

ORDINANCE NO 13 OF THE SERIES OF 1910

AN ORDINANCE PRESCRIBING AND ESTABLISHING FORT COLLINS SANITARY SEWER DISTRICT No 29, AND ORDERING THE CONSERUC"TION OF A SANITARY SEWER THERFIN, AND DECLARING THE NECESSITY THEREFOR

WHEREAS on the 20th day of August, 1910 in pursuance of an act of the general assembly of the state of Colorado, entitled, 'An act to provide for the construction of local improvements in cities of all classes having a population of less than one hundred thousand, and incorporated towns, the issuance of local improvement bonds thereof, and the assessment and payment of the cost of said improvements" appro ed April 8, A D , 1899 by resolution duly adopted by the city council of the city of Fort Collins, the construction of a district sanitary sewer in and for the sanitary sewer district of the city of Fort Collins hereinafter described, under and by virtue of the provisions of said act, was declared essential to the proper sanitation of said district and city, and therefore necessary for sanitary reasons, and the city engineer was duly authorized and directed to prepare pãans and specifications for the construction of said improvements, and an estimate of the cost thereof together with a map of said district and a schedule showing the approximate amounts to be assessed upon the several lots and parcels of property in said district as required by sections 3 and 15 of said act, and to report the same to the city council for consideration and

WHEREAS, in pursuance of said authority the city engineer, upon the 22nd day of August 1910 made his report in the premises to the city council and filed therewith plans and specifications for the construction of said improvements, together with his official estimate, map and schedule required by said resolution and by law said estimate showing a total probable cost of nineteen thousand two

hundred nineteen dollars and ninety-nine cents (\$19,219 99) for said improvement, and said schedule showing approximate amount to be assessed upon each of the several lots or parcels of property within said district to be at the rate of five and seventy-seven one hundredths mills (\$.00577) per square foot said estimate being **exclusive** of the cost of inspection, collection incidentals and interest and

WHEREAS, by resolution duly adopted on said last mentioned date by said city council said plans and specifications, estimate and map, were adopted and approved, and said city council determined the number of instalments and the time in which the cost of said improvement should be payable the rate of interest on unpaid instalments the district of lands to be assessed for the same, as provided by said act, and authorized the city clerk to give notice by advertisement for twenty days to the owners of the property to be assessed for said improvement and

WHEREAS, in pursuance of said resolution the city clerk has by advertisement for twenty days in the Fort Collins Express, a weekly newspaper of general circulation published in said city, given notice to the owners of property to be assessed of the kind of improvement proposed as aforesaid, the number of instalments and the time in which the cost will be payable, the rate of interest of unpaid and deferred instalments, the extent of district to be improved as aforesaid, the probable cost per square foot as shown by the estimates of the city engineer, and the time to-wit September 26 1910, at 7 30 o'clock p m, the same being more than 30 days after the first publication of said notice, when an ordinance ordering the construction of said improvement would be finally considered that said plans and specifications, map, estimate and schedule and all resolutions and proceedings in the premises were on file and could be seen and examined by any person interested at the office of the city clerk at any time within said period of thirty days, and until the time fixed as aforesaid for the consideration of said ordinance and that all complaints and objections that may be made in writing concerning said proposed improvements, by the owner or owners of any piece of real estate to be assessed therefor would be heard and determined by the city council before final action thereon and

no
WHEREAS, ~~the several~~ written complaints of the owners of property to be assessed in said district have been *filed* ~~already considered and heard, and all of the said objections are found and determined to be untenable,~~ now therefore, upon consideration of the premises

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT COLLINS, COLORADO

Section 1 That the construction of a district sanitary sewer in the district hereinafter described is, and the same is, hereby declared necessary for sanitary reasons

Section 2 That the construction of a district sanitary sewer in the district hereinafter described, together with all necessary manholes, inlets, appurtenances, according to the plans and specifications heretofore adopted by said city council, and on file in the office of the city clerk, be and the same is hereby ordered under, by virtue of, and in accordance with the provisions of said act of the general assembly, and said plans and specifications are hereby prescribed for said construction

Section 3 That said district shall consist of all of the real estate included with blocks numbered 176 177, 178, 179 166, 167, 168, 169, 139, 149 159 and Blocks 1 2 3 4 5 7 8 9 10, 11 12 13, 14 15, 16 17 18 and South $\frac{1}{2}$ Block 6 Crafts resubdivision of Lake Park Addition to Fort Collins, Colorado in accordance with the plats of said subdivisions and additions now on file in the office of the county clerk and recorder of Larimer County, Colorado and the said district is hereby created and established, and shall be known as Fort Collins Sanitary Sewer District No 29

Section 4 The cost of said sanitary sewer including manholes, inlets connecting mains and appurtenances, with interest shall be assessed wholly upon all the real estate in said district exclusive of public highways, in proportion as the area of each piece of real estate in said district is to the area of all real estate in said district, exclusive of public highways, in accordance with said act

Section 5 The construction of said sewer shall be done by independent contract but under the direction of the city engineer, said contract to be let by the mayor with the approval of the city council, in the manner prescribed by said act, but no contract shall be let for any amount exceeding the estimate made by the city engineer Said contract shall contain the provisions required by section 39 of said act, and be subject to all the provisions of said act

Section 6 If any piece of real estate has already a sewer conforming to the general plan of said sanitary sewer or which the city council may find to be satisfactory an allowance may be made therefor to the owner the same to be deducted from his assessments and from the contract price, and said contract shall so provide

Section 7 Said sewer shall be paid for in warrants of the city of Fort Collins, which shall be payable out of the funds collected on account of the assessments made for said improvement, Said warrants shall be of such date, in such form, payable at such times and in such denominations as may be hereafter prescribed by said city council, (payable in five annual instalments of principal as heretofore by resolutions determined), and shall be executed, issued and disposed of and otherwise dealt with as in sections 35, 36 and 37 of said act prescribed Said warrants shall bear interest at the rate of six per cent per annum

Section 8 The mayor is hereby authorized to advertise in the manner required by law, for bids for the construction of said sewer, in accordance with said plans and specifications and subject to the provisions of law and of this ordinance The right to reject any and all bids shall be in said advertisement and is hereby reserved

Section 9 The city council does hereby find that notice of said proposed improvement was duly given to the owners of the property to be assessed therefor, as provided in said act that the improvement hereby ordered is so duly ordered after notice duly given that all the real estate within the limits of said district is especially benefited by the construction of said sewer

Passed and adopted, signed and approved this 17th day of October 1910

Attest

/s/ Geo. Toomey

City Clerk

/s/ Myron H. Akin

Mayor