

ORDINANCE NO. 352

By Councilman W. J. Shumwood

AN ORDINANCE DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO, TO GRADE, PAVE 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 EXPENSES 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. 6 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 centum 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, and 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 benefited, to-wit:- On the lots, block 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 ~~xx~~ 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 \$ 46,995.02, which sum includes the estimated cost of street intersections in said improvement district, and divided as follows:

Front footage of property owners	\$ 41,414.82
Street intersections	<u>5 580.20</u>
Total - - - - -	\$ 46 995.02

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.6, constituting the said avenues, streets and or parts thereof, as follows:

Beginning at the intersection of Center Avenue with the West side line of Ninth Street, and extending East along said Center Avenue to the West side line of Fourteenth Street; also Beginning at the intersection of the West side of Eight Street with Third Avenue North and extending thence West along said Third Avenue North to the intersection of Third Avenue North with the West side of Sixth Street, thence North along Sixth Street to the North side line of Block Thirty-eight (38) of Assessors Riverside Plat, the pavement thereon to be twenty (20) feet in width, extending ten (10) feet on either side of the center line of said avenues, streets and parts thereof.

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 tribu-

tary to said avenues, streets or parts of said avenues or 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 block 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, paving and surface draining the roadway of said avenues, streets and parts thereof, 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 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 space formed by the junction of any such street with any other street or avenue, or where any such avenue or street terminates or crosses in or on any other avenues

or streets, and also all avenues or street crossings or 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 \$ 46,995.02 and is divided as follows:

Front Footage of property owners	\$ 41,404.82
Street Intersections	<u>5580.20</u>
Total - - - - -	-\$ 46995.02

Section 5. That Monday, the 31st day of October, 1921, at 8 o'clock P.M. of said day, is hereby designated as the time and date 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 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 October 31st, 1921.

Passed by the City Council of the City of Payette, Idaho, this 18th day of October, A.D. 1921.

Approved by the Mayor of the City of Payette, Idaho, this 18th day of October, A.D. 1921.

J. R. Woodward
Mayor of the City of Payette, Idaho.

ATTEST: Martin [Signature]
City Clerk.