

ORDINANCE NO. 346

By Councilman Copeland

AN ORDINANCE DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO, TO GRADE, PAVE, ~~AND~~ AND SURFACE DRAIN CERTAIN AVENUES, STREETS AND PARTS OF STREETS WITHIN SAID CITY: TO ASSESS THE COST AND EXPENSE THEREOF BY A SPECIAL ASSESSMENT LEVIED AGAINST THE LOTS AND PARCELS OF LAND ABUTTING, FRONTING, CONTIGUOUS OR TRIBUTARY, AND INCLUDED IN THE ASSESSMENT DISTRICT HEREIN PROVIDED, ON THE SAID AVENUES, STREETS AND PARTS OF STREETS TO BE IMPROVED, TO PAY THE EXPENSE AND COST OF SAID IMPROVEMENT; DECLARING THAT THE EXPENSE OF ALL SUCH IMPROVEMENT IN THE SPACES FORMED BY THE JUNCTION OF ANY AVENUE WITH ANOTHER AVENUE OR WITH ANY STREET AND THAT FORMED BY THE JUNCTION OF ANY STREET WITH ANY OTHER STREET OR AVENUE, AND WHEREIN ANY AVENUE OR STREET TERMINATES IN OR CROSSES ANOTHER AVENUE OR STREET AND ALL STREET CROSSINGS OR CROSS WALKS SHALL BE ASSESSED AGAINST ALL OF SAID PROPERTY IN PROPORTION TO THE BENEFITS DERIVED FROM SUCH IMPROVEMENT; DECLARING ITS INTENTION TO CREATE FOR THAT PURPOSE LOCAL IMPROVEMENT DISTRICT NO. 5 IN SAID CITY OF PAYETTE, IDAHO, INCLUDING ALL THE PROPERTY ABUTTING, FRONTING, CONTIGUOUS OR TRIBUTARY, AND INCLUDED IN THE ASSESSMENT DISTRICT HEREIN PROVIDED, ON THE SAID AVENUES, STREETS AND PARTS OF STREETS WHICH ARE TO BE IMPROVED, BETWEEN THE POINTS NAMED; FIXING THE TIME WHEN PROTESTS WILL BE RECEIVED AND HEARD AGAINST SAID PROPOSED IMPROVEMENT; AND ORDERING THE PUBLICATION OF THE SAID ORDINANCE IN THE OFFICIAL NEWSPAPER OF SAID CITY OF PAYETTE, IDAHO.

WHEREAS, there has been heretofore filed with the City Clerk of the City of Payette, in the County of Payette, and State of Idaho, a petition of resident owners of property abutting, fronting, contiguous or tributary to the avenues, streets and parts of streets in the said City, subject to assessment, requesting that certain avenues, streets and parts of streets in the said City of Payette, Idaho, between certain points named and according to the boundaries set out in such petition, be improved by grading, paving, and surface draining of said avenues, streets and parts of streets, and requesting that the City Council of the said City create a local improvement district for that purpose and declare its intention

to make such improvements; and further requesting in said petition, that the cost and expense of all said improvement of said avenues, streets and parts of streets, in the spaces formed by the junction of any such avenue with another avenue or street and in the spaces formed by the junction of any such street with any other street or avenue, and wherein any such street or avenue terminates in or crosses any other avenues or streets, and also that all street crossings or cross walks, be assessed against all of said property subject to assessment in proportion to the benefits derived from such improvement, and

WHEREAS, the City Council of the said City, have examined and considered the said petition, and heretofore, by resolution, Unanimously adopted, and duly entered on the journal of proceedings of the said City Council, have declared said petition regular as to form, and have determined by proper and accurate investigation and canvass, that more than seventy (70) per cent. of the resident owners of property within such proposed district, subject to assessment, signed said petition, and that said petition is in all respects sufficient, and that the said City Council does hereby find, declare, determine and adjudge, that said petition is in all respects sufficient, and

WHEREAS, IT IS DEEMED NECESSARY AND BENEFICIAL, by the said City Council of the said City of Payette, Idaho, to grade, pave and surface drain, said avenues, streets and parts of streets, within the corporate limits of the said City of Payette, Idaho, between certain points named as hereinafter particularly described, and in pursuance to the limits and boundaries fixed and described in said petition, and

WHEREAS, the cost and expense of said improvement is to be levied and assessed upon the property benefitted, to-wit:- On the lots, blocks and parcels of land abutting, fronting, contiguous or tributary to such avenues, streets and parts of streets so to be improved, provided however, that pursuant to said petition, and in the discretion of said City Council, it is hereby declared that the expense of all improvements in the spaces formed by the junction of any such avenue with another avenue or street and the expense of all improvements in the spaces formed by the junction of any such street with other streets or avenues, or wherein said streets or avenues terminate in or cross other avenues or streets, and also all street crossings, or cross walks shall be assessed against all the property in such improvement district in proportion to the benefits derived, and

WHEREAS, the total estimated cost and expense of said improvements is the sum of \$33,212.54, which sum includes the estimated cost of street intersections in said improvement district, and divided as follows:

Front footage of property owners	\$28,760.59
Street intersections	4,451.95
Total.....	<u>\$33,212.54</u>

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO, as follows:

Section 1. That the City of Payette, in the County of Payette, in the State of Idaho, does hereby declare its intention to grade, pave and surface drain certain avenues, streets and parts of streets within the said City of Payette, Idaho, and for that purpose to create and establish in said City of Payette, Idaho, as a part thereof, local improvement district No. 5, constituting the said avenues, streets or parts thereof, as follows:

Beginning at the intersection of Center Avenue with the east side line of Improvement District No. 4 and extending east along Center Avenue to the west side line of 9th Street, the pavement thereon to be sixty-seven (67) feet in width;

Also beginning at the intersection of the west side of 8th Street and 2nd Avenue South and extending east along 2nd Avenue South to an intersection with the east side line of 12th Street; thence South along 12th street to the south side line of 3rd Avenue South, the pavement thereon to be 20 feet in width; thence continuing south along 12th Street to the City limits, the pavement thereon to be 18 feet in width.

Section 2. The property to be included in said district and assessed as hereinafter provided, shall include all the property fronting or abutting on, contiguous or tributary to said avenues, streets or parts of said streets to be improved, and between the points hereinbefore specified, and to the distance back from said avenues, streets and parts of streets, if platted in blocks, to the center of the block; if platted in lots to the center of the lot; and if not platted to the distance of one hundred twenty-five (125) feet.

Section 3. The general character of said improvements shall be the grading, surface draining and paving of the roadway of said avenues, streets and parts of streets, to the width and length hereinbefore set forth, and between the points herein specified; said paving to consist of some suitable hard surface pavement, according to the general plans now on file in the office of the City Clerk. Said improvements are additional improvements.

Full plans and specifications for said improvements

to be filed in the office of the City Clerk of said City, on or before the day on which the Mayor and the City Council of the City of Payette, Idaho, will receive protests against the making of said proposed improvements.

Section 4. The cost and expense of said proposed improvements shall be taxed and assessed against all property in said improvement district in proportion to the number of feet of such lands and lots fronting thereon or abutting, contiguous or tributary thereto, and in proportion to the benefits derived by said improvement. All the property within said improvement district to be assessed as aforesaid for the cost of said proposed improvements, and providing also, the expense of the improvement in the spaces formed by the junction of any such avenues with any other avenue or street and the expense of the improvement in the spaces formed by the junction of any such street with any other street or avenue, or where any such avenue or street terminates or crosses any other avenues or streets, and also all avenue or street crossings or ~~at~~ side walks at intersections of avenues or streets shall be included in said assessments, in proportion to the benefits derived from such improvement. The total cost and expense of said improvements, according to the estimate on file in the office of the City Clerk is the sum of \$33,212.54 and is divided as follows:

Front Footage of property owners	\$28,760.59
Street intersections	4,451.95
Total.....	<u>\$33,212.54</u>

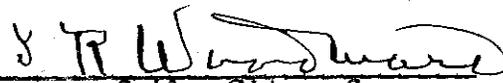
Section 5. That Tuesday, the 9th day of August, 1921, at 8 o'clock P. M. of said day, is hereby designated as the date and time upon which the Mayor and City Council of the City of Payette, Idaho, will receive written protests against the

making of said proposed improvements, and all persons affected by the same are hereby notified to file their protests in writing, with the City Clerk of said City on or before, or at the time of said meeting. The place where protests will be received and heard will be at the office of the City Clerk of the City of Payette, Idaho, in the City Hall at the corner of 8th Street and 3rd Avenue North, in the City of Payette, Idaho.

Section 6. That the City Clerk be and he is hereby ordered and directed to forthwith cause publication of this Ordinance to be made in the official newspaper of said City of Payette, Idaho, in at least two consecutive issues thereof, proof of publication shall be on file with the City Clerk on or before the 9th day of August, 1921.

Passed by the City Council of the City of Payette, Idaho, this 25th day of July, A. D. 1921.

Approved by the Mayor of the City of Payette, Idaho, this 25th day of July, A. D. 1921.


Mayor of the City of
Payette, Idaho.

ATTEST:


City Clerk.

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