

ORDINANCE NO. 338

By Councilman C. A. Smith.

AND ORDINANCE DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO, TO GRADE, PAVE, CURB AND SURFACE DRAIN CERTAIN AVENUES, STREETS AND PARTS OF STREETS WITHIN SAID CITY; AND TO ASSESS THE COST AND EXPENSE THEREOF BY SPECIAL ASSESSMENT LEVIED AGAINST AND UPON THE LOTS AND PARCELS OF LAND FRONTING OR ABUTTING ON, CONTIGUOUS OR TRIBUTARY TO, THE AVENUES AND STREETS TO BE IMPROVED; TO PAY THE EXPENSES OF SAID IMPROVEMENTS, DECLARING THAT THE IMPROVEMENT OF AVENUE OR STREET INTERSECTIONS SHALL BE PAID BY THE CITY; AND DECLARING ITS INTENTION TO CREATE FOR THAT PURPOSE LOCAL IMPROVEMENT DISTRICT No 4, IN SAID CITY, INCLUDING ALL THE PROPERTY FRONTING OR ABUTTING OR CONTIGUOUS OR TRIBUTARY TO THE PORTION OF THE AVENUES AND STREETS TO BE IMPROVED BETWEEN THE POINTS NAMED, FIXING THE TIME WHEN PROTESTS WILL BE RECEIVED AND HEARD AGAINST SAID PROPOSED IMPROVEMENTS; AND ORDERING THE PUBLICATION OF SAID ORDINANCE.

WHEREAS, It is deemed necessary and beneficial by the City Council of the City of Payette, Idaho, to grade, pave, curb and surface-drain certain avenues and streets within the corporate limits of said city hereinafter particularly described, and,

WHEREAS, The cost of said improvements 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 and streets so to be improved; provided that the expense of all such improvements in the space formed by the junction of two or more avenues or streets, or where-in one main street terminates on or crosses another main street, and also all street crossings or cross-walks, shall be paid by the City, and,

WHEREAS, The total estimated cost and expense of said improvements, according to the estimate returned by the City Engineer of said City and filed with the Mayor and Council of said City, is the sum of \$57,810.37, of which amount the sum of \$45,693.37 was estimated as the total cost to the property fronting, abutting, contiguous or tributary on such avenues and streets proposed to be improved, and the sum of \$12,117.00, as the total estimated costs of street intersections, and divided as follows:

Front footage of property owners	\$45,693.37
City of Payette, Idaho, avenue or street intersections	\$12,117.00
Total	\$57,810.37

THEREFORE, Be it Ordained by the Mayor and Council of the City of Payette, Idaho, as follows:

Section 1. The City of Payette, Idaho, does hereby declare its intention to grade, pave, curb and surface-drain certain avenues and streets and parts of streets within the City of Payette, Idaho, hereinafter specified, and for that purpose to create and establish in said City of Payette as a part thereof, Local Improvement District No. 4, constituting the avenues and streets or parts of streets as follows:

FIRST AVENUE NORTH. Beginning at the Oregon Short Line Railroad depot, and extending easterly a distance of 178 feet with two 25 foot strips of paving with 25 foot parking between said two strips of paving, thence easterly along said First Avenue North 100 feet in length and 65 feet in width across the intersection of Seventh Street and First Avenue North, thence east one block from Seventh Street to Eighth Street 300 feet in length and 50 feet in width to the property line on the West side of Eighth Street.

EIGHTH STREET. Beginning at the property line on the south side of Third Avenue North and extending south on Eighth Street the length and a distance of 316.5 feet and 67 feet in width, thence on said Eighth Street south where the same intersects with Second Avenue North, in length and a distance of 67 feet and in width 81 feet, thence on said Eighth Street extending south in length and a distance of 341.5 feet and 67 feet in width, thence extending on said Eighth Street south where said Eighth Street and First Avenue North intersect, in length and a distance of 50 feet, and in

width of 90 feet, thence on said Eighth Street extending south in length for a distance of 341.5 feet and in width 67 feet; thence on said Eighth Street extending south where said Eighth Street and Center Avenue intersect in length and a distance of 67 feet and in width 81 feet; thence on said Eighth Street extending South in length and a distance of 333.0 feet, and in width 67 feet; thence on said Eighth Street extending south in length and a distance of 67 feet and a width of 81 feet; thence on said Eighth Street extending south in length and a distance of 316.5 feet and in width 67 feet, to the property line on the North side of Second Avenue South.

Section 2. The property to be included in said district and assessed as hereafter provided, shall include all the property fronting or abutting on, contiguous or tributary to the avenues, streets or parts of streets to be improved, and between the points hereinbefore specified, and to the distance back from such avenues or 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 125 feet.

Section 3. The general character of said improvements shall be the grading, surface-draining and paving of the roadways of said avenues and streets or parts of streets, to the width hereinbefore set forth, between the points hereinbefore 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 Engineer and the City Clerk, and the construction of a concrete curb along the side of said portion of the said avenues and streets as hereinbefore specified, where a concrete curb is not already constructed, extending the concrete curbs which are already constructed along the said portion of said avenues and streets downward where they are found to be not deep enough for the purpose of paving, except crossroadways or intersecting streets. Said improvements are original improvements.

Full plans and specifications for said proposed improvements to be filed in the office of the City Clerk of said City on or before the day on which the Mayor and Council of said City will receive protests against making the said proposed improvements.

Section 4. The cost and expense of said proposed improvements shall be taxed and assessed upon 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 improvements. All the property within said improvement district to be assessed as aforesaid for the cost of said proposed improvements,

except that the expense of the improvement in the space formed by the junction of two or more avenues or streets or where one main street terminates or crosses another main street and also all avenue or street crossings or crosswalks at intersection of avenues or streets, and the expense of making and repairing sewers shall not be included in said assessment, but shall be paid by the City of Payette. When work is done on one side of the center line of the avenue or street, the property on that side only shall be assessed. The total cost and expense of said improvements, according to the estimate returned by the City Engineer, is the sum of \$57,810.37 divided as follows:

Front footage of property owners	\$45,693.37
City of Payette, Idaho, avenue or street intersections	\$12,117.00
Total	\$57,810.37

Section 5. The 11th day of April, 1921, at eight o'clock P. M. is hereby designated as the date upon which the Mayor and Council of said City of Payette will receive protests against the making of the said proposed improvements, and all persons affected by the same are hereby notified to file their protest with the City Clerk of said City on or before or at the time of said meeting. Place where protests will be received and heard will be at the City Council Chambers of said City in the City of Payette, Idaho.

Section 6. That the City Clerk be and is hereby ordered to forthwith cause publication of this ordinance to be in the official newspaper of said City in at least two consecutive issues thereof, after which protests may be filed against said proposed improvements and the creation of said improvement district as hereinbefore set forth.

PASSED By the City Council of the City of Payette, Idaho, this 21st day of March, 1921.

APPROVED By the Mayor of the City of Payette, Idaho, this 21st day of March, 1921.

I. R. Woodward, Mayor.

Attest: Martin O. Luther, City Clerk.