

PUBLIC STREETS.

SUPPLEMENTAL V.—*An Act to authorize the City of Oakland to improve the streets, lanes, alleys, courts, and places in the said city; approved April 4, 1864. With the amendments thereto; approved March 29, 1870.*

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The City Council of the City of Oakland shall have power, upon the payment of just compensation, to lay out and open new streets, lanes, alleys, courts, and places, within the corporate limits of said city, but shall have no power to subject the city to any expenses therefor, except for the necessary expense of surveying and mapping out the same; and when said streets are so laid out and opened, the provisions of this Act shall be applicable thereto.

SEC. 2. The City Council are hereby authorized and empowered to order the whole of any portion of the streets, lanes, alleys, places, or courts of said city graded or regraded to the official grade, planked or replanked, paved or repaved, macadamized, piled or repiled, capped or recapped, or to order sidewalks, sewers, cesspools, manholes, culverts, curbing, and crosswalks, to be constructed therein, and to order any other work to be done, which shall be necessary to make and complete the whole or any portion of said streets, lanes, alleys, places, or courts; and they may order any of the said work to be improved whenever the interest and convenience of the public will be promoted thereby.—*[Amendment, March 29, 1870.]*

SEC. 3. The City Council may order any work authorized by section two of this Act to be done, after notice of their intention so to do, in the form of a resolution, describing the work, and signed by the Clerk of said Council, has been published for a period of ten days. At the expiration of any notice of intention as hereinbefore provided, the City Council shall be deemed to have acquired jurisdiction to order any of the work to be done, or to be afterwards improved, which is authorized by section two of this Act; and all owners of lands, or lots, or portions of lots, who may feel aggrieved, or who may have objections to any of the subsequent proceedings of the said Council, in relation to the work mentioned in such notices of intention, shall file with the said Clerk a petition of remonstrance, wherein they shall state in what respect they feel aggrieved, or the proceedings to which they object; such petition or remonstrance shall be passed on by the said City Council, and their decision therein shall be final and conclusive. The owners of more than one half in frontage of the lots and lands fronting on the work proposed to be done, and designated in said resolution (excepting work proposed to be done on Broadway Street in said city), may make written objections to said proposed work within ten days from the first publication of said resolutions. Said objection shall be delivered to the Clerk of the said City Council, who shall endorse thereon the date of their reception by him; and such objections so indorsed shall be a bar to any further proceedings in relation to said work for a period of six months, unless the owners as aforesaid shall sooner petition for the same to be done; *provided*, that one half, or more, in width or in length of any street, lying and being between two main street crossings, have been already improved as aforesaid, said City Council may order the remainder improved, notwithstanding the objections of property owners fronting thereon. Before passing any ordinance for the construction of said improvements, plans, specifications, and careful estimates shall be furnished the said City Council by the City Marshal of said City of Oakland, if required by them.

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