



ORDINANCE NO. 185

AN ORDINANCE ENTITLED, AN ORDINANCE TO ESTABLISH AND ESTABLISHING A LOCAL IMPROVEMENT DISTRICT TO BE CALLED “LOCAL IMPROVEMENT DISTRICT NO. 6” OF THE CITY OF REXBURG IN THE COUNTY OF MADISON IN THE STATE OF IDAHO; NAMING THE STREETS TO BE IMPROVED AND THE POINTS BETWEEN WHICH SAID IMPROVEMENTS ARE TO BE MADE; DESCRIBING THE PROPERTY IN SAID LOCAL IMPROVEMENT DISTRICT; DESCRIBING THE NATURE OF THE IMPROVEMENT TO BE MADE AND ASSESSING THE COST AND EXPENSES OF SUCH IMPROVEMENT TO THE PROPERTY ABUTTING AND FRONTING THEREON.

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

SECTION I: There is hereby created and established a Local Improvement District to be called “Local Improvement District No. 6” of the City of Rexburg, in the county of Madiosn in the state of Idaho.

SECTION II: The names of the streets to be improved and the nature of the improvement in said Local Improvement District and the points between which such improvements are to be made are as follows:

Construction of cement sidewalk six feet (6) wide on the east side of Second West Street, between Main Street and First North Street.

Construction of cement sidewalk six (6) feet wide on the east side of Center Street, between Main Street and Second South Street.

Construction of cement sidewalk six (6) feet wide on the south side of Main Street between Second East Street and Third East Street.

Construction of cement sidewalk five (5) feet wide on the west side of Third East Street between First North Street and Second North Street.

Construction of cement sidewalk four (4) feet wide on the south side of Second North Street between First East Street and Second East Street.

Construction of cement sidewalk four (4) feet wide on the west side of Third East Street between Main Street and First South Street

Construction of cement gutter on the south side of Main Street between Center Street and First West Street, commence at the Northeast Corner of Lot two (2) in Block 29, running thence west to the Northwest corner of said lot and block; also, on the south side of Main Street between Second West Street and Third West Street, commencing at the Northwest corner of Lot one (1) in Block 41, running thence west to the intersection of the O.S.L.R.R. right of way; also , on the north side of Main Street between Center Street and First West Street, commencing at the Southeast corner of Lot three (3) in block 32 running thence west to the Southwest corner of said lot and block, all in Rexburg Townsite.

SECTION III: The said Local Improvement District No. 6, shall include all the property fronting and abutting on the streets to be improved between the points named in Section 2 of this ordinance, a description of said property being as follows;

Fronting on Main Street.

The North side of Lots 3 and 4 Block 1, Rigby addition.

The North side of Lot 2 in Block 39, Rexburg Townsite.

The North side of Lot 1 in Block 41 and that portion of Lot 2 in Block 41 East of the O.S.L.R.R. right of way, Rexburg Townsite.

The South side of Lot 3 in Block 32, Rexburg Townsite fronting on Second West Street.

The West side of Lots 2 and 3 in Block 40, Rexburg Townsite, fronting on Center Street.

The West side of Lots 2 and 3, Block 39, Rexburg Townsite.

The West side of Lots 2 and 3, Block 49, Rexburg Townsite, Fronting on Third East Street.

The East side of Lots 1 and 4, Block 20, Rexburg Townsite.

The East side of Lots 4 and 5, Block 1, Rigby addition, Fronting on Third East Street.

The North side of Lots 1 and 4, Block 34, Rexburg Townsite.

SECTION IV: The sidewalks to be constructed and the gutters to be constructed shall in all respects conform to Ordinance No. 145, and be subject to the acceptance and approval of the city council and the street committee of the city of Rexburg, provided that said street committee may make such changes and alterations in the kind of work to be performed and proportion of cement and gravel to be used as they may deem proper and most beneficial; that said sidewalks shall be laid midway between the property line and the curb line along all the streets to be improved.

SECTION V: That said sidewalks shall extend to the curb line and connect with street crossings where ever the same intersects any street or alley and all gutters shall likewise extend to the curb line wherever the same intersects any street or alley.

SECTION VI: That the cost and expense of the work and improvement provided for in this ordinance shall be assessed upon the abutting, fronting and contiguous lots and lands included in the improvement district and each lot and parcel of land and parts of lots shall be assessed separately for the full debt thereof in proportion to the number of feet of such lots and lands fronting thereon and included in the improvement district and in proportion to the benefits derived from such improvement sufficient to cover the total cost and expense of the work, including the space formed by the conjunctions of two or more streets, or wherein one street terminates in or crosses another street. And all such improvement and the assessment therefor shall be known as "Special Assessment for Improvement" and shall be levied and collected as other city taxes are levied and collected; provided that any property owner in said local improvement district upon whose property and tax or assessment has been levied under the provisions of this ordinance may pay the amount of such assessment or tax to the City Clerk of the City of Rexburg and obtain a receipt for the same or he may, under the directions of the street committee and City Engineer lay and construct such sidewalk or gutter in front of any property he may own or occupy within said improvement district and whereon such sidewalks and gutter are to be made and upon the acceptance and approval of such work by the street committee and City Engineer he shall be entitled to a receipts for such work and shall not be assessed for such improvement, provided further, that whenever any portion or parcel of any lot or land shall be divided and the parcel or portion of such lot or land shall not front or abut on the street to be improved, and shall not appear on the records of the Recorder of Madison County in the name of the person whose lot or land does not front or abut upon the street to be improved, such parcel or portion of such lot or land described in the improvement district shall not be deemed to be benefited by such improvement and the same shall not be assessed for such improvement or any portion thereof.

WHEREAS, an emergency exists therefor this ordinance shall be in force and effect immediately upon its passage, approval and publication.

PASSED AND APPROVED THIS 7TH DAY OF AUGUST, 1915.

Fred S. Parkinson, Mayor

ATTEST: _____
J.D. Anderson, City Clerk