



CITY OF
REXBURG
America's Family Community

Resolution 10-18-1967

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, FOR THE CONSTRUCTION AND RECONSTRUCTION OF CURBS AND GUTTERS AND THE CONSTRUCTION OF SIDEWALK ON THE SOUTH SIDE OF WEST MAIN STREET FROM FIFTH WEST TO #733 AND THE CONSTRUCTION OF DRAINAGE WORKS INCIDENTAL TO SAID IMPROVEMENTS; TO DEFRAY THE COSTS AND EXPENSES OF SAID DISTRICT AND THE COSTS AND EXPENSES AND THE COSTS AND EXPENSES OF SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS LEVIED UPON AND AGAINST THE LOTS AND LANDS ABUTTING, ADJOINING AND ADJACENT TO THE STREET OR STREETS ALONG OR UPON WHICH SUCH IMPROVEMENTS ARE TO BE MADE AND UPON LOTS AND LANDS BENEFITED BY SUCH IMPROVEMENTS AND INCLUDED IN THE IMPROVEMENTS DISTRICT, AND TO PAY THE WHOLE COSTS AND EXPENSE OF SAID FROM THE GENERAL FUNDS OF THE CITY, AND DECLARING SAID IMPROVEMENTS TO BE AN ORIGINAL 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, deems it for the best interests of the City to construct and reconstruct curbs and gutters and the construction of sidewalk on the South side of west main street from 5th west to #733 and drainage works incidental to said improvements on certain streets and parts of streets and alleys and parts of alleys within the corporate limits of the said City, hereinafter particularly described, and to create Local Improvement District No. 17, for the City of Rexburg, Idaho, for the purpose of making said improvements, and

WHEREAS, the total (estimated) cost of said district and of said improvements is (estimated) cost of said district and of said improvements is \$70,500.00, of which sum \$20,500.00 is the total estimated cost of said improvements within street and alley intersections, and

WHEREAS, the City Council is authorized to expend from the general funds of the City the whole of the costs and expenses of said improvements within street and alley intersections and such other portion of the costs and expenses of said improvements as in their judgment may be fair and equitable in consideration of the benefits accruing to the general public by reason of such improvements, and

WHEREAS, the City Council proposes to defray the costs and expenses of said district and of said improvements to the extent of \$50,000.00 by special assessments levied upon and against the lots and lands abutting, adjoining and adjacent to the streets and alleys to be so improved and on and against all lots and lands benefited by such improvements within the street and alley intersections from the general funds of the City.

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

Section I. The city of Rexburg, Idaho, does hereby declare its intention to construct and reconstruct curbs and gutters and the construction of sidewalk on the sidewalk on the South side of West Main Street from 5th West to #733 and construct drainage works incidental to said improvements on certain streets and parts of streets and alleys and parts of alleys 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. 17 for the City of Rexburg, Idaho, comprising said streets and parts of streets and alleys and parts of alleys and the lot and lands abutting, adjoining and adjacent thereto and the lots and lands benefited by such improvements and situated in said district; which said streets and parts of streets, alleys and parts of alleys and lots and lands are described as follows, to-wit:

CURB GUTTER

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

NORTH FIFTH 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.

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 Street, south.

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

SIDEWALK

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

Lots and Lands

Commencing at the Northwest corner of Block 8, (same corner as the Southeast corner of intersection of North First East and West Second North Streets) of Rexburg Town site and running thence South 660 feet; thence East 165 feet; thence North 660 feet; thence West 165 feet to the point of beginning.

Commencing at the Northeast corner of Block 24 (same corner as the Southwest corner of the intersection of North First West and West Second North Streets), of Rexburg Town site and running thence South 660 feet; thence West 165 feet; thence North 660 feet; thence East 165 feet to the point of beginning.

Commencing at the Northwest corner of Block 6 (same corner as the Southeast corner of the intersection of North Fifth West and West Second North Streets, of the Bell and Bigler Addition to the City of Rexburg, (NOTE: The North 165 feet of this tract is in Bell and Bigler Addition and the South 495 thereof is in Block 27 of the Rexburg Town site) and running thence East 165 feet; thence South 660 feet; thence West 165 feet; thence North 330 feet to the point of beginning.

Commencing at the Northwest corner of Block 28 (same corner as the Southeast corner of the intersection of North 5th West and West First North Streets), of Rexburg Town site and running thence South 660 feet; thence East 165 feet; thence North 660 feet; thence West 165 feet to the point of beginning.

Commencing at the Southeast corner of Block 7 (same corner as the Northwest corner of the intersection of East Second South and South Fourth East Streets) of the Rigby Addition to the City of Rexburg and running thence North 165 feet; thence West 330 feet ; thence South 165 feet; thence East 330 feet to the point of beginning.

Commencing at the Northeast corner of Block 10 (same corner as the Southwest corner of the intersection of East 2nd South and South 4th East Streets) of the Rigby Addition to the City of Rexburg and running thence West 423 feet; thence South 165 feet; thence East 258 feet; thence South 495 feet; thence East 165 feet; thence North 660 feet to the point of beginning.

Commencing at the Northeast corner of Block 15 (same corner as Southwest corner of the intersection of East Third South and South Fourth East Streets) of the Rigby Addition to the City of Rexburg and running thence South 297 feet; thence West 300 feet; thence North 297 feet; thence East 300 feet to the point of beginning.

Commencing at the intersection of the center line of Lot 4, Block 6, and the South line thereof (same point as the North line of East Second South at its intersection with said center line of Lot 4) 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 to the point of beginning, being on the East line of Birch Avenue and approximately the South 425 feet thereof.

Commencing at the Southeast corner of Lot 4, Block 7 (same corner as the Northwest corner of the intersection of East Second South and Linden Avenue) of the Powell Modification Plat of a portion of the Rigby Addition of the City of Rexburg and running thence North 425 feet; thence West 121 feet; thence South 425 feet; thence East 121 feet to the point of beginning.

Commencing at the Northwest corner of Lot 4, Block 8 (same place as a point on the East line of Linden Avenue 425 feet North of the North line of East Second South Street) of the Powell Modification Plat of a portion of the Rigby Addition to the City of Rexburg, Subdivision II, and running thence South 425 feet; thence East 229 feet; thence Northerly 656.39 feet; thence Northwesterly following a curve left a distance of 241.26 feet; thence along a curve left in a Southwesterly direction a distance of 52.3 feet; thence Southwesterly along the Northerly line of said Block 8 approximately 120 feet to the center line of Block 8; thence Southeasterly on a curve right and thence due South along said center line to a point 425 feet North of the South line of said Block 8; thence due West 114.5 feet to the point of beginning. Same being on the line of Linden Avenue's East side at a point 425 feet North of the North line of East Second South Street by which it is bounded on the South for 229 feet and on the West side of Maple Drive Northward to the North end of said Block 8 aforesaid a distance of approximately 897.65 feet.

All of the Block 9 of the Powell Modification Plat of a portion of the Rigby Addition to the City of Rexburg, same being bounded by the East line of Maple Drive from the Southeast corner of Block 2 of said Powell Modification Plat, Division II, and running thence southeasterly on a curve right approximately 444.5 feet; thence due South 656.39 feet to the North line of East Second South Street, thence East on East Second South Street 114 feet to the County Road; thence Northerly 656.39 feet and continuing Northwesterly on a curve left and swinging to a curve slightly right a distance of approximately 585.42 feet to the North end of said Block 9.

All of Keppner Addition, with one dedicated "K" Street straight through the center of said addition from the North line of West Main Street, Northward for a distance of 924.5 feet and curb and gutter will be on both sides thereof and on West Main Street for a distance of 300 feet from the Southeast corner of said addition to the Southwest corner thereof excepting for the 50 feet of street above described.

Commencing at the Southeast corner of Block 8 (same corner as the Northwest corner of the intersection of South First West Street and West Fourth South Street) of the Parker Addition to the City of Rexburg and running thence North 165 feet; thence West 660 feet; thence South 165 feet; East 660 feet to the point of beginning.

Commencing at the Northeast corner of Block 13 (same corner as the Southwest corner of the intersection of South First West Street and West Fourth South Street) of the Parker Addition to the City of Rexburg, and running thence South 165 feet; thence West 660 feet; thence North 165 feet; thence East 660 feet to the point of beginning.

Commencing at the Southeast corner of Section 24 (same corner as the Northwest corner of the intersection of West Main Street and North Fifth West Street) in Township 6 North, Range 39 East Boise Meridian, and running thence North 1320 feet; thence West 165 feet; thence South 1320 feet; thence East 165 feet to the point of beginning.

Commencing at the Northeast corner of Section 25 (same corner as the Southwest corner of the intersection of West Main Street and South Fifth West Street) Township 6 North, Range 39 East, Boise Meridian and running thence South 165 feet; thence West 1735 feet; thence North 165 feet; thence East 1735 feet to the point of beginning.

Commencing at the Southeast corner of Block 2 of the Sorensen Addition to the City of Rexburg, (which point is the same as the Northwest corner of the intersection of Yale Avenue with East Fourth South Street) and running thence North 161 feet; thence West 140 feet; thence South 161 feet; thence East 140 feet to the point of beginning.

Commencing at the Southwest corner of Block 3 of the Sorensen Addition to the City of Rexburg, (which point is the same as the Northeast corner of the Intersection of Yale Avenue with East Fourth South Street) and running thence North 388 feet; thence East 140 feet; thence South 388 feet; thence West 140 feet to the point of beginning.

The South 161 feet on the West side of Yale Avenue at East Fourth Street, and the South 388 feet on the East side of South Yale Avenue and at said East Fourth Street South.

SECTION II. The kind and character of said improvements are construction and reconstruction of curbs and gutters and the construction of sidewalk on the south side of west main street from 5th West to #733 and the construction of drainage work incidental thereto on said streets and parts of streets and alleys and parts of alleys, all according to the plans and

specifications to be filed in the office of the City Clerk on or before the day fixed for hearing protests against the creation of said district and the making of said improvements.

SECTION III. The said improvements are original.

SECTION IV. The estimated costs and expenses of said district and of said improvements is \$70,500.00, which sum is to be allocated and paid as follows:

From special assessments.....\$50,000.00

From general funds of the City.....\$20,500.00

SECTION V. The cost and expenses of said district and of said improvements which is to be paid by special assessment is to be assessed against the abutting, adjoining, and adjacent lots and lands on the streets or parts of streets, and alleys, or parts of alleys on which said improvements are to be made, and upon lots and lands benefited by such improvements, and included within said district, each lot and parcel of land being assessed separately for the debt thereof, in proportion as to the number of square feet of said lots and lands abutting, adjoining, or adjacent thereto or included in said district to the distance back from said streets and parts of streets, if platted in blocks to the center of the blocks if platted in lots to the center of the lots and if not platted, to the distance of 125 feet, and in proportion to the benefits derived to such lots and lands by said improvements, sufficient to cover the total costs and expenses of said improvements to the center.

The cost and expenses of said improvements within street and alley intersections, namely, the sum of \$20,500.00, is, in the judgment of the City Council, a fair and equitable portion of the total cost and expenses of said district and of said improvements to be expended from the general funds of the City in consideration of the benefits accruing to the general public by reason of such improvements and shall be paid out of the general funds of the City.

That Wednesday, the 23rd day of August, 1967, at 8 o'clock P.M. of said day, and 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 or the making of said improvements will be heard and considered by the City Council and that 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 8 o'clock P.M. of said day. The City Clerk is hereby ordered and directed to give notice of the passage of this Resolution, the time within which protests against said proposed improvement 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 2nd day of August, 1967.

Councilman John C. Porter seconded the adoption of Resolution No. I declaring the intention of the City Council of the City of Rexburg, Idaho, to create Local Improvement District No. 17, and the same, on being put to a vote, was unanimously carried by the affirmative vote of all councilmen present, the vote being as follows:

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

There were no NAY votes; therefore, Mayor Brock declared the Resolution carried.