

Ordinance No. 29386

An Ordinance providing for the time and manner of improving

East Eighth street, from 622 feet south of the south line of East Caruthers Street to a line 2 feet southerly from and parallel with the southerly rail of the O & C Railway Company's track. *near East Caruthers street* XXXXX street.

THE CITY OF PORTLAND DOES ORDAIN AS FOLLOWS:

SECTION 1.

That **East Eighth Street** from 622 feet south of the south line of East Caruthers Street to a line 2 feet southerly from and parallel with the southerly rail of the O & C Railway Company's track *near East Caruthers street* XXXXX street,

shall be improved as follows:

First. By grading the street full width to the established grade.
Second. By constructing wooden sidewalks and curbs.
Third. By laying crosswalks.
Fourth. By planning the roadway of said street full width.
Said improvements to be made in accordance with the Charter and Ordinances of the City of Portland and the plans, specifications and estimates of the City Engineer filed in the office of the Auditor of the City of Portland on the 26th day of October, 1909, endorsed "City Engineer's plans and specifications for the improvement of East Eighth street from 622 feet south of south line East Caruthers street to line two feet south from and parallel with southerly rail of the O & C Railway Company's track near East Caruthers street, and the estimates of the work to be done and the probable total cost thereof."
The cost of said improvement to be assessed as provided by the City Charter upon the property specially and peculiarly benefited thereby and which is hereby declared to be all the lots parts thereof and parcels of land lying between a line 100 feet east of and parallel with the east line of East Eighth street and a line 100 feet west of and parallel with the west line of East Eighth street, and between the south line of East Caruthers street and a line 450 feet south therefrom and parallel therewith.
The City Engineer's estimate of the probable total cost for the improvement of said street is \$22,565.00.
The above improvement is to be classed as a plank roadway improvement and the roadway of said street shall be maintained by the city for a period of three years.

SECTION 3.

The said improvements shall in all respects be done and completed in conformity with the provisions of Ordinance No. 14253, entitled "An Ordinance in relation to the improvement of streets," as amended, except as otherwise provided by this Ordinance.

SECTION 4.

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 5.

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 6.

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 Executive Board of the said City of Portland.

SECTION 7.

The contractor or contractors to whom a contract or contracts may be awarded for the completion of said improvement, shall complete the same within the time to be fixed by the Executive Board, 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 Executive Board, 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 Executive Board there shall be forfeited by the contractor to the city the sum prescribed in Ordinance No. ¹⁰⁷⁴⁵ ~~15373~~, 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 time provided by contract." and repealing Ordinance number 15373"

SECTION 8.

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. 9183, entitled, "An Ordinance to protect material men, laborers and sub-contractors, who furnish labor or material to contractors for the improvement of streets or construction of sewers."

Passed the Council JAN 12 1910

A. L. BARBOR
Auditor of the City of Portland.

APPROVED JAN 13 1910

JOSEPH SIMON Mayor

Submitted to the Mayor JAN 13 1910