

ORDINANCE NO. 2 Series of 1910.

AN ORDINANCE ASSESSING THE COST OF THE SEWER CONSTRUCTED  
IN AND FOR FORT COLLINS SANITARY SEWER DISTRICT NO. 28.

Whereas, under and by virtue of the provisions of Ordinance No. 7 of 1909 of the said City, and District, a sanitary sewer has been constructed in and for Fort Collins Sanitary Sewer District No. 28, and Whereas the said sewer has been completed and accepted by the City Council of said City, and the cost of the same, including six per cent for cost of inspection, collection and other incidentals, and also including interest at six per cent per annum to March 1, 1910, amounting to the sum of Two Thousand Two Hundred Fifty-eight Dollars and Ninety-four cents (\$2258.94) and Whereas, in pursuance of a resolution adopted by said City Council on the 20th day of December, 1909, the City Clerk has by advertising for more than ten (10) days in the Fort Collins Express, a daily newspaper of general circulation published in said City, notified the owners of the property to be assessed for said sewer, of the whole cost thereof and of the share of said cost apportioned to each lot or tract of land within said sewer district and assessable for said cost and of the time and place, to-wit:--January 31, 1910 at 7:30 o'clock P. M. at the City Hall, when the City Council would hear and determine any complaints and objections made in writing by the owners of said property and filed with the City Clerk, and Whereas more than thirty (30) days have elapsed since the publication of said notice, and no complaints or objections have been filed with the said City Clerk within thirty (30) days next after the publication of said notice.

NOW, THEREFORE Be it Ordained by the City Council of the City of Fort Collins

Sec 1 That the cost of the sanitary sewer constructed in and for Fort Collins Sanitary Sewer District No 28 under and by virtue of authority of Ordinance No 7 o 1909 of said City, including the cost of inspection collection and other incidentals with interest as hereinafter provided, shall be and is hereby assessed upon all the real estate in said District in proportion as the area of each piece of real estate is to the area of all the real estate in said District exclusive of public highways that is to say the share of said cost apportioned to each lot is as follows

Lots	Blk	Scott-Sherwood Addition	Amount
1 to 16 Inc		1	\$21 95 each
1 to 16		2	21 95 "
1 to 22 "		3	21 95 "
1 to 22 "		4	21 95
1 to 13 "		5	21 95
16 to 26 "		5	21 95 "
14		5	24 13
15 "		5	39 81

Sec 2 All assessments herein provided for shall be due and payable within thirty days of the publication of this ordinance, without demand provided all such assessments may at the election of the owner of the property assessed be paid in two equal installments, the first of which shall be payable September 1, 1911, and the last of which shall be payable September 1, 1912, with interest on the unpaid principal payable semi-annually at the rate of six per cent per annum

Sec 3 Failure to pay the whole assessment <sup>within</sup> said period of thirty days shall be conclusively considered and held an election on the part of all persons interested whether under disability or otherwise to pay in such installments

Sec 4 Failure to pay any installments, whether of principal or interest, when due, shall cause the whole of the unpaid principal to become due and payable immediately, and the whole amount of the unpaid principal and accrued interest shall thereafter draw interest at the rate of one per cent per month or fraction of a month until the day of sale, as hereafter provided but at any time prior to the time of sale the owner may pay the amount of all unpaid instalments with penalties accrued and shall thereupon be restored to the right thereafter to pay in instalments in the same manner as if default had not been suffered The owner of any property not in default as to any instalments of payment may at any time pay the whole of the unpaid principal with interest accruing to the maturity of the next instalment of interest or principal

Sec 5 Payment may be made to the city treasurer at any time within thirty days after the passage of this ordinance and allowance of five per cent shall be made on all payments made during such period only

Sec 6 In case of default in the payment of any instalment of principal or interest when due any and all property concerning which such default is suffered shall be advertised and sold for the payment of the whole of the unpaid assessments thereon at the same time or times in the same manner under all the same conditions and penalties and with the same effect as are provided by general law for sales of real estate in default of payment of general taxes

Sec 7 The owner of any divided or undivided interest may pay his share of any assessment upon producing evidence of the extent of his interest satisfactory to the officers having the assessment roll in charge

Passed and adopted, signed and approved this 21  
day of July 1910

/s/ Myron H Akin  
Mayor

Attest

/s/ Robt Fedder  
City Clerk