

SEPTEMBER 25, 1957

Pursuant to a call by the Mayor, the Council met in Special Session in the Mayor's Chambers on Wednesday at 3:00 P.M., September 25th, 1957 for the purpose of studying and considering all protests and objections which were registered at the Regular Council Meeting held September 20th, 1957 with regard to the Assessment Roll on L.I.D. #25. Present: John B. Rogers, Mayor; Councilmen Foote, Freeman, Petersen. Absent: Councilman Johnson. Also present: Roy Barnes, City Clerk; Claud Black, City Engineer; Bud Evans, City Draftsman; A. L. Smith, City Attorney.

It was the opinion of the Council that the Union Pacific protest should be honored but that the protest of Mrs. Henry Johannesen, speaking for herself, and Mrs. Woodward, and also Mrs. D. V. Hampton, be denied even if it is necessary to condemn the strip of land which they were protesting being made into a street.

The Council recognized the fact that the Ken Burns protest was out of order, in view of the fact that it involved property which was included in the assessment roll in error.

Councilman Foote introduced the following resolution in writing and moved its adoption:

RESOLUTION REVISING AND CORRECTING ASSESSMENT ROLL OF LOCAL
IMPROVEMENT DISTRICT NO. 25 AND CONFIRMING SUCH
ASSESSMENT ROLL AS CORRECTED (Resolution No. 1957-20)

WHEREAS, the City Engineer and Committee on Streets have heretofore made out and certified to the City Council as provided by law an Assessment Roll of Local Improvement District No. 25, and

WHEREAS, on September 6th, 1957 the City Council fixed the time and place when and where objections to said Assessment Roll by the property owners of said District would be heard, to-wit: Friday, the 20th day of September, 1957, at 8:00 o'clock P.M. of said day at the Council Chambers in the City Building at Idaho Falls Idaho, and

WHEREAS, notice was duly and regularly given as provided by law by the Clerk of the time to file objections, to said Assessment Roll, and

WHEREAS, the Union Pacific Railroad Company, the owner of the property hereinafter described in Section 18, Township 2 North, Range 38, E.B.M., and appearing on Page 63 of the Assessment Roll, has requested that the assessment against said property be reduced, and

WHEREAS, the owners of all of the property in South Idaho Falls Addition, appearing in said Assessment Roll and particularly on Page 44, thereof, have requested that said property and the assessment against same be eliminated and stricken from said Assessment Roll, and the improvements in South Idaho Falls Addition be not made, and

WHEREAS, the City Council has examined said Assessment Roll and has heard and considered said objections, and

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WHEREAS, no other objections of any kind or nature were filed or made to said Assessment Roll, and

WHEREAS, the City Council, after considering said objections, has determined that the assessment against all of the property in South Idaho Falls Addition to the City of Idaho Falls, Idaho, should be eliminated and cancelled, and the improvements adjoining and contiguous to said property be not made.

NOW THEREFORE, BE IT RESOLVED, that said assessments on all of the property in South Idaho Falls Addition to the City of Idaho Falls, Idaho, and particularly as appears on Page 44 of said Assessment Roll, be illuminated and cancelled and that Page 44, and the whole thereof, be stricken from said Assessment Roll, and

BE IT FURTHER RESOLVED, that the assessment against the property of the Union Pacific Railroad Company shown on Page 63 of said Assessment Roll be reduced, and that Page 63 of said Assessment Roll be reduced, and that Page 63 of said Assessment Roll be amended to read as follows, to-wit:

SECTION 18, TWP. 2 NORTH, RANGE 38, E.B.M. (cont)

<u>PROPERTY DESCRIPTION</u>	<u>OWNER AND ADDRESS</u>	<u>ASSESSMENT</u>
That portion of ground lying South of Anderson Street for 125 feet, extending from East property line of Rappleye Add. to the West property line of Mayflower Addition, including the U.P.R.R. Right-of-Way across Anderson Street	U.P.R.R.- 100 Broadway	\$2,842.01

that as to all other property described in said Assessment Roll, and each and every item thereof, and the whole thereof be, and the same hereby is in all respects approved and confirmed.

Councilman Petersen seconded the adoption of said Resolution, and the same on being put to a vote was unanimously carried by the affirmative vote of all Councilmen present. The vote being as follows: Councilman Freeman, Aye; Councilman Petersen Aye; Councilman Foote, Aye. Nay, None; whereupon the Mayor declared the motion carried.

It was moved by Councilman Petersen, seconded by Foote, that the Council adjourn. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ John B. Rogers
MAYOR
