girard Street from the center-
line of N. Haven Avenue to its westerly
terminus (approximately 300 feet), and
declaring an emergency,

Prepared by
Council

JAN 30 1980

Introduced by

Mike Lindberg

Referred to Commissioner of Public
Works

THE COMMISSIONERS VOTED AS FOLLOWS

	YEAS	NAYS
IVANCE	1	
JORDAN	1	
LINDBERG	1	
SCHWAB	1	
McCREADY	1	

Filed JAN 9 1980

GEORGE YERKOVICH

AUDITOR OF THE CITY OF PORTLAND

By *Gordon C. Hall*

Deputy.