

ORDINANCE NO 1 1916

RELATING TO THE ASSESSMENT OF THE COST OF SANITARY SEWER
DISTRICT NO 23 EXTENSION NO 1 OF THE CITY OF
FORT COLLINS AND PROVIDING FOR THE COLLECTION OF
SUCH ASSESSMENT AS PROVIDED BY LAW

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

Section 1 That pursuant to Ordinance No 9 1915
entitled "An Ordinance Relating to the Creating of Sanitary
Sewer District No 23 Extension No 1 of the City of Fort
Collins and Providing for the Construction of said Sewer
and Assessing the Cost thereof as Provided by Law "said
sewer extension has been duly constructed and completed and
accepted by the City Engineer and Commissioner of Public Works
and the fact of such completion and acceptance duly reported
to the City Council together with a prepared statement showing
the whole cost of the improvement including six per cent
additional for cost of inspection collection and other inci-
dentials and also including interest to the next succeeding
date when by the laws of the state general taxes are payable
which said statement also contained a schedule apportioning
the cost of said construction to each lot or tract of land to
be assessed for the same as provided in said ordinance No 9
that said statement and schedule were duly filed with the
City Clerk and on to-wit the 22d day of November 1915 the
City Council duly adopted a resolution requiring the Clerk
to give notice by advertisement for ten days in the Fort
Collins Morning Express the official newspaper of said city,

notifying the owners of the property to be assessed that said improvements in said Sewer District No 23 Extension No 1 had been completed and accepted and specifying the whole cost of the improvements and the share so apportioned to each lot or tract of land and further notifying the owners of said lots that any complaints or objections that may be made in writing by said owners to the City Council and filed in the office of the City Clerk within thirty days from the publication of said notice would be heard and determined by the City Council on the 10th day of January A D 1916 at four o'clock in the afternoon at the Council Chamber in the City Hall of the City of Fort Collins County of Larimer Colorado that pursuant to said resolution the said City Clerk did cause publication of said notice as therein required and proof thereof has been duly filed in the office of the City Clerk

Section 2 That on the said 10th day of January A D 1916 at the hour of four o'clock p m the said matter coming on to be heard before the City Council as to any complaints and objections that have been made and filed in writing by any of the owners of the lots so to be assessed and the City Council having heard and considered all such complaints in writing as have been filed in said matter and being sufficiently advised in the premises doth find that all such objections are not well founded and that the apportionment heretofore made by the City Engineer and approved by the Commissioner of Public Works respecting the assessment upon the lots and block in said Sewer District No 23 Extension No 1 are fair just and equitable and are hereby approved that the City Council further finds from

the schedule and report of the Commissioner of Public Works respecting said sewer district that the total amount of the cost thereof to be assessed upon the owners of the lots and blocks contiguous to and abutting upon said sewer is Six Hundred Forty-five and 68/100 Dollars (\$645 68) and in accordance with the report of the Commissioner of Public Works the said cost has been apportioned to each lot or tract of land within said district, and the same is hereby determined to be just and equitable and the proper assessment to be levied upon said lots or tracts of land as follows to-wit

<u>Name</u>	<u>Lot</u>	<u>Block</u>	<u>Amount</u>
Elizabeth E Tomlin	Pt S $\frac{1}{2}$ 1	83	\$26 87
Jessie S Newsome	Pt S $\frac{1}{2}$ 1	83	8 96
Ira L Scott	Pt S $\frac{1}{2}$ 1	83	16 88
School Dist No 5 Larimer County		$\frac{1}{8}$ of 94	286 63
Plymouth Congregational Church	S $\frac{2}{3}$ of 12	93	34 04
Marie B Christman	Part of 5	94	17 91
Mable C Whitney	Part of 5	94	17 91
Tina Damm	Part of 5	94	32 25
William Enoch Crim			
Maggie A Crim	N $\frac{1}{2}$ of 6	94	34 04
Nellie Anderson	S $\frac{1}{2}$ of 6	94	34 04
Rebecca A Petty		94	68 07
Willis Hoffman	N $\frac{1}{2}$ of 8	94	34 04
Jessie A Miller	S $\frac{1}{2}$ of 8	94	34 04
			<u>\$645 68</u>

The City Council further adjudges and determined that said assessments shall be paid ^{equal} four (4) ^{annual} payments with interest at the rate of six per cent per annum on all deferred installments said payments to be made annually on or before the 1st day of March of each year beginning with March 1 1916 and all deferred payments shall d^o interest from said last mentioned date at the rate of six per cent per annum

Section 3 That immediately upon the taking effect of this ordinance the City Clerk shall prepare an assessment roll in book form showing in suitable columns each piece of real estate assessed in said Sewer District No 23 Extension No 1 the total amount of the assessment the amount of each installment of the principal and interest as provided in Section 2 of this ordinance and the date when each installment will become due with suitable columns for use in case of payment of the whole amount or any installment or penalty and when completed the same shall be duly certified by the City Clerk under the seal of the city all assessments for said construction of said Sewer District No 23 Extension No 1 shall be due and payable within thirty days after the final publication of this assessing ordinance without demand provided at the election of the owners such assessments may be paid in installments with interest as herein provided If the owner or owners shall fail to pay the whole assessment within said period of thirty days it shall be conclusively held and considered as consenting to the said improvement in Sewer District No 23 ^{Extension No. 1,} and held and considered as a waiver of any and all right to question the power or jurisdiction of the City of Fort Collins to construct the said improvement the quality of the work the legality or sufficiency of the proceedings and the validity and correctness of the assessment herein levied

Section 4 Failure to pay any installment whether of principal or interest when due of said assessment shall cause the whole of the unpaid principal to become due and

payable immediately and the whole amount of 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 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 per cent per month or fraction of a month and all penalties accrued and shall thereupon be restored to the right thereafter to pay the installments in the same manner as if default had not been suffered

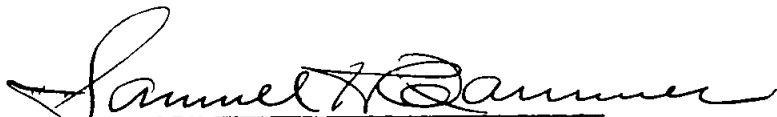
The owner of any property not in default as to any installment or payment may at any time pay the whole of the unpaid principal with interest accrued to the maturity of the next installment of interest or principal payments may be made to the City Treasurer at any time within thirty days of the passage of the assessing ordinance and an allowance of five per cent shall be made on all payments during such period only At the expiration of said thirty-day period the City Treasurer shall return the local assessment roll herein provided for showing all payments made thereon with the date of each payment 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 assessments remain unpaid, the whole amount of assessment unpaid the date of payment of the same the date to which the same was computed the amount of each installment of principal and interest and the date when the same will become due with suitable columns for use in case of any installment or penalties The City Clerk shall then duly certify under the seal of the city the said assessment roll and the same shall be by him delivered to the County Treasurer of the County of Larimer and State of Colorado with a

warrant for the collection of the same and it shall be the duty of the County Treasurer to receipt to the City Treasurer for the same and the said roll shall be numbered for convenience

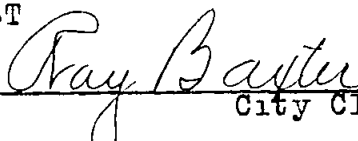
Section 5 The County Treasurer may and shall receive payment of all assessments appearing upon said roll with interest and in case of default in the payment of any installment of the principal and interest when due shall advertise and sell any and all property concerning which such default is suffered for the payment of the whole or unpaid assessments thereon Said advertisement and sale shall be made at the same time 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 the payment of taxes

Section 6 All collections made by the County Treasurer upon said assessment roll so certified by the City Clerk in any calendar month shall be accounted for and paid over to the City Treasurer on or before the 10th day of the next succeeding calendar month with a statement showing that said collections have been made on account of said assessment for Sewer District No 23 Extension No 1 as provided in this ordinance

Passed and adopted this 24th day of January A D 1916


Commissioner of Safety and
Ex-Officio Mayor

ATTEST


City Clerk

STATE OF COLORADO)
) -SS
 COUNTY OF LARIMER)

I Ray Baxter City Clerk of the City of Fort Collins do hereby certify and declare that the foregoing ordinance consisting of six (6) sections duly proposed and read at length at a meeting of the City Council held on the 10th day of January 1916 was duly ordered by "AYE" and "NAY" vote to be published in the Fort Collins Review a daily newspaper of the City of Fort Collins in accordance with the provisions of Section 7 of Article IV of the City Charter that thereafter and on to-wit the 24th day of January 1916 at a regular meeting of the City Council said ordinance came before said Council on its final passage a period of more than ten days having elapsed since the publication as set forth and that said ordinance was upon second reading adopted as an ordinance and thereafter and on to-wit the 25th day of January 1916 said Ordinance No 1 as finally passed and adopted was duly published in the Fort Collins Review a daily newspaper published in the City of Fort Collins Colorado

In Witness Whereof I have hereunto set my hand
 this 25th day of January 1916

Ray Baxter
 City Clerk