

ORDINANCE NO 2 1922,

BEING AN EMERGENCY ORDINANCE RELATING TO THE ASSESSMENT OF THE COST OF CONSTRUCTION OF IMPROVEMENTS IN STORM SEWER SUB-DISTRICT NO 1 IN STORM SEWER DISTRICT NO 6 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 unader and by virtue of the provisions of Ordinance No 23 of said City of FortCollins, duly adopted and approved on the 8th day of October, 1921, Storm Sewer Sub-District No 1 in Storm Sewer District No 6 was auly created and provisions made in said ordinance for the construction of certain improvements in said district, consisting of Lateral Lines B and C, that the said improvements as therein provided have been duly constructed as provided by law and duly accepted by the City of Fort Collins as therein provided, that thereafter the City Engineer and the Commissioner of Works on, towit the 10th day of December, 1921 duly reported to the City Council that the cost of the construction of said improvements, including the cost of inspection, collection and other incidentals, and also including interest to March 1st, 1922, is \$4,731 25 , that in and by said report the Commissioner of Works pursuant to report of the City Engineer duly appor-tioned upon all of the lots or tracts of land in the district improved, in proportion as the area of each lot or tract of land is to the area of all the lots or tracts of land so improved, exclusive of public highways, pursuant to the provisions of Sections 14 and 31 of Ordinance No 7, 1921, relating to local public improvements, and Ordinance No 23, 1921, creating Storm Sewer Sub-District No 1 in Storm Sewer District No 6, and which district is hereinafter more particular-

ly described by lots and blocks, together with the apportionment and rate per square foot, the said findings and report of the Commissioner of Works and City Engineer being in accordance with the report of the City Engineer in respect to the proposed assessments on each lot in said district

Section 2 That at the regular meeting of the City Council held on the 10th day of December, 1921, said report of the Commissioner of Works and City Engineer concerning the said proposed assessments for improvements in Storm Sewer Sub-District No 1 in Storm Sewer District No 6, was by resolution of the City Council duly adopted for the purpose of consideration and determination at a regular meeting of the City Council to be held on the 14th day of January, 1922, pursuant to a notice of the City Clerk as provided by law, that in and by said resolution the City Clerk was instructed and directed to publish notice in the official newspaper of the City of Fort Collins for a period of ten days, addressed to the owners of property to be assessed in Storm Sewer Sub-District No 1 in Storm Sewer District No 6, stating the whole cost of the improvement and the share apportioned to each lot or tract of land in said district, and notifying the owners thereof that any complaints or objections that might be made in writing by them to the City Clerk and filed in his office within thirty days from the publication of said notice, would be heard and determined by the City Council at a regular meeting thereof to be held on the 14th day of January 1922, at the hour of one o'clock in the afternoon of said day in the Council Chamber in the City Hall in said City, that after said hearing the said City Council would take up the matter of the passage of an ordinance assessing the cost of said improvements,

that pursuant to the authority contained in said resolution the City Clerk caused to be published said notice in the Fort Collins Courier, the official newspaper of said City of Fort Collins, for a period of ten days, as provided by ordinance, and that due proof of said publication has been duly filed in the office of the City Clerk, no complaints or objections having been filed at said meeting of the City Council held on the 14th day of January, A D 1922 the assessing ordinance for the cost of the improvements in said Storm Sewer Sub-District No 1 in Storm Sewer District No 6 was ordered submitted for passage and adoption

Section 3 That the total cost of the improvements in said Storm Sewer Sub-District No 1 of Storm Sewer District No 6, under and by virtue of said Ordinance No 23, 1921, of said city, including the cost of inspection, collection and interest to the 1st day of March, 1922, amounts to Four Thousand Seven Hundred Thirty-one and 25/100 Dollars (\$4,731 25), which said sum is hereby assessed upon the real estate in said Storm Sewer Sub-District No 1 in Storm Sewer District No 6, in accordance with the provisions of Sections 14 and 31 of Ordinance No 7, 1921, relating to local public improvements, and the proportion of said cost assessed to each lot or tract of land in said Storm Sewer Sub-District No 1 in Storm Sewer District No 6, comprising the following lots and blocks in said district, shall be as follows, to wit

BLOCK 31

13	The Moody Warren Commercial Co	4750	008508	40 41
14	The Moody Warren Commercial Co	4750	008508	40 41
15	The Moody Warren Commercial Co	4750	008508	40 41
16	The Moody Warren Commercial Co	4750	008508	40 41
17	The Moody Warren Commercial Co	4750	008508	40 41
18	The Moody Warren Commercial Co	4750	008508	40 41
19	The Moody Warren Commercial Co	4750	008508	40 41
20, E140'	George Alonzo, James, & Eliz, Quinn (Agreement to John and Jennie Nutter)	3500	008508	29 78
W50' 20	Clara B Collamer	1250	008508	10 64
E140' 21	George, Alonzo, James & Eliz Quinn (Agreement to John and Jennie Nutter)	3500	008508	29 78
W50' 21	Clara B Collamer	1250	008508	10 64
E140' 22	George Alonzo, James & Eliz Quinn (Agreement to John and Jennie Nutter)	3500	008508	29 78
W50' 22	Clara B Collamer	1250	008508	10 64
E140' 23	George Alonzo, James & Eliz Quinn (Agreement to John and Jennie Nutter)	3500	008508	29 78
W50' 23	Clara B Collamer	1250	008508	10 64
24	George J Smeeton	4750	008508	40 41
25	George J Smeeton	4750	008508	40 41
26	Lewis B Mosely & Tobe M Mosely	4750	008508	40 41
N20' 27	Lewis B Mosely & Tobe M Mosely	3800	008508	32 33
S5' 27	Carl A Kuhre	950	008508	8 08
28	Carl A Kuhre	4750	008508	40 41
N10' 29	Carl A Kuhre	1900	008508	16 17
S15' 29	A C Michels	2850	008508	24 25
30	A C Michels	4750	008508	40 41
31	Hazel Hart	4750	008508	40 41
32	Hazel Hart	4750	008508	40 41
33	Charles G Buckingham	4750	008508	40 41
34	Effie McMullen	4750	008508	40 41

BLOCK 32

1	Colorado & Southern Railroad Co	9750	008508	82 95
2	Colorado & Southern Railroad Co	3250	008508	27 65
3	Colorado & Southern Railroad Co	3250	008508	27 65
4	Colorado & Southern Railroad Co	3250	008508	27 65
5	Colorado & Southern Railroad Co	3250	008508	27 65
6	Colorado & Southern Railroad Co	3250	008508	27 65
7	Colorado & Southern Railroad Co	3250	008508	27 65
36	James F Vandewark	5125	008508	43 60
37	James F Vandewark	5125	008508	43 60
38	George P Avery & Franklin C Avery	5125	008508	43 60
39	Franklin C Avery (Bond for deed to The Riverside Ice & Storage Company)	5125	008508	43 60
40	The Riverside Ice & Storage Co	5125	008508	43 60
41	The Riverside Ice & Storage Co	5125	008508	43 60
42	The Riverside Ice & Storage Co	5125	008508	43 60
43	The Riverside Ice & Storage Co	5125	008508	43 60
44	Colorado & Southern Railroad Co	5125	008508	43 60
45	Colorado & Southern Railroad Co	5125	008508	43 60

BLOCK 41

1	Nicholas C Matz, Bishop in Denver in Trust for Catholics of Fort Collins	4750	008508	40 41
2	Nicholas C Matz, Bishop in Denver in Trust for Catholics of Fort Collins	4750	008508	40 41
3	Nicholas, C Matz, Bishop in Denver in Trust for Catholics of Fort Collins	4750	008508	40 41
4	Nicholas C Matz, Bishop in Denver in Trust for Catholics of Fort Collins	4750	008508	40 41
5	J Henry Tihen Bishop of Denver	4750	008508	40 41
6	J Henry Tihen Bishop of Denver	4750	008508	40 41
7	J Henry Tihen Bishop of Denver	4750	008508	40 41

8	J Henry Tihen, Bishop of Denver	4750	008508	40 41
9	J Henry Tihen, Bishop of Denver	4750	008508	40 41
10	J Henry Tihen, Bishop of Denver	4750	008508	40 41
11	J Henry Tihen, Bishop of Denver	4750	008508	40 41
12	J Henry Tihen, Bishop of Denver	4750	008508	40 41
13	J Henry Tihen, Bishop of Denver	4750	008508	40 41
14	J Henry Tihen, Bishop of Denver	4750	008508	40 41
15	J Henry Tihen, Bishop of Denver	4750	008508	40 41
16	J Henry Gault	3875	008508	32 97
17	Helen K Vandewark	3875	008508	32 97
18	Helen K Vandewark	3875	008508	32 97
29	Nicholas C Matz, Bishop in Denver in Trust for Catholics in Fort Collins <sup>2</sup>	3875	008508	32 97
33	Nicholas C Matz Bishop in Denver in Trust for Catholics in Fort Collins <sup>3</sup>	3897	008508	32 97
34	Nicholas C Matz, Bishop in Denver in Trust for Catholics in Fort Collins	3897	008508	32 97
35	Nicholas, C Matz Bishop in Denver in Trust for Catholics in Fort Collins	3897	008508	32 97
36	Nicholas C Matz Bishop in Denver in Trust for Catholics in Fort Collins	3897	008508	32 97

E<sub>2</sub>-BLOCK 91

1	Charles H Sheldon	9500	008508	80 82
2	Martha A Sheldon	9500	008508	80 83
B45'3	Martha A Sheldon	8550	008508	72 75
E 5' 3	Edgar H Trimble	950	008508	8 08
4	Edgar H Trimble	9500	008508	80 83
5	Trustees School Dist No 5 Ft Collins	9500	008508	80 83
6	Trustees School Dist No 5 Ft Collins	9500	008508	80 83
7	Trustees School Dist No 5, Ft Collins	9500	008508	80 82
8	Trustees School Dist No 5 Ft Collins	9500	008508	80 83

W<sub>2</sub>-Block 101

West 1/2 Block People of County of Larimer	80000	008508	680 64
--------------------------------------------	-------	--------	--------

W<sub>2</sub>-Block 102

9	People of the County of Larimer	8550	008508	72 74
10	Frank P Stover	8550	008508	72 74
11	Frank P Stover	8550	008508	72 74
12	Frank P Stover	8550	008508	72 74
13	Winifred Mosman	9500	008508	80 83
W70'14	Andy L Burke	3500	008508	29 78
E60'14	Andrew G Askling	3000	008508	25 53
W60'E120'14	Mrs Orpha M Webster	3000	008508	25 53
W70'15	First Church of Christ Scientist of Fort Collins	3500	008508	29 78
E60'15	Andrew G Askling	3000	008508	25 53
W60'E120'15	Mrs Orpha M Webster	3000	008508	25 53
W70'16	First Church of Christ Scientist of Fort Collins	3500	008508	29 78
E60'16	Andrew G Askling	3000	008508	25 53
W60'ofE120'16	Mrs Orpha M Webster	3000	008508	25 53

SOUTH 215 feet of Washington Park

The City of Fort Collins	35905	008508	305 48
--------------------------	-------	--------	--------

Section 4 All assessments herein provided for shall be due and payable within thirty days from the final passage and publication of this ordinance without demand, provided that all assessments may at the election of the owners of the property assessed be paid in twenty (20) equal annual installments, beginning March 1st, 1922 and payable annually on said last mentioned date thereafter, until the full amount thereof has been paid, with interest on the unpaid principal payable semi-annually at the rate of six per cent per annum

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, but at any time prior to the day of sale the owner may pay the amount of all unpaid installments, with interest at one (1) per cent per month or fraction of a month and all penalties accrued, and shall thereupon be restored to the right to pay the installments in the same manner as if default had not been suffered The owner of any property not in default as to any installments or payments may at any time pay the whole of the unpaid princi-

pal with the interest accrued to the maturity of the next installment of interest or principal

Section 7 Payments may be made to the City Treasurer at any time within thirty (30) days of the final passage and publication of this ordinance and an allowance of five (5) per cent discount shall be made on all payments made during such period only

Section 8 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 9 It shall be the duty of the City Clerk to prepare the foregoing assessment roll in said Storm Sewer Sub-District No 1 in Storm Sewer District No 6 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 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, together with two (2) per cent additional thereon as collection charges of the County Treasurer and the date when the same will become due, with suitable columns for use in case of the payment of any installments or penalties. 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 10 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 tenth day of the next succeeding calendar month, with separate statements for all such collections for each month.

Section 11 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 12 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



