



CITY OF
REXBURG
America's Family Community

Resolution 11-01-1978

A RESOLUTION FIXING THE TIME WHEN OBJECTIONS TO THE ASSESSMENT ROLL FOR LOCAL IMPROVEMENT DISTRICT NO. 23 WILL BE HEARD, AND CAUSING SUCH ROLL TO BE FILED IN THE OFFICE OF THE CITY CLERK, AND FIXING THE TIME AND PLACE OF HEARING ALL OBJECTIONS TO THE REGULARITY OF THE PROCEEDINGS MAKING SUCH ASSESSMENT, THE CORRECTNESS OF ASSESSMENT, THE AMOUNT LEVIED ON THE PARTICULAR LOT OR PARCEL IN RELATION TO THE BENEFITS ACCRUING THEREON, AND IN RELATION TO THE PROPER PROPORTIONATE SHARE OF THE TOTAL COST OF THE IMPROVEMENTS IN THE PROJECT, ALSO DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, TO LEVY AN ASSESSMENT AGAINST PROPERTY WITHIN IMPROVEMENT DISTRICT NO. 23 AS PROVIDED BY LAW.

WHEREAS, the City Engineer has made a report, which contains therein the assessment roll for Local Improvement District No. 23, in Rexburg, Idaho, for the purpose of causing certain streets and alleys and parts thereof within the corporate limits of said city to be graded, re-graded, graveled, paved, re-paved and otherwise improve certain streets within the District and to construct and reconstruct curbs, gutters, sanitary sewer mains and service lines and water mains and service lines, drainage facilities, a canal bridge and other work incidental to all of the foregoing improvements along said streets within said district, in accordance with the provisions of Ordinance No. 592 passed and approved July 5, 1978, and Section 50-1712 Idaho Code, and said report and assessment roll have been certified to the City Council, and

WHEREAS, said City Council has caused said report and assessment roll to be filed in the office of the City Clerk on the 1st day of November, 1978.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO:

Section 1. That it is the intention of the City Council of the City of Rexburg, Idaho, to levy an assessment against property within Improvement District No. 23 as provided by law.

Section 2. That Monday, the 27th day of November, 1978, at 7 o'clock P.M. at the City Hall in the City of Rexburg, Idaho, be, and the same hereby is fixed as the time when the City Council will hear and consider objections to said assessment roll by parties aggrieved by such assessments.

Section 3. That Monday, the 27th day of November, 1978, at 7 o'clock P.M. in the City Hall in the City of Rexburg, Idaho, be, and the same is hereby fixed as the time when the City

Council will hear all objections to the regularity of the proceedings in making such assessments, the correctness of assessments, the amount levied on the particular lot or parcel in relation to the benefits accruing thereon, and in relation to the proper proportionate share of the total cost of the improvement.

Section 4. That in revising the assessment roll at or after the hearing, the Council may increase any assessment, or assessments, up to 20% of the original amount thereof without giving further notice and holding a new hearing thereon.

Section 5. The owner or owners of any property which is assessed in such assessment roll, whether named or not in such roll, may, before the date and time fixed for the hearing, file with the clerk, objections in writing to said assessment.

Section 6. That the City Clerk shall give notice by publication in the official newspaper of the City of Rexburg, the Rexburg Standard or Rexburg Journal, published weekly, in at least two issues, the first of which publication shall be at least fifteen days before the said 27th day of November, 1978, the date fixed for hearing objections to the assessment roll, that such assessment roll is on file in her office; that the City Clerk, not less than fifteen days before the date fixed for hearing objections to the assessment roll, November 27, 1978, mail a substantially similar notice to each owner of property if known, or his agent if known, within the limits of Local Improvement District No. 23 in Rexburg, Idaho, addressed to such person at his post office address, if known, or if unknown, to the post office address, if known, or if unknown, to the post office in Rexburg, Idaho. The mailed notice shall state the amount of the individual assessment, and that at the specified time and place, November 27, 1978, at 7:00 o'clock P.M. at the City Hall, Rexburg, Idaho, the City Council will hold a hearing to hear a determine all objections to the regularity of the proceedings, in making such assessment, the correctness of the assessment and the amount levied on a particular lot or parcel in relation to the benefits accruing thereon and in relation to the proper proportionate share of the total cost of the improvements in the project. Said notice shall further state that each owner of property within the District is given notice that in revising the assessment roll at or after the hearing, the council may increase any assessment or assessments, up to 20% of the original amount thereof without giving further notice and holding a new hearing thereon.

Section 7. Said notice shall be in substantially the following form: