



ORDINANCE NO. 243

AN ORDINANCE DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, MADISON COUNTY, IDAHO, TO GRADE, CURB, PAVE, PARK, SIDEWALK, INSTALL CROSS WALKS AND STREET CROSSING AND SURFACE DRAIN CERTAIN AND TO ASSESS THE COST OF THE SAID IMPROVEMENTS, EXCEPT STREET CROSSING AND CROSS WALKS UPON THE ABUTTING, CONTIGUOUS AND TRIBUTARY LOTS AND LANDS, AND LOTS AND LANDS INCLUDED IN THE IMPROVEMENT DISTRICT FORMED IN PROPORTION TO BENEFITS; PROVIDING THAT THE COST OF CONSTRUCTING STREET CROSSING AND CROSS WALKS SHALL BE PAID BY THE CITY AT LARGE; FIXING A TIME IN WHICH PROTESTS AGAINST SAID IMPROVEMENTS MAY BE FILED WITH THE CITY CLERK; ORDERING THE PUBLICATION OF THE SAID ORDINANCE.

WHEREAS, it is deemed necessary and beneficial for the health and general welfare of the inhabitants of the City of Rexburg, Madison County, Idaho, for the City Council of said city to grade, curb, pave, park, sidewalk and surface drain certain streets and parts of streets of said city, and to construct street crossings and cross walks thereon; the particular streets, the character of the improvements, the extent of the improvements and the approximate cost per front foot on the property benefited, to be improved as aforesaid being described as follows:

STREET	LOCATION	IMPEMENT	EXT. OF IMP.	COST TO PROPERTY OWNERS PER FRONT FOOT
Central Ave	Commencing at the North line of the intersection of Central Ave. & 1 st S to the south line of the intersection of Central Ave. and 1 st N excepting the portion already paved.	Paving to be 60ft. wide % curb and gutter.	1320 ft.	\$12.00
First East	Commencing at the S line of the intersection of 1 st E and 1 st	Paving 60 ft. wide, & curb	660 ft.	\$12.00

	N; thence S to the N line of the intersection of 1 st E and Main.	and gutter.		
	AND Commencing at the S line of the present paving on 1 st E between 2 nd E to the N lone of the intersection of 1 st E and 1 st S.	Paving 60 ft. wide & curb and gutter.	Approx. 510 ft.	\$12.00
	AND Commencing at S line of the intersection of 2 nd S and 1 st E to the N line of the intersection of 1 st E and 4 th S, except intersection of 1 st E and 3 rd S	Paving 31 ft. wide	1320 ft.	\$6.50
2nd East	The E side of 2 nd E St. between the termination of the present sidewalk between Main and 1 st S, to the N line of intersection of 2 nd E 1 st S.	Sidewalk to be 5ft. wide	Approx. 100 ft.	\$1.25
	AND Commencing at S line of the intersection of 1 st S and 2 nd E; thence S 2 blocks to the N line of the intersection of 3 rd S and 2 nd E excepting the intersection of 2 nd E and 2 nd S.	Paving 31 ft. wide	1320 ft.	\$6.50
3rd East	Commencing at S line of the intersection of 3 rd E and 2 nd S; thence S to the N line of the intersection of 3 rd E and 3 rd S.	Paving 31 ft. wide.	660 ft.	\$6.50
Cornell Ave.	Commencing at S line of the junction of Cornell Ave. and 2 nd S; thence S one block to the N line of the junction of Cornell Ave & 3 rd S.	Paving 27ft. wide, curb, gutter, 7 sidewalk 5ft. wide on both sides of Avenues	660 ft.	\$8.75
Harvard Ave.	Commencing at S line of the junction of Harvard Ave. and 2 nd S; thence S one block to the N line of the Junction of Harvard Ave. and 3 rd S.	Paving 27ft wide curb, gutter, and sidewalk 5ft. wide on both sides of	660 ft.	\$8.75

2nd South	On the S side of 2 nd S, beginning at the E line of the intersection of 3 rd E and 2 nd S; thence E 100 ft.	Avenues Sidewalk 5ft. wide and curb and gutter.	100 ft.	\$2.85
3rd South	Commencing at E line of the intersection of 3 rd S and 1 st E; thence E 2 blocks to the west line of the intersection of 3 rd S and 3 rd E.	Sidewalk 5ft. wide, and curb and gutter on both sides of street, surface drainage on street.	1419 ft.	\$4.85
2nd West	Along the E side of 2 nd W St. between 2 nd S and 4 th S on the W side of blocks 8 & 9 of S End Add. & 8 of Parker Add.	Sidewalk 5 ft. wide	1518 ft.	\$1.25
4th South	Along the S side of 4 th S between 2 nd W along the N side of blocks 12 & 14 of the Parker Add. & 4 of Klingler Add.	Sidewalk 5 ft. wide.	Approx. 980 ft.	\$12.85
3rd West	From the N line of the O.S.L. Company's main track where it crosses 3 rd W between Main & 1 st S St.; thence N to the S line of 1 st N St. where the same crosses 3 rd W St. excepting the intersection of 3 rd W with Main St.	Paving 50ft. wide, and curb and gutter, and sidewalk 5ft. wide where street is not side-walked.	Approx. 116 ft.	\$11.50

And whereas, the cost of said improvements, if said district shall hereafter be created, will be levied and assessed upon the property benefited, to-wit: upon the abutting contiguous and tributary lots and lands and lots and lands included in the improvement district proposed to be formed in proportion to the benefits derived from said improvements, provided that the expense of the construction of street crossings or cross walks necessary at street intersections shall be paid by the city at large.

Be it Ordained by the Mayor and City Council of the City of Rexburg, Madison County, Idaho, that sad streets as described aforesaid, between the points named, to be graded, curbed, paved and surface drained and that the pavement to be used in the making of said improvements be of the following types, to-wit:

1. Reinforced Concrete pavement.
2. Sheet Asphalt on a portland cement concrete base.
3. Asphaltic concrete on a portland cement concrete base.
4. Standard Bithulithis on a portland cement concrete base.
5. Bithulithis of 4 inch rock base.

And that the type of the said paving material to be laid on the said streets shall be selected by the said City Council after receiving bids for all of said types, if the said district shall be hereafter created, and that this ordinance hereby declares the intention of the City Council of said City to make the said improvements on the aforesaid streets between the points names as aforesaid.

Be it further ordained that the total cost of the said improvements be, and the same is hereby estimated to be \$187,000.00.

Be it further ordained that said work, if the same shall be done, be in accordance with the plans and specifications hereto fore prepared by the City Engineer of said City, which said plans and specifications remain on file in the office of the City Clerk and are hereby referred to for greater certainty as to the particular method to be adopted for the improvement of said streets and the methods of surface draining the same.

Be it further ordained, that the cost of the said improvements, said district shall be created, be assessed and abutting, contiguous and tributary lots and lands and lots and lands included in the said improvement district formed, each lot and parcel of land being separately assessed for the full debt thereof in proportion to the number of feet of said lands and lots fronting thereon or included in the improvement district 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, and that when said district shall be created it shall include all the property fronting or abutting on, contiguous or tributary to the street to be improved between the points named in the ordinance to the distance back from such street where platted in blocks to the center of the blocks, and if platted in lots only the center of the lots, and if not platted to the distance of 125 feet; provided that the expense for the construction of street crossing or cross walks shall be paid by such city at large in consideration of the benefits to be derived from the making of said improvements.

Be it further ordained, that the intention of said City Council to create said district is hereby expressed and if the same hereafter shall be created and contracts let for the performance of the work, the said Council may insert a clause in the ordinance creating said district and in the said contract that payment for said improvements may be made by the said City Council in installments by a special form of warrant to be designated as the warrant of the local improvement district in which said work shall be done, which said warrants may be issued to the contractor as the work progresses and shall bear interest at the rate of seven per cent per annum as other warrants of said city, and the interest which shall accrue on said warrants given in payment of said installments, together with such reasonable charge as the city shall designate as for overhead expense, including

publication of resolution, ordinance and notices, clerical and legal services, engineering services and printing of bonds, shall be included in and charged as part of the cost of said improvements.

Be it further ordained, that Monday, the 29th day of March, 1920, to Friday, the 9th day of April, at 8 o'clock, P.M., at the City hall of said City of Rexburg, Idaho, be and the same are hereby fixed as the time and place at which protests against said proposed improvements may be filed in the office of the City Clerk of said City.

Be it further ordained, that on said 9th day of April, 1920, at said hour of 8 o'clock, P.M., the City Council of said City shall convene in special session for the purpose of hearing and considering any such protests as may be filed and taking such action as may be deemed advisable relative to the creation of said improvement district.

Be it further ordained, that the City Clerk be, and he is hereby ordered to cause publication of this ordinance to be made in the Rexburg Journal, the official newspaper of said city, in at least two consecutive issues thereof before the time fixed in this resolution for the filing of said protests, and that the affidavit of said publication shall be filed with the said City Clerk on or before the time fixed for the filing of such protests.

Passed by the City Council this 17th day of March, 1920, and referred to the Mayor for his approval.

(S E A L)

Approved

Mayor

ATTEST:

City Clerk