



CITY OF  
**REXBURG**  
*America's Family Community*

## **Resolution 08-30-1973**

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, TO CAUSE CERTAIN STREETS AND ALLEYS AND PARTS THEREOF WITHIN THE CORPORATE LIMITS OF SAID CITY, TO BE GRADED, GRAVELED, PRIME COATED, PAVE, CURBED, GUTTERED, SURFACE DRAINED, SIDEWALKS, SEWERS AND WATER LINES CONSTRUCTED THEREON; TO CREATE LOCAL IMPROVEMENT DISTRICT NO 20 FOR THE PURPOSE OF MAKING SAID DISTRICT, AND THE COST AND EXPENSES OF SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS LEVIED UPON AND AGAINST THE LOTS AND PARCELS OF LAND FRONTING ON, ABUTTING, ADJOINING, CONTIGUOUS AND ADJACENT TO SAID STREETS AND ALLEYS TO BE IMPROVED IN PROPORTION TO THE BENEFITS TO BE DERIVED BY THE PROPERTY ASSESSED, EXCEPT THAT THE COST AND EXPENSES OF ALL SUCH IMPROVEMENTS WITHIN STREET INTERSECTIONS, ALLEY INTERSECTIONS AND THAT MIDDLE PORTION OF CERTAIN STREETS IN EXCESS OF 40 FEET WIDE, SHALL BE PAID 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 OF NOTICE THEREOF.

WHEREAS, the City Council of Rexburg, Idaho, deems it for the best interests of the City to cause certain streets and alleys and parts thereof within the corporate limits of said City, to be graded, graveled, prime coated, paved, curbed, guttered, surface drained, sidewalks, sewers and water lines constructed thereon, and to create Local Improvement District No. 20 for the City of Rexburg, Idaho, for the purpose of making said improvements, and

WHEREAS, the estimated total cost of said district and of said improvements is \$219,497.00, of which sum \$62,737.00 is the total estimated cost of said improvements within street and alley intersections and the middle strip along certain streets, 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, middle strips of certain streets, 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 \$156,760.00 by special assessments levied upon and against the lots and lands abutting, adjoining, contiguous and adjacent to the streets and alleys to be so improved and on and against all lots and lands benefited by such improvements included ins aid district and to defray the whole cost and expense of said improvements within the street and alley intersections and middle strip of certain streets from the general funds of the City.

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

SECTION I: The city of Rexburg, Idaho, does hereby declare its intention to cause certain streets and alleys and parts thereof within the corporate limits of the City of Rexburg to be graded, graveled, prime coated, paved, curbed, guttered, surface drained and sidewalks, sewers and water lines constructed thereon and for that purpose to create and establish a Local Improvement District hereon to be known as Local Improvement District No. 20 for the City of Rexburg, Idaho, comprising said streets and parts of streets and alleys and parts of alleys and the lots and lands benefited by such improvements and situated in said district. The names of the streets to be improved or along which said improvements are to be made, the points between which the improvements are to be made and the kind and character of the proposed improvements along and upon such streets are as follows:

**THIRD WEST:**

Between 4<sup>th</sup> South and 5<sup>th</sup> South which is bordered on the west by Block 11 of the Parker Addition and on the east by Block 12 of the Parker addition will receive paving, curb and gutter.

**SECOND SOUTH:**

Between 1<sup>st</sup> East and 2<sup>nd</sup> East which is bordered on the north by Block 50 of the Original Rexburg Town site and Block 4 of the Parker Addition on the South will receive paving, burb and gutter.

Second South:

Between 2<sup>nd</sup> East and 3<sup>rd</sup> East which is bordered on the north by Block 8 of the Rigby Addition and on the south by Block 9 of the Rigby Addition will receive paving, curb and gutter.

Second North:

From 4<sup>th</sup> East going east 330 feet to the new high school property will receive paving, curb and gutter on both sides. This is part of the unplatted city acreage.

Second North:

Between 3<sup>rd</sup> East and 4<sup>th</sup> East which is bordered on the north by Block 18 of the Original Rexburg Town site and on the south by Block 19 of the Original Rexburg Town site will receive paving, curb and gutter.

First North:

From 4<sup>th</sup> East, east to the city limits which is bordered on the south by the Garner Addition and on the north by the unplatted city acreage will receive curb, gutter, paving and water.

Mill Hollow Road:

Running from 1<sup>st</sup> North to 2<sup>nd</sup> through the Garner Addition, the Randall property and the Powell addition will receive curb, gutter, paving, sewer and water.

Second West:

Between 4<sup>th</sup> South and 5<sup>th</sup> South which is bordered on the west by Block 12 of the Parker Addition and on the east by Block 13 of the Parker Addition on the east by Block 13 of the Parker Addition will receive sidewalk.

Fourth South:

Between 2<sup>nd</sup> West and 1<sup>st</sup> West which is bordered on the north by Block 8 of the Parker Addition and on the south by Block 13 of the Parker Addition will receive sidewalk.

First West:

Between 3<sup>rd</sup> South and 4<sup>th</sup> South which is bordered on the west by Block 55 of the Original Rexburg Town site and Block 8 of the Parker Addition will receive sidewalk on the west side only.

Third South:

Between 2<sup>nd</sup> West and 1<sup>st</sup> West which is bordered on the north by Block 54 of the Original Rexburg Town site and Block 8 of the South by Block 55 of the Original Rexburg Town site and Block 9 of the South End Addition will receive sidewalk on the south side only.

First West:

Between 1<sup>st</sup> North and 2<sup>nd</sup> North which is bordered on the east by Block 23 of the Original Rexburg Town site will receive sidewalk on the east side only.

A New Street:

A new street has been dedicated to the City which runs on the unplatted city acreage from 1<sup>st</sup> North to 2<sup>nd</sup> North immediately adjacent to the new high school property. It will receive curb, gutter, paving, sewer and water.

Fourth East:

Between 1<sup>st</sup> North and 2<sup>nd</sup> North which is bordered on the west by Block 19 of the original Rexburg Town site and on the east by the unplatted city acreage will receive sewer on the north 495 feet.

SECTION II. The kind and character of said improvements are as follows: To cause certain streets and alleys and parts thereof within the corporate limits of said City, to be graded, graveled, prime coated, paved, curbed, guttered, surface drained, sidewalks, sewers and water lines to be constructed thereon, 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 are \$219,497.00, which sum is to be allocated and paid as follows:

From special assessments-----\$ 156, 760.00

From general funds of the City----- 62,737.00

Section V. The costs and expenses of said district and of said improvements which is to be paid by special assessment is to be assessed upon the abutting, adjoining, contiguous and adjacent lots and lands on the streets or parts of streets, and alleys or parts of alleys along or upon which said improvements are to be made, and upon lots and lands benefited by such improvements and included within 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, or in proportion to the benefits derived to such lots and lands by said improvements, sufficient to cover the total cost and expenses of said work to the center of the street.

The cost and expenses of said improvements within street and alley intersections and the middle strip of certain streets, namely, the sum of \$62,737.00 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 Tuesday, the 18<sup>th</sup> day of September, 1973, at 8:00 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 such 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 30<sup>th</sup> day of August, 1973.

Mayor

ATTEST:

City Clerk