



ORDINANCE NO. 176

AN ORDINANCE ENTITLED AN ORDINANCE TO ESTABLISH AND ESTABLISHING A LOCAL IMPROVEMENT TO BE CALLED LOCAL IMPROVEMENT DISTRICT #5 OF THE CITY OF REXBURG; NAMING THE STREETS TO BE IMPROVED AND THE POINT BETWEEN WHICH SAID IMPROVEMENT ARE TO BE MADE; DESCRIBING THE PROPERTY IN SAID DISTRICT; DESCRIBING THE NATURE OF THE IMPROVEMENTS TO BE MADE THEREIN, AND ASSESSING THE COST THEREOF TO THE PROPERTY FRONTING OR ABUTTING THEREON, CONTIGUOUS OR CONTRIBUTORY THERETO.

BE IT ORDIANED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO; received

SECTION I – That there is hereby created and established a local improvement district to be called “Local Improvement District No. 5” of the city of Rexburg.

SECTION II – That the names of the streets to be improved in said local improvement district and the points between which same shall be improved are as follows; to-wit: Both sides of Main Street between 3rd East Street and the O.S.L.R.R. right of way; West side of West Street between 1st South Street and 3rd South Street; West side of Central Ave. between 1st South Street and 2nd South Street; South side of 1st South Street between 2nd East Street and 3rd East Street; West side of 3rd West Street between 1st North Street and 3rd North Street

SECTION III – That said Local Improvement District No. 5 shall include all the property fronting and abutting on contiguous or contributory to a street to be improved, between points named in said district hereof, to the distance back from such streets to the curbs of the blocks on the sides of the streets to be improved _____ after provided, which said property is described as follows, to-wit; on Main Street all of lots 3 and 4 in block 35, all of lots 3 and 4 in block 34, all of lots 3 and 4 in block 32, all of lots 3 and 4 in block 31, all of lot 4 in block 30, all of lots 1,2,3 & 4 in block 9 of the Rigby addition to Rexburg; all of lots 1 and 2 in block 37; all of lots 1 and 2 in block 38; all of lots 1 and 2 in block 39; all of lots 1 and 2 in block 40; all of lot 1 and as much of lot 2 as is _____ of the O.S.L.R.R. right of way in block 41; all of lots 1 & 4 in block 47; all of lots 1 and 2 in block 54; all of lots 1 & 4 in block 48; all of lots 1 & 10 in blocks 8 of the Rigby addition; all of lots 1 & 4 in block 25; all of lots 1 & 4 in block 12.

SECTION IV – That the improvements to be made in said local improvement district are as follows; to wit; that a curb on each side of Main Street between 3rd East Street and 2nd East Street be laid to a grade furnished by the City Engineer; that said curb shall be constructed of cement and shall be 24 inches in depth, 9 inches thick at the base and 6 inches thick at the top; and shall be laid at the sidewalk line joining the street, or at such a point as shall be designated by the City Council, that a curb and gutter be laid on both sides of Main St. to a grade furnished by the City Engineer, between 2nd East Street and a point midway between Central Avenue and 1st West Street; that said curb and gutter be constructed of cement, that the curb or walk be of the same dimensions as above set out, and that the gutter be 30 inches in width, seven inches in thickness and _____ according to plans furnished by the city council, that said gutter shall join the curb or walk at a point 9 inches from the top thereof in such a manner as to form a solid cement construction; that a curb be laid on both sides of Main Street from a point midway between Central Ave. and Second West St. and the O.S.L.R.R. right of way; that the same be constructed of the same dimensions and material as that between 3rd East St. and 2nd East St.; that the composition of such cement for the construction of said curb and gutter shall be as follows, to-wit; one part of cement to 4 parts of

gravel and sand; that cement sidewalks shall be laid on the west side of 1st West St., between 1st South St. and 3rd South St.; and the West side of Central Ave. between 1st South St. and 2nd South St.; on the South side of 1st South St. between 2nd East St. and 3rd East St.; and on the west side of 2nd West St. between 1st North St. and 3rd North Street; and all sidewalks heretofore designated shall be 4 feet in width and 4 inches in thickness, that before said sidewalks shall be laid the sidewalk shall be properly graded to a level to be finished by the city engineer, and thereafter said sidewalk or walks shall be laid and constructed of cement in conformity with ordinance.

SECTION V – That said pavement walks shall be laid midway between the property line of the lots and the blocks abutting the curb line along the streets upon which the same are to be laid; the sidewalk shall be graded and the said pavement walks shall be constructed and laid in all respects strictly according to specifications of Ordinance #145 of the City of Rexburg; provided however, the city council may contract for one course work instead of two course work as provided by said ordinance.

SECTION VI – That all corners and intersections of the streets and alleys, said pavement shall extend to the curb line, and connect with the street crossings hereinafter provided for.

SECTION VII – Said improvements shall be made, said curb and gutter laid and constructed, as herein provided costs and expenses thereof shall be taxed and assessed on all the property in the said local improvement district, with which cost shall be issued in proportion to the number of feet of such land and lots fronting or abutting thereon, or contiguous or tributary thereto, and included in said local improvement district, and in proportion to the benefit, derived by said improvements. All such improvements shall be known as “Special Assessment for Improvements” and shall be levied and collected as other city taxes, provided that any property owner is said local improvement district upon whose property any tax or assessment have been levied under the provisions hereof, may pay the amount of such assessment to the city clerk or the city of Rexburg and obtain receipt for the same or he may under the direction of the proper committee and the city engineer, lay and construct such curb and gutter in front of any property he may own or occupy, fronting or abutting on curb, gutter including in said local improvement district and whereon such walks are to be made, or such curb or curb and gutter is to be constructed and upon the acceptance of such work by the committee and city engineer he shall be entitled to a receipt therefor and for said assessment.

SECTION VIII – There shall be laid and constructed on all of the streets between 3rd East St. and the O.S.L.R.R. right of way and connecting with the curb and curb & gutters hereinbefore provided for connecting curbs and gutters or such modifications of the same as shall seem to best meet the requirements of traffic upon such streets; and connecting street crossings for the walk hereinbefore designated upon the following streets to-wit: two crossing at the intersection of 1st South St. and Central Ave., one crossing at the intersection of 1st South St. and 1st West St., one crossing at the intersection of 2nd South St. and 1st West St., one crossing at the intersection of 2nd West St. and 1st North St., one crossing at the intersection of 2nd West St. and Second North St.

SECTION IX – That said street crossings shall be made and constructed of the same material and of such proportions and dimensions as set out in the specifications in ordinance #145 of the City of Rexburg, subject to the same provisions as herein contained with respect to the sidewalks as herein provided, and all necessary culverts and ducts put in together with the crossings as provided shall be put in and the expense of such installing and laying such curbs, curbs and gutters, crossings, ducts and culverts shall be borne by the City of Rexburg, and there is hereby appropriated out of the road and bridge fund such sums as may be necessary to make and improvements.

SECTION X – All cement and concrete work laid and constructed under the provisions of the ordinance shall, within twenty days after the completion thereof be banked upon either side thereof with earth or gravel in such a manner as to preserve the same from injury and to satisfy the proper committees and the city engineer, and in all cases of failure on the part of the owner to

comply with the provisions of this section the city may make the necessary _____ and the same be assessed against the owner of such property as hereinbefore provided.

SECTION XI – All curbs, curbs and gutters and sidewalks and crossings provided for in this ordinance shall be completed on or before the 9th day of August, 1914.

SECTION XII – An emergency existing therefor, this ordinance shall become affective after its passage, approval and publication.

PASSED AND APPROVED THIS 27TH DAY OF JUNE, 1914

ROBERT G. ARCHIBALD

Mayor

ATTEST: J.C. ANDERSON

City Clerk