



CITY OF
REXBURG
America's Family Community

Resolution 10-21-1959

RESOLUTION NO. 1 DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, TO CONSTRUCT AND INSTALL CERTAIN SANITARY SEWER LATERALS WITHIN SAID CITY, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 5 FOR CONSTRUCTION AND INSTALLATION OF SEWAGE LATERALS IN THE CITY OF REXBURG, IDAHO; 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 ARE TO BE MADE, AND UPON LOTS AND LANDS BENEFITED BY SUCH IMPROVEMENTS AND INCLUDED IN THE IMPROVEMENT DISTRICT. THE COSTS AND EXPENSES OF ALL INTERSECTIONS TO BE BORNE BY, APPORTIONED TO AND ASSESSED AGAINST SAID PROPERTY WITHIN THE DISTRICT IN PROPORTION TO THE BENEFITS DERIVED FROM SUCH IMPROVEMENT AND DECLARING SAID IMPROVEMENTS TO BE AN ORIGINAL SANITARY SEWER LATERAL IMPROVEMENT OR IMPROVEMENTS; GIVING THE KIND AND CHARACTER OF SAID IMPROVEMENTS AND THE ESTIMATED TOTAL COSTS THEREOF; FIXING THE TIME WHEN PROTESTS AGAINST SAID IMPROVEMENTS AND THE CREATION OF SAID DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY 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, on the 21st day of October, 1959, passed Resolution No. 1 declaring its intention to construct and install certain sanitary sewage laterals within said city and to create a local improvement district for the purpose of making said improvements and defraying the cost and expenses thereof, and the said Resolution No. 1 described the boundaries of such improvement district and the streets on which said sanitary sewage laterals were to be constructed, and

WHEREAS, the estimated total costs of said District and said improvements is \$50,000.00, and

WHEREAS, the City Council has determined in consideration of the benefits accruing that the costs and expenses of all intersections shall be borne by, apportioned to and assessed against the property in said district in proportion to the benefits derived from such improvement, and

WHEREAS, the City Council proposes to defray the costs and expenses of said District and of said improvements by special assessments levied upon and against the lots and lands abutting, adjoining and adjacent on the streets along or upon which such improvements are to be made, and upon lots and lands benefited by such improvements and included in the improvement district formed.

NOW, THEREFORE, BE IT RESOLVED 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 install certain sanitary sewer laterals 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. 5 for construction and installation of sewage laterals in Rexburg, Idaho, comprising of property within the following described boundaries:

Said sanitary sewer laterals to be constructed on the following streets between the following points:

Section 2. The kind and character of said improvements is the construction and installation of sanitary sewer laterals and the restoration of street surfaces wherever necessitated by reason of the construction and installation of said sanitary sewer laterals.

Section 3. The said improvements are original.

Section 4. The estimated total cost and expenses of said district and of said improvements are \$50,000.00.

Section 5. The cost of said district and of said improvements which is to be paid by special assessment is to be assessed against the abutting, adjoining, contiguous and adjacent lots and lands and upon lots and lands benefited and included in the improvement district formed, each lot and parcel of land being separately assessed for the debt thereof in proportion to the number of square feet of such lands and lots abutting, adjoining, contiguous and adjacent thereto or included in the improvement district to the distance back from such street, if platted in blocks to the center of the block, if platted in lots to the center of the lot, and if not platted to the distance of one hundred twenty-five feet; and in proportion to the benefits derived to such property by said improvements, sufficient to cover the total cost and expense of the work to the center of the street. The costs and expenses of all intersections shall be borne, apportioned to and assessed against the property within said district in proportion to the benefits derived from such improvement.

Section 6. That Wednesday, the 4th day of November, 1959, at 7:30 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 and the making of said improvements will be heard and considered by the City Council, and 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 of such meeting, to, but not later than the hour of 7:30 o'clock P.M. of said day. The City Clerk is hereby ordered and directed to give notice of the passage of this resolution, and the time within which protests against said proposed improvements 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 21st day of October, 1959.

/s/ Gilbert L. Larsen
Mayor

Attest:

/s/ Loretta N. Rigby
City Clerk