

ORDINANCE NO. 131.

AN ORDINANCE PROVIDING FOR THE IMPROVEMENT OF FOURTH STREET FROM THE EAST SIDE OF HEMLOCK STREET TO THE WEST SIDE OF ELM STREET BY LAYING AND CONSTRUCTING A SIX-FOOT SIDEWALK ALONG THE NORTH SIDE THEREOF.

WHEREAS, due and regular notice of the election and intention of the Common Council of the City of Warrenton to improve Fourth Street from the east side of Hemlock Street to the west side of Elm Street by laying and constructing a sidewalk along the north side thereof, in accordance with a resolution duly adopted by said Council on the 16th day of October, 1914, and from the proof of publication of said Council's intention to improve said street, now on file with the Auditor and Police Judge, and the Committee on Streets and Public Ways having made and filed estimates of the cost of constructing said improvement, together with specifications for the same, and no remonstrance having been filed against said improvement, and the time for filing such remonstrance having elapsed, therefore,

THE CITY OF WARRENTON ORDAINS AS FOLLOWS:

Section 1. That said Fourth Street be forthwith improved by laying and constructing a sidewalk over and along the north side of that portion of said Fourth Street particularly described as follows:

Commencing on said street where the same is intersected by the east boundary line of Hemlock Street, running thence along the north side of said Fourth Street to the west boundary line of Elm Street, all in the City of Warrenton.

Section 2. That said Committee be, and the same hereby is, authorized and directed to advertise for bids for the construction of said improvement by posting notices in three conspicuous places within said City for a period of ten successive days, to receive bids for said improvement and to report the same to the Council and, upon the acceptance of the lowest bid by the Council, to enter into a contract with such bidder for the construction of the improvement.

The contract shall provide that said improvement shall be constructed and completed to the satisfaction of said Committee, and that such improvement shall be completed on or before the 20th day of February, 1915, unless the time be extended by ordinance, and for each day's delay in the completion of said improvement, unless the time be extended as aforesaid, the contractor shall forfeit and pay to the City of Warrenton, as stipulated damages for such delay, the sum of \$ 250; that said improvement shall

be made strictly in accordance with said plans and specifications and this ordinance, and the contractor shall have full charge of the work and shall be responsible for all accidents and injuries occurring upon said street during the progress of the work, and save the City of Warrenton harmless from all damages on account of injury or injuries to any person or persons happening upon the said portion of said Fourth Street while the improvement is being made.

That payments for said improvement shall be made in warrants of the City of Warrenton, upon a special fund constituted to defray the cost of the improvement, or upon the general fund or partly upon each fund, and that payment be made within ninety (90) days from the time the improvement shall be accepted.

Contractors shall be required to give bond with two or more sureties in the sum of \$ 20000, conditioned for the faithful performance of said contract.

That any planking and timbers upon any portion of said street after the same is taken up by the contractor, may be taken by the City of Warrenton and removed, and all old planks and timbers not required by the City, and all rubbish upon the streets after the improvement is completed shall be removed by the contractor.

Section 3. That the Committee on Streets and Public Ways is hereby authorized and directed to make and levy, in pursuance of Section 51 of the Charter, as amended in 1901, a special assessment for the purpose of paying for said improvement, upon the real property abutting thereon, particularly described as follows, to-wit:

Lot 9 in Block 7; lots 8 and 9 in Block 8; lots 8 and 9 in Block 9, and Block 9A; all in Warrenton Addition to Astoria; and Lot 23 in Block 10 and lots 31 and 32 in Block 9; all in First Extension to Warrenton; and Lot 8 in Block 137 of Second Extension to Warrenton; all of said property being in the City of Warrenton, Clatsop County, Oregon.

The aggregate sum to be assessed against said property shall be determined by ^{who} Said Committee shall make said assessment and report the same to the Council as soon as practicable.

Passed the Common Council this 20th day of November, 1914.

Approved by the Mayor this 20th day of November, 1914.

Attest: John Evenden
Auditor and Police Judge.

George Schmitt
Mayor.