



**ORDINANCE NO. 301**

**AN ORDINANCE PROVIDING FOR THE MAKING OF A PUBLIC IMPROVEMENT IN THE CITY OF REXBURG, NAMELY, A SEWER, AND CREATING A LOCAL IMPROVEMENT DISTRICT TO BE CALLED LOCAL IMPROVEMENT SEWER DISTRICT NUMBER THREE, FOR THE MAKING AND INSTALLING OF SAID SEWER, AND SETTING FORTH THE BOUNDARIES OF SAID DISTRICT: PROVIDING THAT THE COST AND EXPENSES OF SAID IMPROVEMENT SHALL BE TAXED AND ASSESSED UPON ALL PROPERTY IN SUCH LOCAL IMPROVEMENT DISTRICT PROVIDING FOR THE MAKING OUT OF AN ASSESSMENT ROLL AND GIVING NOTICE OF THE FILING OF SAME.**

**WHEREAS**, The city council of the city of Rexburg, on the 20<sup>th</sup> day of November A.D., 1929, duly passed a resolution declaring it to be the intention of the mayor and council of said city to create and establish a local improvement district in said city to be called Local Improvement District Sewer Number Three, and declaring their intention to make the improvement proposed therein, and directing that public notice be given of the time within which protests against said proposed improvement and the creation of said district might be filed, and fixing Wednesday, the 4th day of December, 1929, as the time when such protests would be heard and considered by the council, and notice thereof having been given and no protest having been filed:

BE IT ORDAINED, BY CITY OF REXBURG:

**SECTION I:** That a public improvement namely, 350 feet of sewer line, 8 inches in diameter, with all necessary “Ys”, and manholes and necessary parts and appurtenances, to serve all dwelling houses and other buildings within the district hereinafter described and connections with the main sewer line of the city's sewer system, be installed and laid at and between the following points namely: Commencing at the main sewer line 166½ feet north and 185 feet east of the Southwest corner of Lot 3, Block 31, Rexburg Townsite, and extending thence north in a straight line 350 feet.

**SECTION II:** That there be and is hereby created and established a local improvement district called Local Improvement Sewer District Number Three, for the making, laying and installing of a sewer line as defined and provided for in Section 1, of this ordinance, and that said local improvement district shall include all the property embraced therein, and is and shall be bounded and described as follows, to wit; Beginning at the Northwest corner of Lot 2, Block 31, of Rexburg Townsite, (City of Rexburg) and running thence south 20 rods; thence east 10 rods; thence north 10 rods; thence east 18 rods; thence north 10 rods; thence west 28 rods; to the point of beginning, and embracing a part of Lot 1 and a part of Lot 2 of said Block 31.

**SECTION III:** That the streets and parts of Streets along which, and the points between which, said improvement is to be made are the following namely: The South side of First North Street between the east line of Second West Street and a point 28 rods east therefrom; The east side of Second West Street between the south line of first North Street and a point 20 rods south therefrom.

**SECTION IV:** That the cost and expenses of said improvement be and the same are hereby taxed and assessed upon all property in said local improve district, and that such cost and expenses be and the same are hereby assessed in proportion to the number of square feet of lands and lots abutting, adjoining, contiguous and adjacent to the streets along which said improvement is to be made, and included in the improvement district hereby created, and in proportion to the benefits derived to such property by said improvement; provided, that no part of the cost and expenses of said improvement shall be paid from the general funds of said city.

**SECTION V:** That it is hereby made the duty of the committee on streets together with the city engineer of said city to make out an assessment roll according to the provisions of this ordinance, which assessment roll shall contain among other things the number of the assessment, the name of the owner of each lot or parcel of land, if known and if not known that the owner is unknown, a description of each tract of land assessed and the total amount of the assessment charged thereto; and to certify said assessment roll to the city council of said city, and upon the coming in of such assessment roll the council shall fix a time when objections thereto, by the property owners in said district, will be heard, and cause such assessment roll to be filed in the office of the city clerk; and that the city clerk upon receiving said assessment roll shall give notice by publication in the official newspaper of said city in one weekly issue thereof, that such assessment roll is on file in his office and the date of filing the same, and said notice shall state the time at which the council will hear and consider objections to said assessment roll by parties aggrieved by such assessments which said time shall be not less than ten days from the publication herein provided for, and all objections to said assessment shall be in writing.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, on this 18th day of October, 1929.

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Arthur Porter, Mayor.

(SEAL)

ATTEST:

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James Blake, City Clerk

