

ORDINANCE NO 24, 1921,

BEING AN EMERGENCY ORDINANCE RELATING TO THE ASSESSMENT OF THE COST OF CONSTRUCTION OF IMPROVEMENTS IN SANITARY SEWER DISTRICT NO 32, 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 the provisions of Ordinance No 12 of said City of Fort Collins, duly adopted and approved on the 28th day of May, 1921, Sanitary Sewer District No 32 was duly created and provisions made in said ordinance for the construction of certain improvements in said District, consisting of sanitary sewers, 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, to wit the 3d day of September, 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 the 1st day of November, 1921, is \$3,074 80, that in and by said report the Commissioner of Works, pursuant to report of the City Engineer, duly apportioned 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 12, 1921, creating Sanitary Sewer District No 32, and which District is hereinafter more particularly 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 3d day of September, 1921, said report of the Commissioner of Works and City Engineer concerning the said proposed assessments for improvements in Sanitary Sewer District No 32 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 at one o'clock in the afternoon on the 8th day of October, 1921, 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 twenty days, addressed to the owners of property to be assessed in Sanitary Sewer District No 32, 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 8th day of October, 1921, 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 twenty 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 8th day of October, 1921, the assessing ordinance for the cost of the improvements in said Sanitary Sewer District No. 32 was ordered submitted for passage and adoption.

Section 3. That the total cost of the improvements in said Sanitary Sewer District No. 32, under and by virtue of said Ordinance No. 12, 1921, of said city, including the cost of inspection, collection and interest to the first day of November, 1921, amounts to \$3,074.80, which said sum is hereby assessed upon the real estate in said Sanitary Sewer District No. 32, 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 Sanitary Sewer District No. 32, comprising the following lots and blocks in said district, shall be as follows, to wit:

Lot No.	Property Owner	Area	Cost Ft.	Total Cost
BLOCK 6, SCOTT SHERWOOD ADDITION				
1	John Fisher	.9500	.0102	96.81
2	John Fisher	.9500	.0102	96.81
3	Ralph A. Nicholas	.9500	.0102	96.81
4	Ralph A. Nicholas	.9500	.0102	96.81
5	Minnie Rhoads and Gertrude Rhoads	.9500	.0102	96.81
N38 6	Al Hurdle	.7200	.0102	73.58
7	Al Hurdle	.9500	.0102	96.81
8	Al Hurdle	.9500	.0102	96.81
9	Robin E. and Annie M. Halladay	.9500	.0102	96.81
N14 10	Robin E. and Annie M. Halladay	.4750	.0102	48.41
S12 10	C. H. Sheldon	.4750	.0102	48.41
11	C. H. Sheldon	.9500	.0102	96.81
12	C. H. Sheldon	.9500	.0102	96.81
13	Geo. Wolfer	.9500	.0102	96.81
14	Geo. Wolfer	.9500	.0102	96.81
15	Geo. Wolfer	.9500	.0102	96.81
16	Geo. Wolfer	.9500	.0102	96.81
BLOCK 7, SCOTT SHERWOOD ADDITION				
S13	Block School District No. 5	.76000	.0102	774.51
17	Fort Collins House Building and Development Company (Agreement to sell to S. T. Combs)	.9500	.0102	96.81
18	Boise Payette Lumber Company	.9500	.0102	96.82
19	Floyd F. Vandewark and Fay Douglas Vandewark	.9500	.0102	96.82
20	C. J. Rolfe	.9500	.0102	96.82
21	John H. Wyatt	.9500	.0102	96.82
22	John H. Wyatt	.9500	.0102	96.82
23	Levi Cunningham	.9500	.0102	96.82
24	Edgar H. Barkley	.9500	.0102	96.82

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 ten (10) equal annual installments, beginning November 1st, 1921, 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 of payments may at any time pay the whole of the unpaid prin-

cipal, 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 Sanitary Sewer District No 32 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 was 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 contained in Sections 6 and 7 of Article IV of the City Charter

