



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

## **Resolution 12-02-1959**

WHEREAS, Birch Avenue and Oak Avenue in the Powell Addition to the City of Rexburg have not been completely paved as required by Veterans Administration specifications, and

WHEREAS, the total oil met cost for such uncompleted paving is estimated to be \$1,815.00, and

WHEREAS, Edward L. Powell and Don Powell have agreed that as soon as weather conditions permit in the spring or summer of 1960 they will complete the paving of said streets and have filed with the City of Rexburg a Surety Company bond in the amount of \$1,815.00 assuring the performance of their obligation to complete said paving on Birch Avenue and Oak Avenue.

NOW, THEREFORE, BE IT RESOLVED that the City of Rexburg accept said Surety Bond in the amount of \$1,815.00 assuring the performance of the obligation of Edward L. Powell and Don Powell to complete the paving of Birch Avenue and Oak Avenue as soon as weather conditions permit in the spring or summer of 1960, and that in the event the said Edward L. Powell and Don Powell fail to do so the City of Rexburg will complete such paving and look to the Surety Company for re-imburement because of any such failure on the part of Edward L. Powell and Don Powell to complete said paving. That such paving will be completed without costs to the purchasers of the abutting properties or assessments against such properties, the City of Rexburg to rely on said performance bond in the event the City has to complete such improvements as aforesaid.

BE IT FURTHER RESOLVED that upon completion of the paving of Birch Avenue and Oak Avenue as aforesaid, the same be accepted by the City of Rexburg as a portion of its streets system to be maintained as part of said street system.

BE IT FURTHER RESOLVED that the City of Rexburg hereby approves and accepts the sidewalks, curbs and gutters and completed streets as the same are now installed in the Powell Addition to the City of Rexburg, such sidewalks, curbs, gutters and streets to become a part of the city system and maintained as such.

BE IT FURTHER RESOLVED that the City of Rexburg provide adequate street lights and street signs for said Powell Addition.

The city Council of the City of Rexburg, Idaho is empowered to assume the obligation above mentioned.

/s/ Mary Smith  
City Attorney