



ORDINANCE NO. 468

AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 17 IN REXBURG, IDAHO, FOR THE PURPOSE OF CONSTRUCTING A SIDEWALK ON THE SOUTH SIDE OF WEST MAIN STREET FROM FIFTH WEST TO #733; AND CONSTRUCTING AND RECONSTRUCTING CURBS AND GUTTERS; THE CONSTRUCTION OF DRAINAGE WORKS INCIDENTAL TO SAID IMPROVEMENTS WITHIN SAID IMPROVEMENTS WITHIN SAID DISTRICT; PROVIDING FOR THE LEVY OF ASSESSMENTS UPON THE PROPERTY TO BE BENEFITED BY SUCH IMPROVEMENTS; STATING THE BOUNDARIES OF SAID DISTRICT; PROVIDING FOR THE PREPARATION OF AN ASSESSMENT ROLL; AND DECLARING AN EMERGENCY.

WHEREAS, on the 2nd day of August, 1967, the City Council of the City of Rexburg, Madison County, Idaho, adopted a Resolution declaring the intention to construct and re-construct curbs and gutters and the construction of drainage works incidental to said improvements and the construction of a sidewalk on the South side West Main Street from 5th West to #733, and to create improvement district No. 17 for the construction of a sidewalk on the South side of West Main Street from 5th West to 4733 and the construction and re- construction of said curbs and gutters and drainage works incidental to said improvements, which resolution authorized the publication and it mailing of notice of intention to construct such improvements and to create such Local Improvement District, and

WHEREAS, such notice was duly published and mailed as provided by law; and

WHEREAS, in response to such published and mailed notice there were no written protests against the construction of the proposed improvements or the creation of said improvement district filed with the City Clerk of said City or in his office, and

WHEREAS, on the 23rd day of August, 1967, the City Council met at the hour of 8 o'clock P.M., for the purpose of hearing protests against the construction of said improvements, and

WHEREAS, no one appeared before the City Council to be heard with respect to the construction of said improvement or the creation of said district, and

WHEREAS, the City Engineer has made estimates of the cost of all labor and material for the construction of the proposed improvements in said District, such estimate of total cost being the sum of \$70,500.00; and

WHEREAS, a portion of such total cost is to be assessed upon and against the property within said District being benefited by the construction of said improvements; and

WHEREAS, all preliminary steps and proceedings necessary for the creation of said improvement district and the construction of the proposed improvements therein have been duly taken and adopted.

THEREFORE, BE IT ORDAINED BY THE CITY OF REXBURG, IDAHO:

SECTION I: That there shall be and there hereby is created a local improvement district in the City of Rexburg, Idaho to be known and designated "Local Improvement District No. 17; City of Rexburg, Idaho," which shall include all of the lots, lands and parcels of real property within the boundaries of said District.

SECTION II: Said District is within the City of Rexburg, Idaho, and is more particularly described as follows:

SECTION III: The improvements to be constructed within said District are to construct sidewalks and construct and reconstruct curbs and gutters and the construction of drainage works incidental to said improvements.

STREETS AND AVENUES TO BE IMPROVED WITH CURBS AND GUTTERS AND DRAINAGE WORKS INCIDENTAL TO SAID IMPROVEMENTS:

NORTH FIRST WEST STREET between First North Street and West Second North Street, both sides.

NORTH FIOTH WEST STREET between West Main Street and West Second North Street, both sides.

EAST SECOND SOUTH STREET from 330 feet East of South Third East Street to 1220 feet East of South Fourth East Street, both sides.

EAST THIRD SOUTH STREET from 330 feet East of South Third East Street to 165 feet East of South Fourth East Street, both sides.

YALE AVENUE from 120 feet South of East Third South to 665 feet South of Third South on East side, and 161 feet North of East Fourth South on West side.

BIRCH AVENUE from a point 220 feet North of Linden Avenue to East Second South Street, East side only.

MAPLE DRIVE from intersection of Oak Avenue South to East Second South Street, both sides.

WEST FOURTH SOUTH STREET between South First West Street and South Second West Street, both sides.

All of the one dedicated street in the Keppner Addition, commonly known as "K" Street, both sides.

WEST MAIN STREET from Fifth West Street, Westward to No. 733 West Main Street on South Side, and 630 feet on North side from Fifth West Street West.

LINDEN AVENUE from East Second South Street North for 425 feet on both sides.

FOURTH EAST STREET from East Second South Street, go South to 297 feet South of East Fourth South Street.

MILL HOLLOW ROAD from the Southeast corner of Block 9, North 490 feet.

STREETS AND AVENUES TO BE IMPROVED WITH SIDEWALKS.

WEST MAIN STREET from Fifth West Street, Westward to No. 733 Nest Main Street, South side only.

SECTION IV: In the judgment of the City Council of the said City, it is fair and equitable that \$20,500.00 of said total cost be paid by said City from its general fund for the cost and expense of street and alley intersections within the proposed District and in addition thereto, the said City shall pay the costs of expenses of improvements to be constructed on streets and avenues adjoining lots and lands owned by the City of Rexburg. The costs and expenses of the proposed improvements to be assumed and paid by the said City are deemed to be fair and equitable in consideration of the public benefit to be derived by said City from the construction of said improvements.

Such part of the cost and expenses of the proposed improvements as is not paid or assumed by the City shall be assessed against the lots and lands abutting, adjoining, contiguous or adjacent to the proposed improvements to the center of the block facing said improvements.

SECTION V: Each lot and parcel of land shall be separately assessed for its share of the costs and expenses of constructing said improvements in proportion to the number of square feet of such lots and parcels of land abutting, adjoining, contiguous and adjacent thereto or included within

CONSTRUCTING AND RECONSTRUCTING CURBS AND GUTTERS; THE CONSTRUCTION OF DRAINAGE WORKS INCIDENTAL TO SAID IMPROVEMENTS WITHIN SAID DISTRICT; PROVIDING FOR THE LEVY OF ASSESSMENTS UPON THE PROPERTY TO BE BENEFITED BY SUCH IMPROVEMENTS; STATING THE BOUNDARIES OF SAID DISTRICT; PROVIDING FOR THE PREPARATION OF AN ASSESSMENT ROLL; AND DECLARING AN EMERGENCY.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 23rd day of August, 1967.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 23rd day of August, 1967.

Beulah Johnson, City Clerk

(SEAL)

Thereupon it was moved by Councilman John C. Porter and seconded by Councilman David Withers that the rule requiring ordinances of a general and permanent nature to be fully and distinctly read on three different days be dispensed with and that said Ordinance be numbered 468 and be passed and adopted as read. Thereupon the Clerk was ordered to call the roll on said motion and the roll call upon said motion was as follows:

Those voting AYE:

Councilmen:	John C. Porter
	David Withers
	Alma Klingler
	Glenn M. Peterson
	Gordon R. Smith
	Dell Virgin

Those voting NAY:

None

Absent:

The Mayor thereupon declared that the motion, having been gassed by not less than three-fourths of the Council, had been duly carried, and that said Ordinance No, 468 was duly passed and adopted.

The City Clerk was directed to publish said Ordinance No, 468 in at least one issue of the Rexburg Standard, a newspaper published in the City of Rexburg, Idaho.

Thereupon the meeting adjourned.

A.H. Brock, Mayor

(SEAL)

ATTEST:

Beulah Johnson, City Clerk