



ORDINANCE NO. 167

SIDEWALK ORDINANCE

AN ORDINANCE ENTITLED AN ORDINANCE TO ESTABLISH AND ESTABLISHING A LOCAL IMPROVEMENT DISTRICT TO BE CALLED LOCAL IMPROVEMENT DISTRICT NO. 4 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 IN SAID DISTRICT; DESCRIBING THE NATURE OF THE IMPROVEMENTS TO BE MADE THEREIN, AND ASSESSING THE COST THEREOF TO THE PROPERTY FRONTING OR ABUTTING THEREON, CONTIGUOUS OR TRIBUTARY THERETO.

BE IT ORDAINED BY THE MAYOR AND 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. 4” 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;

North side of Main Street, between Third East Street and Second West Street
East side of Second East Street, between Main Street and First North Street
West side Third East Street, between Main Street and First North Street
East side of Third East Street, between First North Street and Second North Street
North side of Second North Street, between Second East St. and Third East St.
North side of First North St., between First East St. and Second East St.
North side of First North St., between First West St. and Second West St.
East side of Central Avenue, between The City Hall and Second North St.
West side of First East St., between First North St. and Second North St.
West side of Second East St., between Main St. and First South St.
West side of Second West Street, between Main St. and First South St.
North side of First South St., between Second West St. and Third West St.
North side of Second South Street, between Central Avenue and Second West St.
Both sides of First South St., between Central Ave. and First West St.
East side of Second West Street, between First South St. and Second South St.
South side of Second South St., between Second West Street and Third West St.
West side of Third West St., between Second South St. and Third South St.
South side of Third South St., between Third West St. and Fourth West St.
West side of Fourth West St., between Third South St. and Fourth South St.
North side of Fourth South St., between Fourth West St. and Fifth West St.
East side of First East St., from Second North St. and extending north twenty-five (25) rods
south side of First North St. from Second East St. west to connect with walk already laid.

SECTION III – That said Local Improvement District No. 4 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 provided, which said property is described as follows, to-wit

On Main Street - All of Lot 4 in Block 30
 All of Lots 3 and 4 in Block 31
 All of Lots 3 and 4 in Block 32
 All of Lots 3 and 4 in Block 33
 All of Lots 3 and 4 in Block 34
 All of Lots 3 and 4 in Block 35
 On Second East St. - All of Lots 2 and 3 in Block 35
 On Third East St. - All of Lots 2 and 3 in Block 19
 All of Lots 1 and 4 in Block 35
 On Second North St.- All of Lots 3 and 4 in Block 17
 On First North St. - All of Lots 3 and 4 in Block 21
 All of Lots 3 and 4 in Block 24 and the east ten rods of Lot 1, in Block 34
 On Central Avenue - All of Lots 2 and 3 in Block 22
 All of Lot 2 in Block 33
 On First East St. - All of Lots 1 and 4 in Block 22
 On Second East St. - All of Lots 1 and 4 in Block 37
 On Second West St. - All of Lots 1 and 4 in Block 41
 All of Lots 2 and 3 in Block 35
 All of Block 41
 On First South St. - All of Lots 3 and 4 in Block 41
 All of Lots 3 and 4 in Block 39
 All of Lots 1 and 2 in Block 48
 On Second South St. - All of Lots 3 and 4 in Block 48
 On Second West St. - All of Lots 2 and 3 in Block 47
 All of the foregoing lying and being in the Rexburg Town site, and the South end addition
 On Second West St. - All of Lot 1 in Block 1
 On Second South in south end addition – All of Lots 1 and 2 in Block 7 on Third West St.
 All of Lots 1 and 4 in Block 6
 On Third South St. - All of Lots 1 and 2 in Block 11
 On Fourth West St. - Lot 1 in Block 12
 In the Klingler Addition to Rexburg, on Fourth West St. – All of Lot 4 in Block 2
 In the Klingler Addition on Fourth South Street – All of Lots 3 and 4 in Block 2
 On First East St. - All of Lot 3 in Block 16
 And the South four rods of Lot 2 in said Block the same being in the Rexburg Town site.

SECTION IV - That the improvements to be made in said Local Improvement District be as follows, to-wit: That the sidewalk on the north side of Main Street, between Second East St. and a point midway between Central Avenue and First West St., be graded and cement walks be laid and constructed thereon eight feet in width except that the parts directly in front of buildings or places of business shall be widened to fourteen feet to reach the building line throughout the full length of said buildings or places of business; the sidewalk on the north side of Main St, between Second and Third East Streets and between Second West St. and a point midway between First West Street and Central Avenue, be graded and cement pavement walks be laid and constructed thereon six feet in width; that the sidewalk on the east side of Second East St. between Main St. and First North St., be graded and cement pavement walks be laid and constructed thereon six feet in width; that the sidewalk on the north side of First North St., between First East St. and Second East St., be graded and cement pavement walks be laid and constructed thereon five feet in width, that the sidewalk on the west side of Third East St. between Main St. and First North St. ___ east side of Third East St., between First North St. ad Second North St.; north side of Second North St., between Second East St. and Third East St.; north side of First North St., between First West St. and Second West St.; east side of Central Avenue, between the City Hall and Second North St.; west side of First East St. between First North St. and Second North St.; west side of Second East St., between Main St. and

First South St., west side of Second West St. between Main St. and First South St., north side of First South St., between Second West St. and Third West St., north side of Second South Street, between Central Avenue and Second West St., both sides of First South St., between Central Avenue and First West St., east side of Second West St., between First South St. and Second South St., south side of Second South St., between Second West St. and Third West St., west side of Third West St., between Second South and Third South St., south side of Third South St., between Third West St. and Fourth West St., west side of Fourth West St., between Third South St. and Fourth South St., north side of Fourth South St., between Fourth West St. and Fifth West St., east side of First East St., between Second North St. and extending north twenty-five (25) rods; south side of First North St., from Second East St. west to connect with walk already laid, all to be graded and cement pavement walks be laid and constructed thereon, four feet in width.

SECTION V – That said pavement walks shall be laid midway between the property line of the lots and blocks abutting and the curb line along 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 Number 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 – Said improvements shall be made, said sidewalks graded and graveled, and said pavement walks laid and constructed as herein provided, and the cost 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 tributary thereto, 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 assessment to the City Clerk of the City of Rexburg, and obtain a receipt for the same, or he may, under 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 whereon 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 VIII – There shall be laid and constructed, cement and concrete pavement walks, to connect and connecting the sidewalks hereinbefore provided for, over and across the streets herein named, and at the points named herein, as follows, to-wit:

- Across Second East St. on the north side of Second North St.
- Across First North St. on the west side of Third East St.
- Across Main St. on the east side of Second East St.
- Across Second East St. on the north side of Main St.
- Across Second East St. on the south side of Main St.
- Across First East St. on the north side of Main St.
- Across Central Avenue on the north side of Main St.
- Across First West St. on the north side of Main St.
- Across Second West St. on the north side of First South St.
- Across First South Street on the east side of Second West St.
- Across Second South St. on the East Side of Second West St.
- Across Second West St. on the south side of Second South St.
- Across Third West St. on the south side of Second South St.
- Across Third South St. on the west side of Third West St.
- Across Fourth West St. on the west side of Third West St.
- Across Fourth West St. on the south side of Third South St.

Across Central Avenue on the north side of Second South St.
Across First West St. on the north side of Second South St.
Across First South St. on the west side of Central Avenue
Across First North St. on the east side of Central Avenue
Across First West St. on the north side of First North St.

SECTION IX – 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 specification provided in Ordinance No. 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 improvement.

SECTION X – 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 side pavement, to protect it from the water as herein provided.

SECTION XI – All sidewalks and street crossings provided for in this ordinance shall be completed on or before the 4th day of August, 1913.

An emergency existing therefore this ordinance becomes effective immediately after the passage and approval and publication of the same.

PASSED AND APPROVED THIS 12TH DAY OF JULY, 1913.

ROBERT G. ARCHIBALD

Mayor

ATTEST: J.C. ANDERSON
City Clerk