

AN ORDINANCE AMENDING ORDINANCE NO. 766 CREATING AND DESCRIBING LOCAL IMPROVEMENT DISTRICT NO. 9 OF THE CITY OF PAYETTE, IDAHO, AND ORDERING THE PAVING AND CURBING OF CERTAIN STREETS AND THE INSTALLATION OF CERTAIN STORM SEWERS THEREIN: PROVIDING FOR THE PAYMENT OF ALL THE COST OF SAID IMPROVEMENTS BY ASSESSMENTS AGAINST THE PROPERTY WITHIN SUCH DISTRICT TO BE BENEFITED THEREBY; PROVIDING THAT SAID ASSESSMENTS MAY BE MADE IN 10 EQUAL ANNUAL PAYMENTS; PROVIDING FOR THE ISSUANCE OF LOCAL IMPROVEMENT DISTRICT WARRANTS AND BONDS; PROVIDING THAT ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED AND PROVIDING FOR THE PUBLICATION OF THIS ORDINANCE ON ITS EFFECTIVE DATE.

BE IT ORDAINED By the Mayor and City Council of the City of Payette, Idaho:

Section 1. That there is hereby established the Local Improvement District No. 9 for paving and curbing in the City of Payette which includes the following property together with all property facing on or abutting, adjoining, contiguous or adjacent thereto:

11th Ave. No. from North 2nd Street to North 4 Street:

and

North 4th Street from 10th Ave. No. to the North side line of Wells Addition:

Perry Drive from 6th Ave. So. to the intersection of Highland Drive;

and

Highland Drive from a line extending from the North side line of Lot 11, Block 5 and the North side line of Lot 8 of Block 7 of Whiteley Heights Subdivision to a line extending from the South side line of said Lot 11 at the same bearing as said South side line to the Southeasterly side line of Highland Drive;

and

North 18th Street, North 19th Street, and 1st Ave. North between North 18th Street and North 19th Street, and 2nd Ave. North between North 18th Street and North 19th Street, all in Harris Addition.

All of said improvements to be made according to plans and specifications adopted and approved by the City Council and that all of said improvements to be made.

That the general character of such improvements shall be: paving, grading, installation of curbs, gutters and storm sewers.

That the boundaries of the district are as follows:

Beginning at the SE corner of Block 9 of Whiteley Heights Subdivision; thence North to the NE corner of said Block 9; thence in a South westerly direction along the North side line of said Block 9 to the Northwest corner of Lot 12 of said Block 9; thence in a Northerly direction in a straight line to the Southwest corner of Lot 5 of Block 7; thence in a Northeasterly direction along the South side line of Lot 5 of Block 7 to the Southeast corner of Lot 5 of Block 7; thence in a Northerly direction along the East side lines of Lots 5, 6, 7, 8, of Block 7 to the NE corner of Lot 8 of Block 7; thence Westerly along the North side line of said Lot 8 to the NW corner of said Lot 8; thence in a straight line in a Westerly direction to the NE corner of Lot 11, Block 5 of Whiteley Heights Subdivision; thence in a Westerly direction along the North side line of said Lot 11 to the NW corner of said Lot 11; thence in a Southwesterly direction along the West side line of said Lot 11 to the Southwest corner of said Lot 11; thence in a Southeasterly direction along the South side line of said Lot 11 of Block 5 to the SE corner of said Lot 11; thence in an Easterly direction in a straight line at the same bearing as the South side line of said Lot 11 to a point on the West side of Lot 17 of Block 8 of Whiteley Heights Subdivision; thence in a Southerly direction along the West side lines of Lot 16 and Lot 15 of said Block 8 to the SW corner of Lot 15 of Block 8 of Whiteley Heights Subdivision; Thence East along the South sideline of Lot 15 of said Block 8 to the NW corner of Lot 18; thence in a Southerly direction along the West side lines of Lots 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, of Block 8 to the SW corner of Lot 27 of said Block 8; thence East along the South side line of said Lot 27 to the NW corner of Lot 4 of said Block 8; thence South along the West side line of Lot 4 to the SW

corner of said Lot 4; thence East along the South side line of Block 8; thence East in a straight line to the SW corner of Lot 1 of Block 9; thence East along the South side line of Lot 1 of Block 9 of Whiteley Heights Subdivision to the SE corner of Lot 1 of Block 9 to the true point of beginning.

Beginning at the SE corner of Lot 5 of Block 3 of Harris Addition to the City of Payette; thence in a Northerly direction along the East side line of said Lot 5 to the South side line of Lot 4 of said Block 3; thence in a Westerly direction along the South side lines of Lots 4, 3, 2, 1, of said Block 3 to the SW corner of Lot 1 of said Block 3; thence in a Northerly direction along the West side line of Lot 1 of Block 3 to the SE corner of Lot 4 of Block 2 of Harris Addition; thence West along the South side line of Lot 4 of said Block 2 to the SW corner of Lot 4 of said Block 2; thence in a Northerly direction along the West side line of Lots 4, 3, 2, 1, of Block 2 of Harris Addition to the NW corner of Lot 1 of said Block 2; thence in an Easterly direction along the North side line of Lot 1 of Block 2, to the West side line of North 18th St.; thence in a Northerly direction along the West side line of North 18th St. to the North side line of 2nd Ave. North; thence in an Easterly direction along the North side line of 2nd Ave. North to the point where the Northly extension of the East side line of North 19th St. intersects the North side line of 2nd Ave. North; thence South along said extended line to the South side line of 2nd Ave. North; thence East along the South side line of 2nd Ave. North to the West side line of the North 20th St.; thence South along the West side line of said North 20th St. to the North side line of Center Avenue; thence West along the North side line of Center Ave. to the SE corner of Lot 5 of said Block 2 of Harris Addition, the true point of beginning.

Beginning at the SW corner of Lot 1 of Block 1 of Wells Addition to the City of Payette; thence North along the West side line of Lot 1 of Block 1 to the NW corner of Lot 1 of Block 1; thence North along the Southerly extension of the West side line of Lot 1 of Block 2 to the SW corner of Lot 1; thence North along the West side line of Lot 1 of Block 2 to the NW corner of said Lot 1 of Block 2; thence East along the North side lines of Lots 1, 2, 3, 4, 5, 6, 7, of Block 2 to the NE corner of Lot 7 of Block 2; thence East in a straight line to the NW corner of Block 52 of Assessor's Riverside Plat; thence East along the North side line of said Block 52 to the NE corner of said Lot 52; thence South along the East side line of said Block 52 to the SE corner of Block 52; thence West along the South side line of said Block to a point where West side line of North 5th Street intersects said South side line of said Block 52; thence South along the West side line of North 5th St. and long the Southerly extension of said West side line to the NW corner of Lot 1 of Block 2 of Lloyds Subdivision; thence Westerly in a direction along the North side line of Lots 1 and 2 of Block 2 of said Subdivision to the NW corner of Lot 2 of said Block 2; thence South along the West side line of Lot 2 of said Block 2 to the SW corner of said Lot 2; thence West along the South side line of Lot 3 of Block 2 to the SW corner of said Lot 3; thence West in a straight line to the SE corner of Lot 1 of Block 3 of Lloyds Subdivision; thence West along the South side line of said Lot 1 to the SW corner of Lot 1; thence North along the West side line of said Lot 1 of Block 3 of Lloyds Subdivision to the NW corner of said Lot 1; thence North along the North extension of the West side line of said Lot 1 of Block 3, Lloyds Subdivision to the South side line of Lot 6 of Block 1 of Wells Addition; thence in a Westerly direction along the South side line of said Lot 6 and along the South side line of Block 1 of said Wells Addition to the SW corner of Lot 1 of Block 1 of Wells Addition the true point of beginning.

Section 2. That all of said improvements be made and said improvements are an additional and further improvement.

Section 3. That the total estimated cost of the improvements is \$40,650.00 which costs is to be levied and assessed against the abutting, adjoining and adjacent lands and lots upon the streets upon which improvements are to be made and upon the lots and lands to be benefited by the improvements and included in the improvement district to be formed.

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 as required by law, and the entire improvement work shall be under the control and direction of the City Engineer.

Section 5. That for such installments the City shall issue, in the name of the municipality, improvement bonds of said Local Improvement District No. 9 for the paving and curbing. Said bonds shall be serial in form and as nearly as may be with ten equal annual maturities, 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 eight (8) per cent per annum payable annually which bonds shall be in denominations of \$500.00 each, except that Bond No. 1 may be of a denomination other than the multiple of \$500.00. Each bond and coupon shall be signed by the Mayor, countersigned by the City Treasurer and attested by the City Clerk except that the coupons, in lieu of being signed, shall have printed thereon the facsimile of the signature of said officers and each bond shall have the seal of the City affixed there-to 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 thereon shall be payable out of the Local Improvement District Fund created for the cost and expense of such improvements and not otherwise.

Section 6. Such bonds may be issued to the contractor constructing the improvements in payment thereof or the Mayor and City Council may proceed to sell the same 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 bonds, issue warrants against the Improvement District payable bearing interest of not to exceed eight (8) per cent per annum, which warrants together with the 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 construction, cost of collecting assessments and interest on warrants issued as afore mentioned, 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 No. 9 for paving shall be levied each year by the Mayor and City Council sufficient to redeem the installment of said bonds next thereafter maturing together with the 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 the said Local Improvement District, the mode and manner of payments thereof, and the mode, 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 provision of the Local Improvement District Code, Chapter 17, Title 50, Idaho Code and each and all matters concerning the creating of the improvement district, the doing of the improvements and the payments thereof are hereby expressly incorporated as a part of this ordinance.

Section 9. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 10. 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 and the official newspaper thereof.

Passed by the Council and approved by the Mayor this 20th day of September, 1971.



Mayor

Attest:


_____, City Clerk