

ORDINANCE NO. 149366

(IMPROVEMENT-TIME AND MANNER)

Letter _____ Dist. _____ Page 63 File C- 9256

An Ordinance providing for the time and manner of improving N. Seneca St. from the east line of N. Macrum Avenue to the west line of N. Gilbert Avenue and N. Minerva Avenue from approximately the south line of N. Smith Ct. to the south line of N. Seneca Street and construct a storm sewer, and declaring an emergency.

THE CITY OF PORTLAND ORDAINS:

Section 1. That N. Seneca St. from the east line of N. Macrum Avenue to the west line of N. Gilbert Avenue and N. Minerva Avenue from approximately the south line of N. Smith Ct. to the south line of N. Seneca Street and construct a storm sewer, 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 the northwest corner of Lot 18, Block 2, Union Square; thence southeasterly and parallel to the north line of N. Seneca Street to the west line of N. Macrum Avenue; thence southwesterly along the west line of N. Macrum Avenue to the southeast corner of Lot 8, Block 4, Union Square; thence northwesterly to the southwest corner of Lot 5, Block 4, Union Square; thence southwesterly and parallel to the east line of N. Minerva Avenue to the southeast corner of Lot 21, Block 4, Union Square; thence northwesterly to the southwest corner of said Lot 21; thence westerly to the southeast corner of Lot 8, Block 1, Candlelight Lane; thence northwesterly to the southwest corner of said Lot 8; thence northeasterly and parallel to the west line of N. Minerva Avenue to the northwest corner of Lot 33, Block 3, Union Square; thence northwesterly to the southwest corner of Lot 1, Block 3, Union Square; thence northeasterly along the east line of N. Gilbert Avenue 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 the proper subgrade;
 - 2nd: Common trench excavation;
 - 3rd: Common Backfill Material Embankment;
 - 4th: Granular Trench Backfill;
 - 5th: Construction of concrete sidewalk, Corner, driveway connections;
 - 6th: Construct concrete driveway 6" thick;
 - 7th: Construct concrete curb;
 - 8th: Sawcut concrete;
 - 9th: Construct concrete steps;
 - 10th: Installing 8" concrete pipe, 2/class "C" Bedding;
 - 11th: Installing 10" concrete pipe, w/class "C" Bedding;
 - 12th: Wood or Wire Fence Removal;
 - 13th: Constructing standard sump 30" deep (sump only);
 - 14th: Constructing double inlets;
 - 15th: Constructing inlets;
 - 16th: Constructing manholes - 0-8' deep;
 - 17th: Seal and abandon inlet;
 - 18th: 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;
 - 19th: Skinpatching;
 - 20th: Constructing a storm sewer.
- That the estimated cost of said improvement in accordance with said plans, specifications and estimates is \$102,401.30; that advertising costs, right-of-way cost, 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.

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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: ^{45 days from notice to proceed} 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, APR 9 1980

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.

Annex McBrady
Mayor of the City of Portland

Attest:

Serge Fehernd
Auditor of the City of Portland