

ORDINANCE No. 13108.

An Ordinance to provide for the time and manner of Constructing a sewer to be known as the Cook Avenue District Sewer, at the expense of the property benefited by such sewer and describing the district so benefited, as provided by the Charter of the City of Portland.

The City of Portland does ordain as follows:

Section 1: The proposed sewer to be known as the Cook Avenue District Sewer, from the inlet on the Beech Street Sewer; thence running northeasterly 47 feet to a point of curve; thence by curve to the right radius 100 feet, angle 77 degrees, 43 min. 135.6 feet to point of tangent in St. John's County Road; thence on tangent to curve at last mentioned point along St. John's County Road in a southeasterly direction 710.8 feet to point of curve; thence by curve to left, radius 100 feet, angle 16 degrees 52 min., 29.4 feet to point of tangent; thence along St John's County Road, on tangent 160.4 feet to point of curve; thence by curve to left, radius 75 feet, angle 72 degrees 24 min., 94.76 feet to point of tangent; thence on tangent 13.07 feet; thence by curve to the right, radius 75 feet, angle 45 degrees 39 min., 57.13 feet to point of tangent; thence on tangent 148.99 feet to point of curve; thence by curve to left of 127.32 feet, radius, angle 12 degrees 50 min., 28.50 feet to point of tangent; thence on tangent 256.08 feet to point of curve; thence by curve to the right 127.32 feet radius, angle 47 degrees 45 min., 106.11 feet to point of tangent; thence on tangent 277.07 feet to point of curve; thence by curve to left radius 127.32 feet, angle 24 degrees 32 min., 54.52 feet to point of tangent; thence on tangent 638.96 feet to point of curve; thence by curve to left, 127.32 feet radius, angle 20 degrees 46 min., 45.12 feet to point of tangent; thence on tangent easterly along Morris Street 189.45 feet; thence by curve to left, radius 80 feet, angle 84 degrees 10 min., 117.46 feet to a point of tangent in Mississippi Avenue; thence northerly on Mississippi Avenue tangent to the curve at last mentioned point 165.50 feet to point of curve; thence by curve to right, radius 80 feet, angle 84 degrees 10 min.; 117.47 feet to point of tangent in Monroe Street; thence on tangent easterly along Monroe Street 156.99 feet to point of curve; thence by curve to left, radius 60 feet, angle 90 degrees, 94.20 feet to point of tangent in Albina Avenue; thence tangent northerly along Albina Avenue 39.70 feet to point of curve; thence by curve to left radius 40 feet, angle 90 degrees, 62.80 feet to point of tangent; thence on tangent easterly on Alley running through blocks 9, 10, 11 and 12, Subdivision of Riverview Addition to Albina, 1272.20 feet to point of curve; thence by curve to the left, radius 40 feet, angle 90 degrees, 62.80 feet to point of tangent in Gantenbein Avenue; thence tangent northerly on Gantenbein Avenue 495.03 feet to point of curve; thence curve to right, radius 60 feet, angle 90 degrees, 94.18 feet to point of tangent in Ivy Street; thence tangent easterly on Ivy Street 252.85 feet to point of curve; thence by curve to the left 60 feet, radius, angle 90 degrees, 94.18 feet to point of tangent in Vancouver Avenue; thence tangent northerly in Vancouver Avenue 150.80 feet to point of curve; thence by curve to right radius 60 feet, angle 90 degrees, 94.20 feet to point of tangent in Fremont Street; thence tangent easterly along Fremont Street 439.20 feet to point of curve; thence on curve to left, radius 60 feet, angle 90 degrees, 94.20 feet to point of tangent in Cleveland Avenue; thence tangent northerly along Cleveland Avenue 333.10 feet to point of curve; thence by curve to right 80 feet, radius, angle 90 degrees, 125.60 feet to point of tangent in Beech Street; thence tangent easterly on Beech Street 916.00 feet to point of curve; thence by curve to left 75 feet, radius, angle 90 degrees, 117.75 feet to point of tangent in Union Avenue; thence tangent northerly along Union Avenue to a point in said Avenue 16 feet north of the south line of Wygant Street, for the purpose of sewerage and draining the streets.

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and property within the district hereinafter described shall be constructed and the construction thereof superintended at the expense of the property benefited by such sewer, as provided by the City Charter, and shall be completed as hereinafter provided, within the time to be fixed by the Board of Public Works.

Section 2: That portion of the street necessary to be used for digging the trench, shall be cleared of all obstacles, except gas and water mains, at the expense of the contractor, who shall, after the pipe is laid and the trench filled, replace the pavement and all portions of the street improvements disturbed, leaving the street in as good order as the same was when the work was begun, except such portions as the Board of Public Works may direct to be omitted for the purpose of making other improvements.

Section 3: The sewer improvement herein provided for shall consist of putting in a sewer of brick and stone, having stone inverts, and vitrified sewer pipe, as shown on the plan, and of the following lengths and sizes: 30 feet of 60 inches inside diameter circular sewer; 1096 feet of 66 inch inside diameter circular sewer; 130 feet of 42 inch inside diameter circular sewer; 834 feet of 52 inch inside diameter circular sewer; 604 feet of 48 inch inside diameter circular sewer; 842 feet of 40 inch inside diameter circular sewer; 450 feet of 44 inch inside diameter circular sewer; 1890 feet of 49 inch by 73.5 inch interior dimensions, egg-shaped sewer; 570 feet of 44.1 inch by 66.15 inch interior dimensions, egg-shaped sewer; 698 feet of 39.2 inch by 58.8 inch interior dimensions, egg-shaped sewer; 510 feet 34.3 inch by 51.4 inch, interior dimensions, egg-shaped sewer; 490 feet of 29.4 inch by 44.1 inch interior dimensions, egg-shaped sewer; 930 feet of 24.5 inch by 36.75 inch interior dimensions, egg-shaped sewer; 452 feet of vitrified sewer pipe of 24 inches clear inside diameter; 450 feet of vitrified sewer pipe of 22 inches clear inside diameter; 332 feet of vitrified sewer pipe of 18 inches clear inside diameter; 327 feet of vitrified sewer pipe of 16 inches clear inside diameter; 333 feet of vitrified sewer pipe of 14 inches clear inside diameter, with catch-basins, man-holes and branches at such points as are provided for by the detail plans and specifications for said sewer now on file in the office of the City Auditor, and the work to be done and the material furnished shall be strictly in accordance with said plans and specifications.

Section 4: The streets and blocks and lots and parcels of land within the district herein after bounded and described shall be sewered and drained through the sewer provided for by this Ordinance, and the cost of said sewer shall be assessed as provided by the City Charter upon the lots and blocks and parcels of land benefited thereby, and which said district is bounded and described as follows to-wit:-

Beginning at a point where the center line of Fremont Street intersects the west line of Maryland Avenue; thence south 70 degrees 50 min. west to the center line of St. John's County Road; thence south 49 degrees 46 min. west to a point 100 feet south of the south line of said County Road; thence South 34 degrees 27 min. east 410 feet to a point; thence south 88 degrees 27 min. east 770 feet to a point; thence south 33 degrees 27 min. east 240 feet to a point; thence south 69 degrees 21 min. east to a point in center of Delay Street, 100 feet south of the south line of St. John's County Road; thence Northerly on the center line of Delay Street to the center line of Morris Street; thence easterly on the center line of Morris street to a point 100 feet east of the east line of Union Avenue; thence northerly on a line 100 feet east of and parallel with the east line of Union Avenue to a point 100 feet south of the south line of Prescott Street; thence easterly on a line 100 feet south of and parallel with the south line of Prescott Street to a point 100 feet east of the east line of East Tenth Street; thence northerly on a line 100 feet east of and parallel with the east line of ^{East} Tenth Street to a point 130 feet north of the north line of Wygant

Street, thence westerly on a line 130 feet and 100 feet respectively north of and parallel with the north line of Wygant Street to a point 100 feet east of the east line of Union Avenue; thence north-
erly on a line 100 feet east of and parallel with the east line of Union Avenue to the center line
of Alberta Street; thence westerly along the center line of Alberta Street to a point 108 feet west
of the west line of Haight Avenue; thence southerly on a line 108 feet west of and parallel with the
west line of Haight Avenue to a point 200 feet south of the south line of Beech Street; thence west-
erly on a line 200 feet south of and parallel with the south line of Beech Street to the center of
Albina Avenue; thence southerly on the center line of Albina Avenue to the center line of Fremont
Street; thence westerly on the center line of Fremont Street to the west line of Maryland Avenue,
the point of beginning, containing 417.06 acres more or less.

Section 5: The contractor shall take and have entire charge of the work during its pro-
gress and shall be responsible for any loss or accident resulting from carelessness or neglect and
the said sewer improvement shall be completed to the satisfaction of the Board of Public Works
of the City of Portland.

Section 6: The contract shall contain a provision that for each day required to com-
plete said contract, after the expiration of the time fixed for its completion, the contractor or
contractors shall forfeit to the City of Portland for its use and benefit the sum of five dollars.

The contract shall contain a stipulation to the effect that the person, firm or corpor-
ation to whom the contract shall be let shall look for payment only to the fund to be assessed up-
on the property liable to pay for such sewer 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.

The contract shall be subject to the provisions of Ordinance No. 9183, entitled "An Or-
dinance to protect material men, laborers and sub-contractors who furnish labor or material to
contractors for the improvement of streets or construction of sewers," and, which shall be express-
ly referred to and made a part of said contract.

Section 7: The Board of Public Works is hereby authorized and directed to advertise for
and receive proposals for the construction of the sewer as in this Ordinance provided, and thereaf-
ter to enter into contract for the construction of said sewer.

Section 8: The Auditor of the City of Portland is hereby appointed to estimate the
proportionate share of the cost of such sewer to be assessed to the property benefited thereby in
accordance with the provisions of Section 168 of the Charter of the City of Portland.

Passed the Common Council, December 3, 1902,

Thos. C. Devlin, Auditor,

Approved, December 4, 1902,

Geo. H. Williams, Mayor.

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ORDINANCE No. 13109.

An Ordinance to change and establish the grade at the intersections of East Nineteenth
and East Yamhill Streets.

The City of Portland does ordain as follows:

Section 1: That the grade at the intersection of East Nineteenth and East Yamhill
Streets be and the same is hereby changed from 106.3 feet and established at 105 feet above the
base of City grades.