



CITY OF  
**REXBURG**  
*America's Family Community*

## **Resolution 03-16-1955**

A Resolution declaring the intention of the city council of the city of Rexburg, Idaho, for the construction and reconstruction of curbs and gutters and the construction of drainage works incidental to said improvements: to create local improvement district No. 15 for Rexburg, Idaho, for the purpose of making said improvements: to defray the costs and expenses of said district and the costs and expenses of said improvements by special assessments levied upon and against the lots and lands abutting, adjoining and adjacent to the street or streets along or upon which such improvements and included in the improvement district, and to pay the whole cost and expense of said improvements within street intersections , and alley intersections from the general funds of the city, and declaring said improvements to be an original improvement or improvements giving the kind and character of said improvements and the estimated total cost thereof: fixing the time when protests against said improvements and the creation of said district may be filled in the office of the clerk and when such protests will be heard and considered by the city council and providing for giving notice thereof,

WHEREAS, the City Council of Rexburg, Idaho deems it for the best interests of the City to construct and reconstruct curbs and gutters and drainage works incidental to said improvements on certain streets and parts of streets and alleys and parts of alleys within the corporate limits of the said City, hereinafter particularly described, and to create Local Improvement District No. 15, for the City of Rexburg, Idaho, for the purpose of making said improvements, and

WHEREAS, the estimated total cost of said district and of said improvements is \$12,200.00, of which sum \$700.00 is the total estimated cost of said improvements within streets and alley intersections, and

WHEREAS, the City Council is authorized to expend from the general funds of the City the whole of the costs and expenses of said improvements within street and alley intersections and such other portion of the costs and expenses of said improvements as in their judgment may be fair and equitable in consideration of the benefits accruing to the

WHEREAS, the City Council proposes to defray the costs and expenses of said district and of said improvements to the extent of \$11,500.00 by special assessments levied upon and against the lots and lands abutting, adjoining and adjacent to the streets and alleys to be so improved and on and against all lots and lands benefited by such improvements included in said district and to defray the whole cost and expense of said improvements within the street and alley intersections from the general funds of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO, AS FOLLOWS:

SECTION 1: The City of Rexburg, Idaho, does hereby declare its intention to construct and reconstruct curbs and gutters and construct drainage works incidental to said improvements on certain streets and parts of streets and alleys and parts of alleys within the corporate limits of said City, and for that purpose to create and establish a Local Improvement District therein to be known as Local Improvement District No. 15 for the City of Rexburg, Idaho, comprising said streets and parts of streets and alleys and parts of alleys and the lots and lands abutting, adjoining and adjacent thereto and the lots and lands benefited by such improvements and situated in said district; which said streets and parts of streets, alleys and parts of alley sand lots and lands are described as follows, to-writ:

Curb and Gutter

SECOND EAST STREET: From the South property line of 3<sup>rd</sup> South Street South 297 feet.

THIRD EAST STREET: From the South property line of 3<sup>rd</sup> South Street South 297 feet,  
And from the North property line of 2<sup>nd</sup> North Street North 578 Feet.

THIRD SOUTH STREET: From the East property line of 3<sup>rd</sup> East Street East 330 feet.

SECOND SOUTH STREET: From the East property line of 3<sup>rd</sup> East Street East 330 feet.

FIRST NORTH STREET: From the East property line of 3<sup>rd</sup> West Street to the West Property line of 2<sup>nd</sup> West Street.

SEOND WEST STREET: On the West side of street from the South property line of 1<sup>st</sup> North South 122.5 feet.

Lots and Lands

Rexburg Town site

BLOCK 17: Beginning at the Southeast corner of Block 17, Rexburg Town site, thence West 140.25 feet; thence North 165.00 feet; thence West 89.75; thence North 165 feet; Thence West 100 feet; thence North 165 feet; thence East 75 feet; thence North 42 feet to the South Bank of the Rexburg Irrigation Company Canal; thence East Along the South Bank of said Canal to where some intersects the East boundary Line of said Block 17; thence South 525 feet more or less to the point of Beginning.

BLOCK 18: Beginning at the Southwest corner of Block18, Rexburg Town site, thence North 578 feet; thence in a Northeasterly direction, following the meanderings of the Rexburg Canal to the Center line of Block 18; thence South 480 feet; thence

West 165 feet; thence South 56.5 feet; thence West 75 feet; thence South 0.5 Feet; thence West 7.5 feet; thence South 108 feet; thence West 82.5 feet to the Pont of beginning.

BLOCK 25: Beginning at the Southeast corner of Block 25, Rexburg Town site; thence North 80 feet; thence West 150.75 feet; thence Northeasterly 134.8 feet; more or less; Thence West 28 feet; thence Northeasterly 100 feet more or less; thence East 17.5 Feet, more or less; thence North 16.5 feet; thence West 330 feet; thence South 198 Feet; thence West 99 feet; thence South 33 feet; thence West 99 feet; thence South 99 feet; thence East 660 feet to the point of beginning.

BLOCK 30: Beginning at the Northeast corner of Block 30, Rexburg Town site; thence South 122.5 feet; thence Southwesterly along O.S.L.R.R. Right of Way line to the South Line of Lot 1, Block 30; thence West to a point 8 feet East of and paralleling the Center of the spur of O.S.L. right of way; thence northeasterly along said spur to A point 256 feet South of the North line of Lot 1; thence North 83 feet; thence West 123.79 feet; thence North 90.5 feet; thence West 330 feet; thence North 82.5 feet; thence East 660 feet to the point of beginning.

#### Parker Addition

BLOCK 5: All of Lot 1, Block 5, Parker Addition.

#### Rigby Addition

BLOCK 7: Beginning at the Southwest corner of Lot 5, Block 7, Rigby Addition; thence East 330 feet ; thence North 198 feet; thence West 188 feet; thence South 118 feet; Thence West 142 feet

BLOCK 10: Beginning at the Northwest corner of Lot 1, Block 10, Rigby Addition; thence South 130 feet; thence East 75 feet; thence South 2 feet; thence East 255 feet; Thence North 132 feet; thence West 330 feet to the point of beginning.

BLOCK 15: Lots 1, 2, 3, Block 15, Rigby Addition.

BLOCK 16: Beginning at the Northeast corner of Lot 10, Block 16, Rigby Addition; thence West 75 feet; thence South 144 feet; thence West 225 feet; thence South 3 feet; Thence East 142 feet; thence South 150 feet; thence East 158 feet; thence North 297 feet to the point of beginning.

BLOCK 16: Beginning at the Northwest corner of Lot 1, Block 16, Rigby Addition; thence South 297 feet; thence East 158 feet; thence North 150 feet; thence East 142 feet; Thence North 3 feet; thence West 124 feet; thence North 144 feet; thence West 176 feet to the point of beginning.

SECTION II. The kind and character of said improvements are construction and reconstruction of curbs and gutters and the construction of drainage work incidental thereto on said streets and parts of streets and alleys and parts of alleys, all according to the plans and specification to be filed in the office of the City Clerk on or before the day fixed for hearing protests against the creation of said district and the making of said improvements.

SECTION III. The said improvements are original.

SECTION IV. The estimated costs and expenses of said district and of said improvements is \$12,200.00 which sum is to be allocated and paid as follows:

From special assessments-----	\$ 11, 500.00
From general funds of the City-----	700.00

SECTION V. The cost and expenses of said district and of said improvements which is to be paid by special assessment is to be assessed against the abutting, adjoining, and adjacent lots and lands on the streets or parts of streets, and alleys or parts of alleys on which said improvements are to be made, and upon lots and lands benefited by such improvements and included within said district, each lot and parcel of land being assessed separately for the debt thereof, in proportion as to the number of square feet of said lots and lands abutting, adjoining, or adjacent thereto or included in said district to the distance back from said streets and parts of streets, if platted in blocks to the center of the blocks, if platted in lots to the center of the lots and if not platted, to the distance of 125 feet, and in proportion to the benefits derived to such lots and lands by said improvements, sufficient to cover the total cost and expenses of said improvements to the center of the street.

The cost and expenses of said improvements within street and alley intersections, namely, the sum of \$700.00, is, in the judgment of the City Council, a fair and equitable portion of the total cost and expenses of said district and of said improvements to be expended from the general funds of the City in consideration of the benefits accruing to the general public by reason of such improvements and shall be paid out of the general funds of the City.

That Wednesday, the 6<sup>th</sup> day of April, 1955, at 8 o'clock p.m. of said day, and the chambers of the City Council in the City Hall in the City of Rexburg, Idaho, be, and the same are hereby designated as the time and place when protests against the creation of said district or the making of said improvements will be heard and considered by the City Council and that protests against said improvements or the creation of such district may be filed in the office of the City Clerk on or before the day or such meeting to, but not later, than the hour of 5 o'clock p.m. of said day. The City Clerk is hereby ordered and directed to give notice of the passage of this Resolution, the time within which protests against said proposed improvement or the creation of said district may be filed, and the date when said protests will be heard and considered by the council in the manner provided by law.

APPROVED by the Mayor of the City of Rexburg, Idaho, this 16<sup>th</sup> day of March, 1955.

Councilman Ferrel Nelson seconded the adoption of Resolution No. 1 declaring the intention of the City Council of the City of Rexburg, Idaho to create Local Improvement District No. 15, and the same, on being put to a vote, was unanimously carried by the affirmative vote of all councilman present, the vote being as follows:

<u>Councilman</u>	<u>Vote</u>
Ferrel Nelson	Aye
Norman Genta	Aye
Brent Sutherland	Aye
D.D. Wilding	Aye
Max Mickelsen	Aye