

Carroll

ORDINANCE NO 2, 1923,
BEING AN EMERGENCY ORDINANCE RELATING TO THE ASSESSMENT OF THE COST OF
MAKING INSTALLATION OF WATER ~~PIPES~~ IN WEST MOUNTAIN AVENUE IMPROVEMENT
DISTRICT NO 8 OF THE CITY OF FORT COLLINS, AND PROVIDING FOR THE PAYMENT
AND COLLECTION THEREOF

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

Section 1 That under and by virtue of a resolution of the City Council of the City of Fort Collins duly passed and adopted under the provisions of Sub-Division C of Chapter 120 of the Revised Statutes of 1908, on the 28th day of February, 1920, authorizing the City Engineer to make map, plans and specifications and estimate of the cost of the construction of the improvements in West Mountain Avenue Improvement District No 8, and directing authorizing and empowering the City Engineer to provide in the plans and specifications and the requirements in connection therewith, for the permanent installation and connection of gas, water and sewer pipes within the boundaries of said district, as well as installation of water mains, where necessary in said district, and give notice to the property owners under the statute, and

WHEREAS, Pursuant to the provisions of said resolution the City Engineer did on the 11th day of April, 1922, give^{due} notice to the property owners, and after the expiration of thirty days from the mailing of said notices to each and every property owner, the Works Department of the City of Fort Collins caused the connections to be made as shown in the list of assessments hereinafter set forth in this ordinance

Section 2 And whereas, thereafter the City Engineer duly reported to the City Council on the 2nd day of December, 1922, a list of the property owners, together with the lots which have been connected with water mains, under said notice, under the direct authority of the Works Department of the said City of Fort Collins, and the actual cost of the installation and connection of water mains within the boundaries of West Mountain Avenue Improvement District No 8 in accordance with the requirements of the resolution of February 28, 1920, and

Whereas, Pursuant to the terms of the said resolution of the City Council duly adopted on the 2nd day of December, 1922, under the authority contained in Section 5399 of the Revised Statutes of 1908, the City Clerk was directed and authorized to give notice in the official newspaper of the City of Fort Collins, and include in the said notice a list of the property owners and the lots and blocks owned by them, giving the total amount of the cost of each connection as set forth in the report of the City Engineer, together with the cost of making the assessment, including the cost of publication and to the further effect that the said improvements having been completed and accepted as specified in the report of the City Engineer and the share of cost apportioned to each property owner, or tract of land, and that any complaints or objections that may be made in writing by any owner to the City Council and filed in the office of the City Clerk within thirty (30) days from the publication of said notice, would be heard and determined by the City Council at a regular meeting of the City Council to be held on the 13th day of January, 1923, at the hour of eight o'clock in the forenoon, at which time the Council would consider and determine said assessment roll and an ordinance assessing the cost of said installations to the property owners and the lots owned by them, as required by law, and

Whereas, The City Clerk reported that due proof of publication has been filed and no complaints or objections have been made to said assessment by any owner in writing as required by said notice, and

Whereas Pursuant to resolution of the City Council the adoption of the assessing ordinance was postponed to January 20, 1923

Section 3 That the total cost for the installation of said connections under and by virtue of said ordinance and resolution, including the cost of installation, collection and interest to the first day of March, 1923, is ^{243 37} ~~\$210.37~~, which said sum is hereby assessed upon the respective parcels of real estate in said West Mountain Avenue Improvement District No 8, and the owners thereof, in accordance with the schedule of assessments reported by the City Engineer, and in accordance with the provisions of Sub-Division C of Chapter 120 of the Revised Statutes of 1908, as follows:

<u>PROPERTY OWNER</u>	<u>DESCRIPTION PROPERTY</u>	<u>ITEMIZED BILL</u>
H J Livingston	Lot 6, Block 5, S-S	1-water tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 2'- $\frac{3}{4}$ " pipe 20 Labor inst <u>3.30</u> 14 25 Interest July 15 to Mar 1 at 6% 53 Engineering and Publication <u>2.32</u> 17 10
Frank W Moore	Com 987 2'E and 470'S of $\frac{1}{4}$ cor common to 10 and 11 of T7N-R69W, th S165', E50', N165', W50	1-water tap fee 5 00 1-sewer tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 4 - $\frac{3}{4}$ " pipe .40 50 -4" tile 9 00 Labor inst <u>21 00</u> 46 15 Interest July 1 to Mar 1 at 6% 1 85 Engineering and Publication <u>7 53</u> 55 53
Ida May Hodges	Block 4, Lot 3, S-S	1-water tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 2'- $\frac{3}{4}$ " pipe 20 Labor inst <u>3.30</u> 14 25 Interest July 15 to Mar 1 at 6% 53 Engineering and Publication <u>2 32</u> 17 10
Lillian M Carey	Lot 7, Block 5, S-S	1-water tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 2'- $\frac{3}{4}$ " pipe 20 Labor Inst <u>3 30</u> 14 25 Interest July 15 to Mar 1 at 6% 53 Engineering and Publication <u>2 32</u> 17 10
Lillian M Carey	Lot 8, Block 5, S-S	1-water tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 2'- $\frac{3}{4}$ " pipe 20 Labor inst <u>3 30</u> 14 25 Interest July 15 to Mar 1 at 6% 53 Engineering and Publication <u>2 32</u> 17 10
Lulu Bear	Lot 8, Block 2, S-S	1-water tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 5 - $\frac{3}{4}$ " pipe 50 Labor inst <u>4 20</u> 15 45 Interest July 1, to Mar 1 at 6% 62 Engineering and Publication <u>2 52</u> 18 59
Vernon E Crawford	Lot 7, Block 2, S-S	1-water tap fee 5 00 1-gooseneck 3 50 1-curb cock 2 25 5'- $\frac{3}{4}$ " pipe 50

PROPERTY OWNER

DESCRIPTION PROPERTY

ITEMIZED BILL

Vernon E Crawford (Continued)

Labor inst	4 20
	<u>15 45</u>
Interest July 1 to Mar 1 at 6%	62
Engineering and Publication	<u>2 52</u>
	18 59

Myrtle A Andrews

Lot 9, Block 3, S-S	1-water tap fee	5 00
	1-gooseneck	3 50
	1-curb cock	2 25
	4'- $\frac{3}{4}$ ' pipe	40
	Labor Inst	<u>2 20</u>
		13 35
Interest July 15 to Mar 1 at 6%		50
Engineering and Publication		<u>2.17</u>
		16 02

W Ed Wright

Lot 3, Block 2 Swetts	1-water tap fee	5 00
	1-gooseneck	3 50
	1-curb cock	2 25
	5 - $\frac{3}{4}$ " pipe	50
	Kabor inst	<u>4 20</u>
		15 45
Interest July 1 to Mar 1 at 6%		62
Engineering and Publication		<u>2 52</u>
		18 59

L C Moore

Lot 3, Block 1 Swetts	1-water tap fee	5 00
	1-gooseneck	3 50
	1-curb cock	2 25
	5' - $\frac{3}{4}$ " pipe	50
	Labor inst	<u>4 20</u>
		15 45
Interest July 1 to Mar 1 at 6%		62
Engineering and Publication		<u>2 52</u>
		18 59

L C Moore

Lot 1, Block 1, Swetts	1-sewer tap fee	5 00
	1-water tap fee	5 00
	1-gooseneck	3 50
	1-curb cock	2 25
	5' - $\frac{3}{4}$ " pipe	50
	Labor inst	<u>7 90</u>
		24 15
Interest July 1 to Mar 1 at 6%		97
Engineering and Publication		<u>3 94</u>
		29 06

GRAND TOTAL OF CHARGES ----- \$243³¹

Dated January 20 1923

Figured by H A G

Checked by H M H

MH/

Section 4 The assessments herein made in Section 3 shall be due and payable within thirty (30) days from the final passage and publication of this ordinance, without demand, provided that the same may be paid in two (2) equal annual installments beginning March 1, 1923, the second installment being due and payable March 1, 1924, with interest on the deferred installments at the rate of six per cent per annum payable semi-annually until paid

Section 5 Failure to pay the whole of the assessment within the said period of thirty (30) 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

Section 6 Failure to pay any installment 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 (1) per cent per month, or fraction of a month, until the day of sale as hereinafter provided

Section 7 It shall be the duty of the City Clerk to prepare the foregoing assessment roll in said West Mountain Avenue Improvement District No 8 in proper form, showing in suitable columns each piece of real estate assessed the total amount of the assessment the amount of each installment of principal and interest, and the date when each installment will become due, with suitable columns for use in case of payment of the whole amount or of any installment or penalty and deliver the same to the City Treasurer and thereafter payments may be made to the City Treasurer at any time within thirty (30) days after the passage of this assessment ordinance and the taking effect thereof Upon the expiration of the thirty (30) days, the City Treasurer shall return to the City Clerk the assessment roll showing all payments made thereon, with the date of each payment, and thereupon the City Clerk shall prepare a permanent local assessment roll in book form, showing in suitable columns each piece of real estate or property upon which the assessment is unpaid, the whole amount of the assessment unpaid, the date to

which the same is computed, the amount of each installment of principal and interest, and if certified to the County Treasurer, the County Treasurer is hereby authorized to add to the said assessment two (2%) per cent as his collection charges. Said roll shall be certified by the City Clerk under the seal of the city, and by him delivered to the County Treasurer of Larimer County with his warrant for the collection of the same.

Section 8 All collections made by the County Treasurer on said assessment roll in any calendar month shall be accounted for and paid over to the City Treasurer on or before the first day of the next succeeding calendar month with separate statements for all such collections for each month.

Section 9 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 roll in charge.

Section 10 In case of default in the payment of any installment of principal and interest when due, any and all property concerning which such default is suffered shall be advertised by the County Treasurer and sold for the payment of the whole of the unpaid assessment thereon at the same time or times and in the same manner, under all the same conditions and penalties and with the same effects as are provided by law for sales of real estate in default of the payment of general taxes.

Section 11 In the opinion of the City Council an emergency exists for the preservation of the public health, peace and safety, and this ordinance shall take effect upon its passage and publication under and by virtue of the authority contained in Sections 6 and 7 of Article IV of the City Charter.

Introduced, read at length and adopted by the unanimous vote of all the members of the City Council this 20th day of January, A D 1923


Commissioner of Safety and Ex Officio Mayor

ATTEST



City Clerk

