

Original-for the records of the City

ORDINANCE NO. 714

AN ORDINANCE CREATING AND DESCRIBING LOCAL IMPROVEMENT DISTRICT NO. 9

IN THE CITY OF PAYETTE, PAYETTE COUNTY, IDAHO, AND ORDERING CERTAIN IMPROVEMENTS IN AND ALONG A PORTION OF MAIN STREET; PROVIDING FOR THE PAYMENT OF ALL COSTS OF SAID IMPROVEMENTS BY ASSESSMENTS AGAINST THE PROPERTY WITHIN SUCH DISTRICT BENEFITED THEREBY; PROVIDING THAT SAID ASSESSMENTS MAY BE MADE IN TEN ANNUAL INSTALLMENTS; PROVIDING FOR THE ISSUANCE OF LOCAL IMPROVEMENT DISTRICT WARRANTS AND BONDS, AND PROVIDING FOR THE PUBLICATION AND EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1: That there is hereby created and established a Local Improvement District in the City of Payette, Payette County, Idaho, to be known as "LOCAL IMPROVEMENT DISTRICT NO. 9" for the accomplishing of the following improvements:

1. Main Street (also designated as 8th Street) from that street's intersection with Third Avenue North to Second Avenue North, and from 8th Street's intersection with First Avenue South to that Street's intersection with Second Avenue South by the placing of planters, shrubs and trees.

2. Main Street (8th Street) from that street's intersection with Second Avenue North to First Avenue South, by widening the streets and paving the area widened and the construction and installation of lighting, drainage and storm drains, together with the adjustment of manholes and catch basins; also plants, shrubs and trees shall be planted and installed

The boundaries of the district are as follows: Beginning at the NE corner of Lot 10, Block 7, of the Gorrie Addition according to the Plat thereof on file and of record in the office of the Payette County Recorder, Payette, Idaho; thence South 300 feet to the SE corner of Lot 1 in said Block 7; thence South 100 feet to the NE corner of Lot 10 in Block 6 of said Gorrie Addition; thence South 300 feet to the SE corner of Lot 1 in said Block 6; thence South 100 feet to the NE corner of Lot 10, Block 1 of said Gorrie Addition; thence South 300 feet to the SE corner of Lot 1 in said Block 1; thence South 100 feet to the NE corner of Lot 1 in Block 9 of Master's Townsite according to the Plat thereof on file and of record in the office of the Payette County Recorder, Payette, Idaho; thence South 300 feet to the SE corner of Lot 10 in said Block 9; thence South 100 feet to the NE corner of Lot 1 in Block 8 of said Master's Townsite; thence South 311 feet to a point which is 11 feet South of the SE corner of Lot 10 in said Block 8 being also a point on the South sideline of an 11 foot wide vacated strip of the right-of-way of 2nd Avenue South; thence West to a point South of the SW corner of Lot 10 in said Block 8; thence North 11 feet to the SW corner of said Lot 10 in Block 8; thence West 100 feet to the SE corner of Lot 4 in Block 5 of said Master's Townsite; thence West to the SW corner of said Lot 4 in Block 5; thence North 300 feet to the being also a point in the Southeasterly right-of-way of the Union Pacific Railroad Company; thence N 24° 23' E along said Railroad right-of-way to the Southwest Corner of Lot 20 in Block 8 of said Gorrie Addition; thence continue N 24° 23' E to the NW corner of Lot 11 in said Block 8; thence East to the NE corner of said Lot 11; thence East 100 feet to the NW corner of Lot 10 in Block 7 of said Gorrie Addition; thence East 145 feet to the NE corner of said Lot 10 being also the point of beginning

Paragraph 1 of this Section.

Section 2: That the aforementioned improvements shall be made, and the costs and expense thereof, excluding the cost of work in intersections, if any, shall be taxed and assessed upon all of the property in such Local Improvement District, which cost and expense shall be assessed in proportion to the number of square feet of lands and lots abutting, adjoining, contiguous and adjacent thereto included in

said District, and in proportion to the benefits derived to such property by said improvements. The total estimated cost of said improvements, excluding the cost of intersections, if any, is \$ 80,792 .

Section 3: That the said assessments shall be paid in ten equal annual installments, if not otherwise paid as provided by law.

Section 4: That the said work of making the said improvements as above described shall be performed by contract let to the lowest and best responsible bidder after due notice as required by law.

Section 5. That to provide for the immediate payment of the improvements herein provided for, pending the payment of the installments on assessments hereinabove provided for, the City shall issue, in the name of the City, improvement bonds of said Local Improvement District for the purpose of paying the cost of the improvements set forth in Section 1 hereof. Said bonds shall be serial in form and as nearly as may be with ten (10) equal annual maturities, the first installment to mature within one year from date hereof, and the last installment not more than ten years from date and numbered from One (1) upward consecutively, and shall bear interest at the rate of not to exceed six per cent (6%) per annum, payable annually, which said bonds shall be of the denomination of \$500.00 each, except that Bond No. 1 may be of a denomination other than a multiple of \$100.00. Each bond and each coupon shall be signed by the Mayor, countersigned by the Treasurer and attested by the Clerk, except that the coupons in lieu of being signed may have printed thereof the facsimile signatures of said officers and each bond shall have the seal of the City affixed thereto and shall refer to the Improvement District for the payment of which the same shall be issued and each bond shall provide that the principal sum therein named and the interest thereof shall be payable out of the Local Improvement Fund created for the cost and expense of such improvements and not otherwise.

Section 6: Said bonds may be issued to the contractor constructing the improvements in payment thereof, or the Mayor and Council may proceed to sell the same at private or public sale at not less than their par value net and pay the proceeds thereof to the contractor. If the Council shall determine to issue and sell said bonds they may, for the purpose of making said improvements as the same are installed prior to the sale of said bonds, issue warrants against the improve-

ment district payable to the contractor or other person upon the estimates of the Engineer for the City bearing interest at not in excess of six per cent (6) which warrants, together with interest thereon to the date of the issuance of such bonds, shall be redeemed and retired by the proceeds of the sale of said bonds.

Section 7. Said bonds shall not be issued in excess of the contract price, including engineering, legal, and clerical services, advertising, cost of constructing, cost of collecting assessments and interest on warrants, issued as aforesaid, and the installments shall include the annual interest on installments to the maturity thereof and said assessments herein provided for against the lots, pieces, and parcels of land included within said Local Improvement District, and shall be levied each year by the City sufficient to redeem the installment of said bonds next thereafter maturing, together with interest due at the maturity of the next installment.

Section 8; That all matters and things done and performed in regard to the creation of said Local Improvement District, the mode and manner of payments thereof, and the mode of the issuance and form of bonds of said District, and the mode and manner of making and collecting the assessments shall be governed by the provisions of the Local Improvement District Code, Chapter 29, Title 50, Idaho Code, and each and all of the provisions thereof in regard to all of said matters and all matters concerning the creating of the improvement district and the doing of the improvements and the payments thereof are hereby expressly incorporated as a part of this Ordinance.

Section 9: This Ordinance shall take effect and be in full force upon its passage, approval and publication in one issue of the INDEPENDENT ENTERPRISE, a newspaper of general circulation in said City, published at Payette, Idaho, and being the official newspaper of said City.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an Ordinance of the City of Payette, Idaho, at a Regular meeting of the Council held on August, 7, 1967, at 8:00 P.M. (MDT).

Passed and approved this 7th day of August, 1967.

ATTEST:

Donna G. Harrison
City Clerk

L. J. Gephart
Mayor of Payette, Idaho

(Impress Seal of City here)