



**ORDINANCE NO. 498**

**AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 18 IN REXBURG, IDAHO, FOR THE PURPOSE OF IMPROVING AND CONSTRUCTING CERTAIN STREETS AND ALLEYS, CONSTRUCTING AND INSTALLING SANITARY SEWER LATERALS, CONSTRUCTING AND RECONSTRUCTING CURBS, GUTTERS AND SIDEWALKS, AND CONSTRUCTING DRAINAGE WORKS INCIDENTAL TO SAID IMPROVEMENTS WITHIN SAID DISTRICT; PROVIDING FOR THE LEVY OF ASSESSMENTS UPON THE PROPERTY TO BE BENEFITTED BY SUCH IMPROVEMENTS; STATING THE BOUNDARIES OF SAID DISTRICT; PROVIDING FOR THE PREPARATION OF AN ASSESSMENT ROLL; AND DECLARING AN EMERGENCY.**

**WHEREAS**, on the 1st of August, 1969, the City Council of the City of Rexburg, Madison County, Idaho, adopted a Resolution declaring the intention to create Local Improvement District No. 18 to improve and construct certain streets and alleys, construct and install sanitary sewer laterals, construct and reconstruct curbs, gutters and sidewalks, and construct drainage works incidental to said improvements, which resolution authorized the publication and 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**, on the 20th day of August, 1969, 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**, in response to such published and mailed notice, the Clerk reported five written objections were filed against the construction of certain proposed improvements in certain areas of the proposed improvement district, and

**WHEREAS**, one of the objections was withdrawn by the persons making the same, and the other four objections were 'duly considered by the Council and denied, and

**WHEREAS**, the owners of the North 231 feet of the Southeast quarter of the Southwest Quarter of Section 30, Township 6 North, Range 40 E. B. M., within the corporate limits of the City of Rexburg, Madison County, Idaho, petitioned to have said property included within the proposed improvement district and said petition was granted, 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 \$249,774,00; 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. 18, 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:

#### LOTS AND LANDS REXBURG TOWNSITE

Commencing at the Southwest corner of Block 28 (same as the Northeast corner of intersection of West Main Street and North Fifth West Street) of Rexburg Townsite and running thence North 330 feet; thence East 627 feet; thence South 330 feet; thence West 627 feet to the point, of beginning, curbs and gutters only,

Commencing at the Northwest corner of Block 42 (same Corner as the Southeast corner of intersection of West Main Street and South Fifth West Street), of Rexburg Townsite and running thence South 660 feet; thence East 297 feet; thence North 330 feet; thence East 330 feet; thence North 330 feet; thence West 627 feet to the point of beginning, curbs and gutters on North and West lines and sewer and paving on West line.

Commencing at the Northwest corner of Block 44, (same corner as the Southeast corner of intersection of South Fifth West and West First South streets) of Rexburg Townsite and thence South 495 feet; thence East 297 feet; thence North 495 feet; thence West 297 feet to the point of beginning curbs and gutters and sewer along the West line also paving along west side.

Commencing at the Southeast corner of Keppner Addition, (same corner as the Northwest corner of intersection of West Main Street and the East boundary line of said Keppner Addition) to the City of Rexburg, and running thence North 924 feet; thence West 125 feet; thence South 924 feet; thence East 125 feet to the point of beginning, paving only along west line thereof.)

Commencing at the Southwest corner of Keppner Addition (same corner as the Northeast corner of intersection of West Main Street and the West boundary line of said Keppner Addition, to the City of Rexburg, and running thence North 924 feet; thence East 125 feet; thence South 924 feet; thence West 125 feet to the point of beginning. Paving only along the East line thereof.

#### KLINGLER ADDITION

Commencing at the Southwest corner of Block 1, (same corner as the Northeast corner of intersection of South Fourth West and West Fourth South Streets), of the Klingler Addition to the City of Rexburg, and running thence North 363 feet; thence East 544.5 feet; thence South 363 feet; thence West 544.5 feet to the point of beginning. Sewer only to serve whole block.

Commencing at the Southwest corner of Block 2, ( same corner as the Northeast corner of intersection of South Fifth West and West Fourth South Streets,) of the Klingler Addition to the City of Rexburg, and running thence East 627 Feet; thence North 363 feet; thence West 627 feet; thence South 363 feet to the point of beginning. Sewer to serve whole block and curbs and gutters and paving along the West side thereof.

Commencing at the Southwest corner of Block 3, (same corner as the Northeast corner of intersection of South Fifth West and West fifth South Streets,) of the Klingler Addition to the City of Rexburg, and running thence North 395 feet, more or less, to the East line of Highway 191-20; thence Northeasterly 310 feet more or less, to the North line of said Block 3; thence South 660 feet; thence West 627 feet to the point of beginning. Sewer to serve the whole block and curbs and gutters and paving along the West side thereof.

Commencing at the Southwest corner of Block 4, (same corner as the Northeast corner of intersection of South Fourth West and West Fifth South Streets,) of the Klingler Addition to the City of Rexburg, and running thence North 660 feet; thence East 544.5 feet; thence South 660 feet; thence West 544.5 feet to the point of beginning. Sewer to serve the whole block only.

Commencing at the Southwest: corner of Block 5, (same corner as the northeast corner of intersection of South Fourth Last and West Sixth South Streets,) of the Klingler Addition to the City of Rexburg, and running thence North 660 feet; thence East 544.5 feet; thence South 330 feet; thence West 214.5 feet; thence South 330 feet; thence. West 330 feet to the point of beginning. Sewer to serve the whole block only.

Commencing at the Southwest corner of Block 6, (same corner as the Northeast corner of intersection of South Fifth West and West Sixth South Street,) of the Klingler Addition to the City of Rexburg, and running thence North 660 feet; thence Last 627 feet; thence South 660 feet thence

West 627 feet to the point of beginning. Sewer to serve the whole block and curbs and gutters and paving along the West side thereof.

Commencing at the Southwest corner of Block 7, (same corner as the Northeast corner of intersection of South Fifth West and South line of City Limits,) of the Klingler Addition to the City of Rexburg, and running thence East 297 feet; thence North 330 feet; thence East 330 feet thence North 330 feet; thence West 627 feet; thence South 660 feet to the point of beginning. Sewer to serve the North 330 feet thereof, and curbs and gutters and paving along the west side thereof.

Commencing at the Southwest corner of Block 7, (same corner as the Northeast corner of intersection of South First West and West Fourth South Streets.) of the Parker Addition to the City of Rexburg, and running thence East 330 feet; thence North 330 feet; thence West 330 feet; thence South 330 feet to the point of beginning. Sewer only to serve all of Lots 6 and 7 of said Block 7.

Commencing at the Northwest corner of Block, 14, (same corner as the Southeast corner of intersection of South First West and West Fourth, South Streets,) of the Parker Addition to the City of Rexburg, and running thence East 330 feet; thence South 330 feet; thence West 330 feet; thence North 330 feet to the point of beginning. Sewer only to serve all of Lots 2 and 3 of said Block 14, and other portions of Ricks College campus.

Commencing at the Southwest corner of Block 9 corner as the Northeast corner of intersection of South Third West and West Fourth, South Streets,) of the Parker Addition to the City of Rexburg, and running thence North 165 feet; thence; East 577 feet; thence South 165 feet; thence West 577 feet to the point of beginning. Sewer only to serve the South half of said Block 9.

Commencing at the Southeast corner of Block 10 , (same corner as the Northwest corner of intersection of South Third West and West Fourth South Streets,) of the Parker Addition to the City of Rexburg, and running thence West 115.5 feet; thence North 363 feet; thence East 115.5 feet; thence South 363 feet, to the point of beginning. Sewer only to serve all of said Block 10.

Commencing at the North east corner of Block 11, (same corner as the Southwest corner of intersection of South Third West and West Fourth South Streets,) of the Parker Addition to the City of Rexburg; and running thence South 660 feet; thence West 115.5 feet; thence North 660feet; thence East 115.5 feet to the point of beginning. Sewer only to serve all of said Block 11.

Commencing at the Northwest corner of Block 12, (same corner as the Southeast corner of intersection of South Third West and South Streets,) of the Parker Addition to the City of Rexburg, and running thence South 660 feet; thence East 660 feet; thence North 660 feet; thence West 660 feet to the point of beginning. Sewer to serve all of said Block 12 and curbs and gutters and paving along the East side thereof.

Commencing at the Northwest corner of 13, (same corner as the Southeast corner of intersection of South Second West and West Fourth South Streets,) of the Parker addition to the City of Rexburg, and running thence South 660 feet; thence East 660 feet; thence North 330 feet thence West 330 feet; thence North 330 feet; thence West 330 feet to the point of beginning. Sewer to serve all of said Block 13 herein described, and curbs and gutters and paving on West and South sides thereof.

Commencing at the Northwest corner of Block 20, (same corner as the Southeast corner of intersection of South Second West and West Fifth South Streets,) of the Parker Addition to the City of Rexburg, and running South 330 feet; thence East 330 feet; thence North 231 feet; thence East 330 feet; thence North 99 feet; thence West 660 feet to the point of beginning. Sewer to serve whole description; curbs and gutters and paving on the North and West sides thereof.

Commencing at the Northeast corner of Block 21, (same corner as the Southwest corner of intersection of South Second West and West Fifth South Streets) of the Parker Addition to the City of Rexburg, and running ,thence South 330 feet; thence West 660 feet; thence North 430 feet thence East 660 feet to the point of beginning. Sewer to serve the whole description and curb and gutters and paving along the East side thereof.

Commencing at the Northeast corner of Block 22, (same corner as the Southwest corner of

intersection of South Third West and West Fifth South Streets,) of the darker Addition to the City of Rexburg, and running thence South 330 feet; thence West 115.5 feet; thence North 330 feet; thence East 115.5 feet to the point of beginning. Sewer only to serve whole description.

#### PARK VIEW ADDITION

Commencing at the Northeast corner of Block 1, (same corner as a point on the West boundaries line of South Fifth West Street 1320 feet of the center of West Main Street,) of the Park-view Addition to the City of Rexburg, and running thence South 170 feet; thence West 280.5 feet; thence North 170 feet; thence East 280.5 feet to the point of beginning. Sewer, curbs and gutters and paving all three.

Commencing at a point 547 feet East of the Northwest corner of Block 2, (same corner as a point on the South boundary line of East Main Street at its intersection point with the East line of Ash Avenue) in the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, subdivision No. 1,) and running thence East 210 feet; thence South 330 feet; thence East approximately 22 feet; thence South 118.5 feet to the South line of Block 2 aforesaid of Powell Modification Plat thence Westerly following the meander line of Maple Drive 233.71 feet to its intersection with Ash Avenue; thence Northerly following the East Meander line of Ash Avenue 414.5 feet to the point of beginning. Curbs and gutters and paving only.

Commencing at the Northeast corner of Block 1, (same corner as the Southwest corner of intersection of Ash Avenue with East Main Street) of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, and running thence Southerly along the meander of the East line of said Block 1, 387.70 feet to the Southeasterly corner of Lot 5 of said Block 1; thence North 55 degrees West 116.65 feet; thence North 330 feet to the point of beginning. Curbs and gutters and paving only.

Commencing at the Northeast corner of Lot 1, (same corner as the intersection of Maple Drive and Birch Avenue,) of Block 4 of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, and running thence South 90S feet to East Second South Street thence West 60.S feet; thence North S28 feet; thence West 60.S feet; thence North 374.98 feet thence North - easterly around a curve right with a radius of 20 feet 31.42 feet; thence Easterly following the meander of the North line of said Block 4, 185.86 feet; thence Southeasterly around a curve right with a radius of 20 feet, 31.42 feet to the point of beginning. Curbs and gutters and paving only.

Commencing at the Southwest corner of Block 6, (same corner as the Northeast corner of intersection of Birch Avenue with East Second South Street,) of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, Division No. 2, and running thence North 425 feet; thence East 121 feet; thence South 425 feet; thence West 121 feet to the point of beginning. Paving only.

Commencing at the Southeast corner of Block 7, (same corner as the Northwest corner of intersection of Linden Avenue with East Second South Street,) of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, and running thence West 121 feet; thence North 42S feet; thence East 121 feet; thence South 42S feet to the point of beginning. Paving only.

Commencing at the Southwest corner of Block 8, (same corner as the Northeast corner of intersection Linden Avenue and East Second South Street,) of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, and running thence North 425 feet; thence East 121 feet; thence South 425 feet; thence West 121 feet to the point of beginning. Paving only.

Commencing at the Southeast corner of Block 8, (same corner as the Northeast corner of intersection of Maple Drive and East Second South Street,) of the Powell Modification Plat of a Portion the Rigby Addition to the City of Rexburg, and running thence North 656.39 feet; thence Northwesterly around a curve left a distance of 291.28 feet; thence Southwesterly around a curve left with a radius of 30 feet a distance of 52.63 feet to Oak Avenue; thence Southerly along the East line of Oak Street, approximately 120.13 feet; thence Southeasterly and South along the center line of said Block 8 approximately 959.49 feet; thence East 114.5 feet to the point of beginning. Paving only.

Commencing at the Southwest corner of Block 9, (same corner as the Northeast corner of intersection of Maple Drive and East Second South Street) of the Powell Modification Plat of a

Portion of the Rigby Addition to the City of Rexburg, and running thence North 656.9 feet; thence around a variable curve left a distance of 444.83 feet to the Southeast corner of Lot 12, Block 2 of said Powell Modification Plat; thence East 282.87 feet to the Northeast corner of Block 9 aforesaid; thence Southerly along the Eastern meander line of said Block 9 a distance of 1123.15 feet; thence West 114 feet to the point of beginning. Paving only.

#### RANDALL INDIAN HILLS ESTATES ADDITION

Commencing at the Southwest corner of Block 1, (same corner as the Northeast corner of intersection of South- Fourth East and East Third South Streets,) of the Randall Indian Hills Estates Addition to the City of Rexburg, and running; thence East 97 feet; thence North 639 feet; thence West 97 feet; thence South 699 feet ; to the point of beginning. Paving and sewer only.

Commencing at the Southwest corner of Block 5, (same corner as the Northeast corner of intersection of South Fourth East Street and the South line of the Randall Indian Hills Estates Addition to the City of Rexburg, and running thence East 97 feet; thence North 321.5 feet; thence West 97 feet; thence South 321.5 feet to the point of beginning. Paving and sewer only.

#### RIGBY ADDITION

Commencing at the Southwest corner of Block 2, (same corner as the Northeast corner of intersection of East First South and South Third East Street) of the Rigby Addition to the City of Rexburg, and running thence East 330 feet; thence North 330 feet; thence West 330 feet thence South 330 feet to the point of beginning. Curbs and gutters and paving only.

Commencing at the Northwest corner of Block 7, (same corner as the Southeast corner of intersection of East First South and South Third East Streets,) of the Rigby Addition to the City of Rexburg, and running thence East 431 feet; thence South 132 feet; thence West 431 feet thence North 132 feet to the point of beginning. Curbs and gutters and paving only.

Commencing at the Northeast corner of Block 10, (same corner as the Southwest corner of intersection of South Fourth East and East Second South Streets,) of the Rigby Addition to the City of Rexburg, and running thence South 660 feet; thence West 165 feet; thence North 660 feet; thence East 165 feet to the point of beginning. Sewer and Paving only.

Commencing at the Northeast corner of Block 15, (same corner as the Southwest corner of intersection South Fourth East and East Third South Streets) of the Rigby Addition to the City of Rexburg, and running thence South 297 feet; thence West 49S feet; thence North 297 feet thence East 495 feet to the point of beginning. Paving on all of tract and sewer on East 165 feet of tract only.

#### SORENSEN ADDITION

Commencing at the Southwest corner of Block 2, (same corner as the Northeast corner of intersection of South Third East and East Fourth South Streets), of the Sorensen Addition to the City of Rexburg, and running thence East 330 feet; thence North 388 feet; thence West 150 feet; thence South 302 feet; thence West 165 feet; thence South 86 feet to the point of beginning. Paving on whole tract, curbs and gutters on South 86 feet only.

Commencing at the Southwest corner of Block 3, (same corner as the Northeast corner of intersection of Yale Avenue and East Fourth South Street), of the Sorensen Addition to the City of Rexburg, and running thence East 150 feet; thence North 388 feet; thence West 150 feet thence South 388 feet to the point of beginning. Paving on whole tract, curbs and gutters on South 86 feet only.

Commencing at the Northwest corner of Block 4, (same corner as the Southeast corner of intersection of East Fourth South Street and Yale Avenue,) of the Sorensen Addition to the City of Rexburg, and running thence South 95 feet; thence East 150 feet; thence North 95; thence West 150 feet to the point of beginning. Curbs and gutters and paving only.

Commencing at the Northeast corner of Block 5, (same corner as the Southwest corner of intersection of East Fourth South Street and Yale Avenue,) of the Sorensen Addition to the City of Rexburg, and running thence South 9S feet; thence West 300 feet; thence North 95 feet; thence East 330 feet to the point of beginning. Paving only on whole tract.

## SOUTH END ADDITION

Commencing at the Southwest corner of Block 4, (same corner as the Northeast corner of intersection of West Second South and South Fifth West Streets), of the South End Addition to the City of Rexburg, and running thence North 165 feet; thence East 297 feet; thence South 165 feet; thence West 297 feet to the point of beginning. Curbs and gutters sewer and paving all three.

Commencing at the Southwest corner of Block 5, (same corner as the Northeast corner of intersection of West Third South and South Fifth West Streets,) of the South End Addition to the City of Rexburg, and running thence North 660 feet; thence East 297 feet; thence South 330 feet; thence East 330 feet; thence South 330 feet; thence West 627 feet to the point of beginning. Curbs and gutters, sewer and paving all three, on West 660 feet; and sewer only on East 330 feet.

Commencing at the Southwest corner of Block 6, (same corner as the Northeast corner of intersection of West Third South and South Fourth West Streets,) of the South End Addition to the City of Rexburg, and running thence East 330 feet; thence North 330 feet; thence West 330 feet; thence South 330 feet to the point of beginning Sewer only on whole tract.

Commencing at the Northwest corner of Block 11, (same corner as the Southeast corner of intersection of West Third South and South Fourth West Streets,) of, the South End Addition to the City of Rexburg, and running thence South 297 feet; thence East 330 feet; thence North 297 feet; thence West 330 feet to the point of beginning. Sewer only while tract.

Commencing at the Northeast corner of Block 12, (same corner as the Southwest corner of intersection of West Third South and South Fourth West Streets,) of the South End Addition to the City of Rexburg, and running thence South 297 feet; thence West 627 feet; thence North 297 feet; thence East 627 feet to the point of beginning.

## SECTION PROPERTY IN REXBURG TOWNSITE

Commencing at the Northeast corner of Section 25, Township 6 North, Range 39 East, Boise Meridian, in Madison County, Idaho, (same corner as the Southwest corner of intersection of West Main and South Fifth West Streets,) and running thence West 330 feet; thence South 1320 feet; thence East 330 feet; thence North 1320 feet to the point of beginning. Curbs and gutter sewer and paving, all three.

Commencing at a point 1490 feet South of the Northeast corner of Section 25, Township 6 North, Range 39 East, Boise Meridian, in Madison County, Idaho (same corner as the intersection of Park Street and South Fifth West Street,) and running thence South 3790 feet; thence West 330 feet; thence North 3790 feet; thence East 330 feet to the Point of beginning. Curbs and gutters, sewer and paving all three.

North feet of the SE 1/4 SW 1/4, Section 30, Township 6 North Range 40 E.B.M. Sewer only.

**SECTION III:** That -the improvements to be constructed within said district are improving and constructing certain streets and alleys, constructing and installing sanitary sewer laterals, constructing and reconstructing curbs, gutters and sidewalks, and constructing drainage works incidental to said improvements.

### (STREETS AND ALLEYS AND DESIGNATION OF IMPROVEMENT)

WEST MAIN STREET between Fourth West and Fifth West, both sides, curb and gutter only, 1320 ft;

EAST MAIN STREET from the East line of Fourth East Street West to the East line of Lot 3 Block 2 of the Rigby Addition to the City of Rexburg, South side only; curbs and gutters and paving, 231 feet.

EAST FIRST SOUTH STREET from South Third East, Street East to Ash Avenue, both sides, curbs and gutters and paving, 841 feet, (excepting therefrom Lots 8 and 9 of Block 1 of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg.)

WEST FOURTH SOUTH STREET from South Fifth West Street East to South Second West Street, both sides, sewer only, 4356 feet.

WEST FOURTH SOUTH STREET, from South Second West Street East to middle of the Block, South side only, sewer only, 429 feet.

WEST FOURTH SOUTH STREET, from South First West Street East to the Center of the Block, both sides, sewer only, 709.5 feet.

EAST FOURTH SOUTH STREET, from South Third East Street East to a point 165 feet East of Yale Avenue, both sides, paving only, 525 feet.

EAST FOURTH SOUTH STREET, from South Third East Street, East to a point 165 feet East of Yale Avenue, North side only, curbs and gutters only, 525 feet.

EAST FOURTH SOUTH STREET, from Yale Avenue East 165 feet, both sides, curbs and gutters only, 330 feet.

WEST FIFTH SOUTH STREET, from South Fifth West Street, East to South Second West Street, both sides, sewer only, 4356 feet.

West Fifth South Street, from South Second West Street, East to South First West Street, both sides, curbs and gutters, sewer and paving, 13320 feet.

WEST SIXTH SOUTH STREET, from South Fifth West Street, East to South Fourth West Street, both sides, sewer only, 1254 feet.

DEPPNER AVENUE ("K" STREET) from West Main Street, North to end of street, both sides, paving only, 1844 feet.

SOUTH FIFTH WEST STREET, from West Main Street, South to South city Limits, both sides, curbs and gutters, sewer and paving, 10,428 feet, (less the railroad and highway, right-of-way, 820 feet) leaving a net total of 9,608 feet.)

SOUTH FOURTH WEST STREET, from midway between West Second South and West Third South Streets, South to West Sixth South Street, both sides, sewer only, 5214 feet.

SOUTH THIRD WEST STREET, from 165 feet North of West Fourth South Street, South to a point 330 feet South of West Fifth South Street, both sides, sewer only, 2706 feet.

SOUTH SECOND WEST STREET, from West Fourth South Street to a point 165 feet South of West Fifth South Street, Both sides, curbs and gutters and paving only, 1749 feet.

ASH AVENUE from East Main Street, South to its intersection with Maple Drive, both sides, curb and gutters and paving, 840.95 feet.

ASH AVENUE from its intersection with Maple Drive, South to its intersection with East First South Street, East side only, curbs and gutters and paving, 296.37 feet.

MAPLE DRIVE from its intersection with Ash Avenue East to its intersection with Birch Avenue, both sides, curbs and gutters and paving, 453.67 feet.

BIRCH AVENUE from its intersection with Maple Drive, South to East Second South Street, West side only for curbs and gutters, both sides for paving, 1864 feet.

LINDEN AVENUE, from its intersection with East Second South Street, North to the Southeast corner of Lot 2, Block 7 of the Powell Modification Plat of a Portion of the Rigby Addition to the City of Rexburg, both sides, paving only, 990 feet.

MAPLE DRIVE, from its intersection with Oak Avenue, South to East Second South Street, both sides, paving only, 2120.84 feet.

SOUTH FOURTH EAST STREET, from East Second South Street, South to the South line of the Rigby Addition to the City of Rexburg, both sides, sewer and pavings, 2092 feet.

YALE AVENUE, from East Third South Street, South to a point 95 feet South of the South side of East Fourth South Street, (South line of Sorensen Addition), both sides, paving only, 1680 feet.

**SECTION IV:** In the judgment of the City Council of the said City, it is fair and equitable that \$32,140.00 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 and 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 blocks to the center of the block, if platted in lots to the center of the lots, and if not platted, to the distance of 125 feet in proportion to the benefits to be derived from such improvements sufficient to cover all of the portion of the cost and expense of the work to be so levied and assessed to the center of the street.

**SECTION VI:** The committee on streets and the City Engineer are hereby directed to prepare an assessment roll according to the provisions of this Ordinance -and the law under which said Improvement District is created after contracts for the construction of said improvements have been let; said assessment roll shall contain among other things, the number of the assessment, the name of the owner if known, or if not known a statement to that effect, a description of each lot or tract assessed and the total amount of the assessment; which assessment roll, upon its completion shall be certified to the City Council by said Committee on streets and said City Engineer. Whereupon, the City Council will fix a time when objections thereto by the property owners in said District will be heard and will cause such assessment roll to be filed in the office of the City Clerk.

**SECTION VII:** The public notice calling for bids for constructing said improvements heretofore having been given by the Mayor and City Clerk in three consecutive weekly issues of the Rexburg Standard, the official newspaper of said City, if hereby confirmed. Said notice stated the time, place and hour when and where the City Clerk would receive sealed proposals for the construction of such improvements, and which notice contained a general description of the kind and amount of work to be done, the materials to be furnished as nearly accurate as practicable, using such general terms as to admit of the widest latitude for competition, and stated that the plans and specifications for said improvements were on file in the offices of the City Clerk and City Engineer to be examined or obtained at either office. The notice also stated the amount of the estimate of the cost of said improvements, and that each bidder should accompany his bid with a certified check or bid bond in the amount of 5 per cent of the bid in case the contract is awarded to such bidder and if he fails or refuses to enter into the contract and give the bond required, the proceeds of such check to be forfeited to the City as liquidated damages and placed in the Local Improvement Fund for said District. Said notice reserved the right to reject any and all bids, to waive informalities or to accept the proposal of the best responsible bidder. Also, said notice stated that no bidder may withdraw his bid after the hour set for opening bids.

**SECTION VIII:** All ordinances or parts thereof in conflict herewith are hereby repealed.

**SECTION IX:** By reason of the fact that the construction of said improvements is imperatively necessary, it is hereby declared that an emergency exists, that this Ordinance is necessary to the immediate preservation of the public peace and safety, and that it shall be in full force and effect from and after its passage', approval and publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 20th day of August, 1969.

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A.H. Brock, Mayor

(SEAL)

ATTEST:

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Beulah Johnson, City Clerk

STATE OF IDAHO)  
  )ss  
County of Madison )

I, BEULAH JOHNSON, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance entitled

**AN ORDINANCE CREATING LOCAL IMPROVEMENT DISTRICT NO. 18 IN REXBURG, IDAHO, FOR THE PURPOSE OF IMPROVING AND CONSTRUCTING CERTAIN STREETS AND ALLEYS, CONSTRUCTING AND INSTALLING SANITARY SEWER LATERALS, CONSTRUCTING AND RECONSTRUCTING CURBS, GUTTERS AND SIDEWALKS, AND CONSTRUCTING DRAINAGE WORKS INCIDENTAL TO SAID IMPROVEMENTS WITHIN SAID DISTRICT; PROVIDING FOR THE LEVY OF ASSESSMENTS UPON THE PROPERTY TO BE BENEFITTED 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 20th day of August, 1969.

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Beulah Johnson, City Clerk

(SEAL)