



ORDINANCE NO. 153

AN ORDINANCE TO ESTABLISH (AND ESTABLISHING) A LOCAL IMPROVEMENT DISTRICT, TO BE CALLED “LOCAL IMPROVEMENT DISTRICT NO 3” OF THE CITY OF REXBURG, NAMING THE STREETS TO BE IMPROVED AND THE POINTS BETWEEN WHICH SAID IMPROVEMENTS ARE TO BE MADE; DESCRIBING THE PROPERTY INCLUDED IN SAID DISTRICT, DESCRIBING THE NATURE OF THE IMPROVEMENTS TO BE MADE THEREIN AND ASSESSING THE COSTS THEREOF TO THE PROPERTY FRONTING OR ABUTTING THEREON, CONTIGUOUS OR TRIBUTARY THERETO.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG:

SECTION I – That there is hereby created and established a local improvement district, to be called “Local Improvement District No. 3” of the City of Rexburg.

SECTION II – That the names of the streets to be improved in said Local Improvement District and the points between which same shall be improved are as follows, to-wit:

First West Street, between First North and Second South Streets
First South Street, between First and Second West Streets
Second West Street, between Main and Second South Streets
Second South Street, between Second and Third West Streets
Third West Street, between Second and Fourth South Streets
Fourth South Street, between Third and Fifth West Streets
Second East Street, between Main and Second North Streets
Second North Street, between First and Second East Streets
First North Street, between First East and First West Streets
Third West Street, between Main and First North Streets
First East Street, between Main and First South Streets
Central Avenue, between Main and First South Streets
First East Street, between Main and First North Streets
Third West Street, between Main and Third North Streets
Second South Street, between Central Avenue and Second West Street

SECTION III – That said Local Improvement District No. 3 shall include all the property fronting or abutting on, contiguous or tributary to the streets to be improved, between the points named in Section 2 hereof, to the distance back from such streets to the center of the blocks, on the sides of the streets to be improved, as herein after provide, which said property is described as follows, to wit:

On First West Street, all of lots 1 and 4 of block 40, lots 2 and 3 of block 32, lots 1 and 4 of block 31, and lots 2 and 3 of block 48 of Rexburg Town site.

On First South Streets, lots 3 and 4 of block 40.

On Second West Street, lots 2 and 3 of block 40; lots 2 and 3 of block 47 of Rexburg Town site, and all of block 1 of the South End Addition; on Second East Street, all of lots 1 and 4 of block 34 and lots 1 and 4 of block 21 of Rexburg Town Site.

On Second North Street, all lots 3 and 4 of block 16.

On First North Street, all of lots 3 and 4 of block 19, lots 3 and 4 of block 22, and lots 3 and 4 of block 23.

On Third West Street all of lots 2 and 3 of block 30.

On First East Street, all of lots 2 and 3 of block 37.

On Central Avenue, all of lots 1 and 4 of block 39.

On First East Street, all of lots 1 and 4 of block 33.

On Second South Street, all of lots 1 and 2 of block 53, lot 1 of block 54 of Rexburg Town site, and lots 1 and 2 of block 8 and lots 1 and 2 of block 7 of the South End Addition.

On Third West Street, all of lots 1 and 4 of block 6 and lot 1 of block 11 of the South End Addition, lots 1, 2 and 3 of block 10 of the Parker Addition, and lot 4 of block 1 of the Klingler Addition.

On Fourth South Street, lots 2 and 3 of block 10 of Parker Addition, lots 3 and 4 of block 1, and lots 3 and 4 of block 2 of the Klingler Addition.

On Third West Street, lots 1 and 4 of block 29, lots 1 and 4 of block 26, and lots 1 and 4 of block 11 of Rexburg Town site, and lots 1 and 2 of block 5 and lots 1 and 8 of block 4 of the Bell and Bigler Addition.

SECTION IV – That there shall be laid and constructed cement and concrete pavement sidewalks on the several streets named in this section, at and between the points named herein, as follows, to-wit:

On the west side of First West Street, between Main and First South Streets

On the north side of First South Street, between First and Second West Streets

On the east side of Second West Street, between Main and First South Streets

On the west side of Second East Street, between Main and First North Streets and
Between First and Second North Streets

On the north side of Second North Street, between First and Second East Streets

On the north side of First North Street, between Third and Fourth East Streets

Between Central Avenue and First East Street, and between Central Avenue
And First West Streets

On the east side of First West Street, between Main and First North Streets

On the west side of First West Street, between Main and First North Streets

On the east side of Third West Street, between Main and First North Streets

On the east side of First East Street, between Main and First South Streets

On the west side of Central Avenue, between Main and First South Streets

On the west side of First East Street, between Main and First North Streets

On the east side of First West Street, between First and Second South Streets

SECTION V – That said pavement walks shall be four feet in width, and shall be laid just five feet in width, and shall be laid just five feet from the property line of the lots and blocks abutting on the streets upon which the same are to be laid; the sidewalks shall be graded and said pavement walks shall be constructed and laid in all respects, strictly according to the specifications provided in Ordinance No. 145 of the City of Rexburg.

SECTION VI – At all corners, and intersections of streets and alleys, said pavement walks shall extend to the curb lines, sixteen feet out from the property lines and connect with the street crossings hereinafter provided for.

SECTION VII – That the sidewalks in this section named, and at and between the points named, as follows, to-wit:

On the east side of Second West Street, between First and Second South Streets

On the south side of Second South Street, between Second and Third West Streets

On the west side of Third West Street, between Second and Third South Streets and
Between Third and Fourth South Streets

On the north side of Fourth South Street, between Third and Fourth West Streets
And between Fourth and Fifth West Streets

On the west side of Third West Street, between Main and Third North Streets

Shall be surveyed and a proper grade thereon established , and well and evenly graded, five feet in width and inches in depth.

SECTION VIII – The gravel walks provided for in section 7 hereof shall be four and a half feet from the property line of the lots and blocks abutting on the streets upon which the same are laid, and shall, at all corners and intersections of streets extend to the curb line, 16 feet out from property line.

SECTION IX – Said improvements shall be made, said sidewalks graded and graveled, and said pavement walks laid and constructed, as herein provided and the costs and expenses thereof shall be taxed and assessed upon all the property in said local improvement district, which costs shall be assessed in proportion to the number of feet of such lands and lots fronting or abutting thereon or contiguous or contributory there-to, and included in said local improvement district, and in proportion to the benefits derived by said improvements. All such assessments shall be known as “Special Assessments for Improvement” and shall be levied and collected as other city taxes, provided that any property owner in said local improvement district upon whose property any tax or assessment has been levied under the provisions hereof , may pay the amount of such assessments to the City Clerk of the city of Rexburg and obtain a receipt for the same or he may under the direction of the proper committee and the City Engineer, lay and construct such walks in front of any property he may own or occupy fronting or abutting on any sidewalk included in said local improvement district, and where on such walks are to be made, and upon the acceptance of said walks by the committee and City Engineer he shall be entitled to a receipt for said assessment.

SECTION X – There shall be laid and constructed, cement and concrete pavement walks, to connect and connecting the sidewalks herein before provided for, over and across the streets herein named, and at the points named herein as follows, to wit:

Across First North Street, on the west side of Second East Street
Across Second North Street, on the west side of Second East Street
Across First East Street, on the north side of First North Street
Across Second East Street, on the north side of First North Street
Across Third East Street, on the north side of First North Street
Across Central Avenue, on the north side of First North Street
Across First North Street, on the East side of First West Street
Across First West Street, on the South side of First North Street
Across Main Street, on the west side of Second East Street
Across Main Street, on the east side of First East Street
Across Main Street, on the west side of Central Avenue
Across Main Street, on the west side of First West Street
Across Main Street, on the east side of Third West Street
Across First South Street, on the east side of First West Street
Across First North Street, on the west side of First East Street

SECTION XI – There shall be made, over and across the streets named in this section, at the points named herein, gravel walls to connect and connecting the gravel sidewalks herein before provided for as follows, to-wit:

Across First South Street, on the east side of Second West Street
Across Second West Street, on the south side of Second South Street
Across Third West Street, on the south side of Second South Street
Across Second South Street, on the east side of Second West Street
Across Third South Street, on the west side of Third West Street
Across Fourth West Street, on the north side of Fourth South Street
Across Second South Street, on the east side of First West Street
Across First West Street, on the south side of Second South Street

Across Central Avenue, on the south side of Second South Street
Across Third West Street, on the north side of Main Street
Across First North Street, on the west side of Third West Street
Across First North Street, on the west side of Third West Street
Across Second North Street, on the west side of Third West Street

SECTION XII – That said street crossings shall be made and constructed under the direction of the proper committee and the City Engineer, and said cement and concrete crossings shall be laid and constructed strictly according to the specifications provided in ordinance 145 of the City of Rexburg, and all necessary culverts and water ducts put in, and the costs and expenses of installing and laying said street crossings and culverts and water ducts, shall be paid and borne by the City of Rexburg, and there is hereby appropriated out of the Road and Bridge Fund such sums as may be necessary to make said improvements.

SECTION XIII – All cement and concrete walks laid and constructed under the provisions of this ordinance shall, within twenty days after the completion thereof, be well banked up on either side with earth, in such a manner as to prevent any water running under the same and so as to convey the water away from the same, and where it is necessary to excavate or cut for the laying of said pavement walks, the excavation or cut shall be made wide enough to permit a good bank of earth to be laid against the sides of said pavement to protect it from the water as herein provided.

SECTION XIV – All sidewalks and street crossings provided for in this ordinance, shall be completed on or before the 15th day of September, 1911.

PASSED AND APPROVED THIS 15TH DAY OF AUGUST, 1911.

R. G. ARCHIBALD

Mayor

ATTEST: J. C. ANDERSON
City Clerk

I hereby certify that the foregoing is a complete correct copy of the original ordinance.

J.C. ANDERSON, City Clerk