



CITY OF
REXBURG
America's Family Community

Resolution 04-20-1960

RESOLUTION NO. 1 DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, TO CONSTRUCT AND INSTALL CERTAIN SANITARY SEWER LATERALS WITHIN SAID CITY, TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 5 FOR CONSTRUCTION AND INSTALLATION OF SEWAGE LATERALS INT EH CITY OF REXBURG, IDAHO; TO DEFRAY EXPENSES OF SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS LEVIED UPON AND AGAINST THE LOTS AND LANDS ABUTTING, ADJOINING AND ADJACENT TO THE STREETS OR STREEETS ALONG WHICH OR UPON WHICH SUCH IMPROVEMENTS ARE TO BE MADE, AND UPON LOTS AND LANDS BENEFITED BY SUCH IMPROVEMENTS AND INCLUDED IN THE IMPROVEMENT DISTRICT. THE COST AND EXPENSES OF ALL INTERSECTIONS TO BE BORNE BY, APPORTIONED TO AND ASSESSED AGAINST SAID PROPERTY WITHIN THE DISTRICT IN PROPORTION TO THE BENEFITS DERIVED FROM SUCH IMPROVEMENT AND DECLARING SAID IMPROVEMENTS TO BE AN ORIGINAL SANITARY SEWER LATERAL IMPROVEMENT OR IMPROVEMENTS; GIVING THE KIND AND CHARACTER OF SAID IMPROVEMENTS AND THE ESTIMATED TOTAL COST THEREOF; FIXING THE TIME WHEN PROTESTS AGAINST SAID IMPROVEMENTS AND THE CREATION OF SAID DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK AND WHEN SUCH PROTESTS WILL BE HEARD AND CONSIDERED BY THE CITY COUNCIL, AND PROVIDING FOR GIVING NOTICE THEREOF;

WHEREAS, the City Council of Rexburg, Idaho, on the 20th day of April, 1960, passed Resolution No. 1 declaring its intention to construct and install certain sanitary sewage laterals within said city and to create a local improvement district for the purpose of making said improvements and defraying the cost and expense thereof, and the said Resolution No. 1 described the boundaries of such improvement district and the streets on which said sanitary sewage laterals were to be constructed, and

WHEREAS, the estimated total costs of said District and said improvements is \$60,000.00, and

WHEREAS, the City Council has determined in consideration of the benefits accruing that the costs and expenses of all intersections shall be borne by, apportioned to and assessed against the property in said district in proportion to the benefits derived from such improvement, and

WHEREAS, the City Council proposes to defray the costs and expense of said District and of said improvements by special assessments levied upon and against the lots and lands abutting, adjoining and adjacent on the streets along or upon which such improvements are to be made, and upon lots and lands benefited by such improvements and included in the improvement district formed.

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

Section 1. The City of Rexburg, Idaho, does hereby declare its intention to construct and install certain sanitary sewer laterals within the corporate limits of said City and for that purpose to create and establish a Local Improvement District therein to be known as Local Improvement District No.5 for construction and installation of sewage laterals in Rexburg, Idaho, comprising of property within the following described boundaries:

Commencing at a point 100 feet North of the Southeast Corner of Lot 4, Block 28 of the Original Rexburg Town site, in the City of Rexburg, in Madison County, State of Idaho, as per the recorded plat thereof, and running thence North 989 feet to the Northeast corner of Lot 4, Block 27 of said town site; thence west 330 feet; thence North 730 feet; thence West 297 feet; thence South 430 feet to the Northwest corner of Lot 2, Block 6 of the Bell and Bigler Addition to the City of Rexburg; thence West 370.5 feet to a point 330 feet West of the East Line of Section 24, Township 6 North, Range 39 East, Boise Meridian; thence South 1319 feet to a point 166 feet North and 330 feet West of the Southeast corner of said Section 24, Township and Range aforesaid; thence East 1006.5 feet to a point of beginning.

Commencing at a point 100 feet south of the Northeast corner of Lot 2, Block 41 of the original Rexburg Town site, in the City of Rexburg, in Madison County, State of Idaho, as per the recorded plat thereof and running thence South 2507 feet to the Southeast corner of Lot 2, Block 9 of the Parker Addition to the City of Rexburg; thence West 759 feet to the Southwest corner of Lot 1, Block 1 of the Klingler Addition to the City of Rexburg; thence North 2507 to a point 100 feet South of the Northwest corner of Lot 1, Block 42 of the Original Rexburg Town site; thence East 759 feet to the point of beginning.

Commencing at a point 100 feet South of the Northeast corner of Lot 2, Block 43 of the Original Rexburg Town site, in the county of Madison, State of Idaho, as per the recorded plat thereof, and running thence South 1154 feet to the Northwest corner of Lot 1 Block 4 of the South End Addition to the City of Rexburg; thence East 330 feet; thence South 549 feet, more or less to the West line of the Union Pacific Railroad right of way; thence southwesterly along said right of way line 60 feet, more or less, to the South line of Lot 1 Block 5 of the aforesaid South End Addition; thence West 305 feet, more or less, to the West line of said Railroad right of way; thence Southwesterly along the West line of said right of way 700 feet, more or less, to a point

equivalent to the South line of Lot 3, Block 2 of the Klingler Addition to the City of Rexburg; thence West 360 feet, more or less to a point 330 feet.

Meridian; thence North 2837 feet to a point 166 feet South and 330 feet West of the Northeast corner of said Section 25, Township and Range aforesaid; thence East 709.5 feet to point of beginning.

Said sanitary sewer laterals to be constructed on the following between the following points:

North 5th West Street from a point 166 feet North of the Center of West Main Street North to a point equivalent to the North line of Block 6 of the Bell & Bigler Addition to the City of Rexburg.

South 3rd West Street from a point 166 feet South of the Center of West Main Street South to a point equivalent to the South line of Lot 2, Block 9, of the Parker Addition to the City of Rexburg.

South 5th West Street from a point 166 feet south of the Center of West Main Street to a point equivalent to the south line of Block 2 of the Klingler Addition to the City of Rexburg.

Lateral Sewer Lines in Streets:

West 1st South Street from a point equivalent to the West line of Lot 4, Block 42 of the Original Rexburg Town site East to the West line of the union Pacific Railroad right of way, thence Northeasterly along said right of way to a point approximately 100 feet south of the North line of lot 4, Block 42, aforesaid.

West 1st South Street from the center of South 5th West Street East approximately 379.5 feet to the East line of Lot 3, Block 43 of the Original Rexburg Town site.

Section 2. The kind and character of said improvements is the construction and installation of sanitary sewer laterals and the restoration of street surfaces wherever necessitated by reason of the construction and installation of as said sanitary sewer laterals.

Section 3. The said improvements are original.

Section 4. The estimated total cost and expenses of said district and of said improvements are \$60,000,00.

Section 5. The cost of said district and of said improvements which is to be paid by special assessment is to be assessed against the abutting, adjoining, contiguous and adjacent lots and lands and upon lots and lands benefited and included in the improvement district formed, each lot and parcel of land being separately assessed for the debt thereof in proportion to the number of square feet of such lands and lots abutting, adjoining, contiguous and adjacent thereto

or included in the improvement district to the distance back from such street, if platted in blocks to the center of block, if platted lots to the center of the lots, and if not platted to the distance of one hundred twenty-five feet; 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. The costs and expenses of all intersections shall be borne, apportioned to and assessed against the property within said district in proportion to the benefits derived from such improvement.

Section 6. That Wednesday, the 11th day of May, 1960, at 7:30 o'clock p.m. of said day, in the chambers of the City Council in the City Hall in the City of Rexburg, Idaho, be and the same are hereby designated as the time and place when protests against the creation of said district and the making of said improvements will be heard and considered by the City Council, and protests against said improvements or the creation of such district may be filed in the office of the City Clerk on or before the day of such meeting, to, but not later than the hour of 7:30 o'clock p.m. of said day. The City Clerk is hereby ordered and directed to give notice of the passage of this resolution, and the time within which protests against said proposed improvements or the creation of said district may be filed, and the date when said protests will be heard and considered by the Council in the manner provided by law.

APPROVED BY THE MAYOR of the City of Rexburg, Idaho, this 20th day of April, 1960.

/s/ Gilbert Larsen
Mayor of Rexburg

ATTEST:

/s/ Loretta M. Rigby
City Clerk