



CITY OF
REXBURG
America's Family Community

ORDINANCE NO. 303

AN ORDINANCE PROVIDING FOR MAKING IMPROVEMENTS ON CERTAIN STREETS AND PARTS OF STREETS IN THE CITY OF REXBURG, IDAHO, AND CREATING A LOCAL IMPROVEMENT DISTRICT TO BE CALLED "LOCAL IMPROVEMENT DISTRICT NUMBER 13 FOR SIDEWALK IMPROVEMENTS," ON MAIN STREET AND THIRD EAST STREET, BETWEEN CERTAIN DESIGNATED POINTS ON SAID STREETS, PURSUANT TO THE RESOLUTION OF INTENTION PASSED BY THE CITY COUNCIL ON THE 4TH DAY OF JUNE, 1930. SETTING FORTH THE BOUNDARIES OF SAID DISTRICT AND PROVIDING THAT THE COST AND EXPENSES OF SAID IMPROVEMENTS SHALL BE TAXED AND ASSESSED UPON ALL REAL PROPERTY INCLUDED IN SAID IMPROVEMENT DISTRICT, IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS: STATING THE AMOUNT OF THE TOTAL COST AND EXPENSES THEREOF WHICH SHALL BE PAID FROM THE GENERAL FUND OF THE CITY: DIRECTING THE COMMITTEE ON STREETS AND CITY ENGINEER TO MAKE OUT AND FILE WITH THE CITY CLERK AN ASSESSMENT ROLL ACCORDING TO THE PROVISIONS OF THIS ORDINANCE: DIRECTING THE CITY CLERK TO GIVE NOTICE OF THE FILING OF SAID ASSESSMENT ROLL: DIRECTING THE CITY ENGINEER TO MAKE AND FILE A MAP OF SAID IMPROVEMENT DISTRICT; DIRECTING THE COMMITTEE OF STREETS AND CITY ENGINEER TO MAKE AND FILE SPECIFICATIONS OF THE SEVERAL CLASSES OF IMPROVEMENTS AND DIRECTING THAT BIDS BE CALLED FOR.

WHEREAS, the City Council of the City of Rexburg, on the 4th day of June, A.D., 1930, 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 to be called Local Improvement District No. 13, which said resolution was in due form; and,

WHEREAS, the City Council caused to be published and served upon all owners of real property embraced in said proposed improvement district notice of intention to make said proposed; improvements and create said district, fixing Wednesday the 18th day of June, 1930, at five o'clock P.M., as the time within which protests against the proposed improvements or the creation of said improvement district might be filed in the office of the City Clerk, and fixing Wednesday the 18th day of June, 1930, at 7:30 P.M., as the time and the City Hall in the city of Rexburg, at the place when and where such protest should be heard and considered by the City Council; and,

WHEREAS, At the time and place stated in said resolution and notice certain objections were made to the said proposed improvements and the creation of said Local Improvement District, which said protests were duly considered and disposed of, and the City Council by the unanimous vote of all members thereof present, being more than a majority of the members of the council, by order duly made and entered of record, directed that said proposed improvements be made and said Local Improvement District created, and all necessary proceedings having been had and taken:

BE IT ORDAINED, BY the mayor and council of the city of Rexburg, in Madison County, State of Idaho:

SECTION I: That there be and is hereby created and established within the City of Rexburg, Idaho, a Local Improvement District to be called, "Local Improvement District No. 13 for Sidewalk Improvements," to increase the width of the concrete walks on Main Street, reconstruct the concrete walks where same have been destroyed and reconstruct the curbs where same have been removed or destroyed and lay and construct a concrete sidewalk on Third East Street, between the points on said streets hereinafter designated, in accordance with the resolution of intention as adopted on the 4th day of June, 1930, and ratified on the 18th day of June 1930, and that said improvements be provided for and made.

SECTION II: That the boundaries of said Local Improvement District No. 13, be and the same are hereby fixed and established as follows, to wit:

Commencing at a point in the center of Main Street directly South of the Southeast corner of Lot 3, Block 34, of the Rexburg Townsite and running thence North to the South-east corner of said Lot 3, and thence North on the East, line of said Lot 3, 330 feet to the Northeast corner of said Lot 3 thence West on the center line dividing Blocks 34, 33 and 32 of said Townsite, to the point 150 feet East of the Northwest corner of Lot 3, Block 32 aforesaid; thence South to a point in the center of Main Street 150 feet East of the East side line of First West Street; thence West on the center line of Main Street to a point directly North of the Northwest corner of Lot 2, Block 39, and thence South to the Northwest corner of Lot 2, Block 39, and thence South 330 feet to the Southwest corner of Lot 2. Block 39; thence east on the center line dividing Blocks 39, 38, and 37 to the Southeast corner of Lot 1, Block 37. thence North on the East line of said Lot 1, Block 37; thence North on the East line of said Lot 1, to the Northeast corner of said Lot 1, Block 37; thence North to a point in the center of Main Street 330 feet, to the point of beginning. Also, commencing at a point in the center of Third East at a point directly East of the Southeast corner of Lot 4, Block 17, Rexburg, Townsite, and running thence North 500 feet to a point in the center of Third East Street Directly East of a point 170 feet North of the Southwest corner of Lot 1 Block 17; thence West to a point on the West boundary line of said Lot 1, 170 feet North of the Southwest corner of said Lot 1; thence South on the center line dividing said Block 17, 000 feet to the Southwest corner of Lot 4, Block 17; thence east 330 feet to the Southeast corner of said Lot 4, and thence East to the point of beginning.

SECTION III: That the streets and parts of streets upon which and the points between which said improvements shall be made are the following, namely;

Main Street, on the North side thereof:

Between a point 350 feet West of the West side line of Second East street, and the curb line on the East side of First East street; between the curb line on the West side of First East Street and. the

Curb line on the East side of Central Avenue; between the curb line on the West side of Central Avenue and a point 150 feet East of the East side line of First West Street;

Main Street, on the South side thereof:

Between the curb line on the West side of Second East Street and the curb line on the East side of First East Street; between the curb line on the West side of First East Street and the Curb line on the East side of College Avenue; between the curb line on West side of College avenue and the curb line on the East side of Central Avenue; between the curb line on the West side of Central Avenue and the curb line on the East side of First West Street;

Third East Street, on the West side thereof:

Between a point 4 feet South of the North side line of Second North Street, and a point 160 feet South of the South side line of Third North Street.

SECTION IV: That the cost and expenses of said improvements shall be taxed and assessed upon all the real property in said Local Improvement District, in proportion to the number of square feet of the lots and lots abutting, contiguous and adjacent to the streets and parts of streets improved and included in said improvement district, and proportion to the benefits derived to such property by said improvements. Provided, that the cost and expenses of the improvements made within street intersections shall be borne by the city and the \$90.00 of the total cost and expenses of such improvements shall be paid from the general fund of the city for said purposes.

SECTION V: The committee on streets and city engineer are hereby directed to make our an assessment roll for the purposes of assessing and taxing the cost and expenses of said improvements upon the property in said district according to provisions of this ordinance and Section 15 of Chapter 257 of the 1927 Session Laws of the State of Idaho, to file such assessment roll when completed with the City Clerk, and to incur such expense as may be necessary in making out such assessment roll.

SECTION VI: The City Clerk is hereby directed upon receiving the assessment roll to give notice by publication in the official newspaper of the city in one issue thereof, to the effect that such assessment roll is on file in his office, stating the date of filing same and the time at which the City Council will hear and consider objections to said assessment roll which may be made by persons aggrieved by such assessments, which shall be not less than ten days after the date of the first publication of said notice.

SECTION VII: That the City engineer is hereby directed to prepare a map of said improvement district showing each piece of property separately assessed according to the descriptions in the assessment roll, and number each piece of property on said map with the number corresponding with the number thereof on the assessment roll, and file such map with the City Clerk within fifteen days after the assessment roll shall have been confirmed by the City Council.

SECTION VII: The committee on Streets and City engineer are hereby directed to make and file in the office of the City Clerk specifications of the several classes of improvements proposed, according to the resolution of intention above referred to, and upon such specifications being filed the City Clerk shall publish notice that the City Council will receive and consider bids for the construction of said improvements which said notice shall reserve to the council the right to reject any and all bids.

OF SAID ASSESSMENT ROLL: DIRECTING THE CITY ENGINEER TO MAKE AND FILE A MAP OF SAID IMPROVEMENT DISTRICT; DIRECTING THE COMMITTEE OF STREETS AND CITY ENGINEER TO MAKE AND FILE SPECIFICATIONS OF THE SEVERAL CLASSES OF IMPROVEMENTS AND DIRECTING THAT BIDS BE CALLED FOR.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, on this 21st day of July, 1930.

James Blake, City Clerk

(SEAL)