

ORDINANCE NO. 156

An ordinance providing for the construction of cement sidewalks, cross walks, curbing, grading filling and for the payment of all expenses connected therewith, on the streets or parts of streets, in the Village of Kendrick, Idaho, as follows:

Ninth STREET, from the North side and line of "B" Street to the North side and line of Main Street.

MAIN STREET, from one-hundred feet East from the east side and line of Ninth Street to the east side and line of Mill Street.

SIXTH, SEVENTH, EIGHTH AND KIRBY STREET, from Main Street to Railroad Street.

Providing that all of the expenses and costs of the construction of such cement sidewalks, cross-walks, of the curbing, grading and filling in such streets and parts of streets, and all the incidental cost and expenses connected therewith and necessary for the making of such improvements, and cost of the spaces from by the junction of two or more streets, or where one main street terminates in or crosses another main street, and the spaces formed opposite alleys, shall be paid for in full, by the owners of property fronting, abutting, or contiguous and tributary to such streets and parts of streets as hereinafter described.

Providing for the payment of the costs and expenses for such improvement, by assessment upon the property and the issue of bonds, creating an assessment district and numbering the same, creating an improvement fund, providing for the assessment of the property, subject to the payment of such improvements, and creating, under the law of the State, a lien thereon as security for the payment of the same; Providing for bids for the doing of the work, and for contracts thereunder; and for the appointment of a superintendent, and a committee to have charge and general power over the work; and generally defining the powers and duties of the Chairman and Board of Village Trustees and Village engineer, in connection with such improvements.

WHEREAS, more than seventy per cent of the resident owners of property, subject to an assessment, for the making of the proposed improvements along the course of the hereinbefore described streets, and owning real estate, which is abutting, contiguous, fronting and tributary to said streets, and subject to assessment, for the payment of all the cost of the improvements by said petition requested, including the spaces formed by street intersection and spaces opposite alleys, have petitioned the Chairman and Board of Village Trustees of Kendrick, Idaho, that said streets be improved by the construction of cement sidewalks, cross-walks, curbing, grading and filling, and have thereby promised and agreed to pay the entire cost and expense of such improvements, including the spaces formed by the junction or intersection of streets, and also the spaces formed opposite alleys, and that said property be assessed therefor, and

WHEREAS, by ordinance No. 155, of the Village of Kendrick, Idaho, notice of intention to so improve said streets and parts of streets was given, which said ordinance was published for two consecutive times in the Kendrick Gazette, the official newspaper of said Village, which said ordinance came in force and effect the 24th day of August, 1917 and by said ordinance the time was fixed for the filing of protests to such improvements, at five o'clock p. m. on the 28th day of August A. D., 1917. That protests were filed against such proposed improvements, that said protests were duly considered by the Chairman and Board of Trustees of the Village of Kendrick, Idaho, and it was ordered by the Chairman and Board of Village trustees, duly and regularly assembled, to proceed with the work of improvements, as contemplated by the Ordinance of Intention No. 155.

NOW, THEREFORE, BE IT ORDAINED BY THE CHAIRMAN AND BOARD OF TRUSTEES OF THE VILLAGE OF KENDRICK, IDAHO:

Section 1. That the following streets and parts of streets in the Village of Kendrick, Idaho, be improved by the construction of cement sidewalks, cross-walks, curbing, grading, excavating and filling as follows, to-wit:

NINTH STREET, from the North side and line of "B" Street to the North side and line of Main Street.

MAIN STREET, from 100 feet East from the East side and line of Ninth Street to the East side and line of Mill Street.

SIXTH, SEVENTH, EIGHTH and KIRBY STREETS, from Main Street to Railroad Street.

That the proposed improvements shall consist of constructing cement sidewalks, cross-walks, curbing, grading, excavating and filling between the points described.

That the sidewalks to be constructed on all of such streets shall be five feet in width, save and except the following sidewalks, which shall be ten feet in width: on the South side of Main Street, from Fifth Street to Kirby Street, and on the north side of Main Street, from Fifth Street to Eighth Street, and SIXTH, SEVENTH, EIGHTH AND KIRBY STREETS, from Main to Railroad Street, which shall be six feet in width. Also, there shall be constructed the necessary curb lines and curbing thereon, all of which shall be done in compliance with plans and specifications to be prepared by the Engineer and approved by the Chairman and Board of Trustees of the Village of Kendrick, and filed in the office of the Clerk of said Village of Kendrick, Idaho.

Improvements herein provided for shall be made in all respects in accordance with the plans and specifications and street grades above referred to, to the same extent as if the same and the whole thereof were herein specifically set forth.

Section 2: The local improvement district to be hereby established and designated in the Village of Kendrick, Idaho, and named and known as "Local Improvement District No. One," which Improvement District shall include all of the lots, tracts and parcels of land, fronting, abutting, contiguous or tributary to the portions of the said streets herein ordered improved, and in accordance with the Intention of Ordinance No. 155, to the distance back of said streets, if platted in blocks, to the center of the blocks, and if platted in lots only, to the center of the lots, and if not platted, to the distance of 125 feet, and which "Local Improvement District No. One" includes the following described lots and parcels of land, to-wit:

Lots One and Two in Block 27; the East half of Block 20; the west half of Block 19; the west half of Block 18; Lots One, Two Three and Four and the east 10 feet of Lot 5 of the North half of Block 17 and all of the South half of Block 17; Lots Six, Seven, Eight and Nine and the west 15 feet of Lot 5 in block "B," and Lots One, Two, Three, Four, Five, Six, Seven and Eight in block "A," all of Blocks, 1, 2 and 3; Lots One, Two, Three, Four, Five, Six, Nine and Ten of Block 4; Lots One, Two, Three, Four, Five, and Six in Block 5; Lots One, Two, Three, Four, Five and Six in Block 6; Lots One, Two, Three, Four, Five and Six in Block 7; and Lots One, Two, Three, Four, Five and Six in Block 8; All of Blocks 9, 10, 11, 12 and 13; the South half of Blocks 14, 15 and 16; all of Block "C" and Lot One of Block "D," all in Original Town of Kendrick, together with the unplatted strip 30 feet by 100 feet, lying south of Lot 11, Block 1 and such vacated streets as lie within the boundaries of the above described property. And all of Blocks 96 and 97; Lots One, Two, Three, Four, Five, Six and Seven in Block 98; and Lots One, Two, Three, Four, Five, Six, Seven, Eight, Nine and Ten in Block 99; and in Oak's addition to the Town of Kendrick.

All of which property is situated in the Village of Kendrick, Idaho, and said proposed district is bounded as follows: beginning at the Northwest corner of Block 96, Oak's Addition to the Village of Kendrick, Idaho, thence Northeasterly along the North lines of Blocks 96 and 97 to the Northwest corner of Block "C," Original Town of Kendrick, Idaho, thence Easterly along the North lines of Blocks, 8, 9, 10, 11, 12 and 13, to the Northwest corner of Lot Seven, in Block 14, Original Town of Kendrick, thence Easterly along the South line of the Alley through Blocks 14, 15 and 16 to a point 20 feet East of the Northwest corner of Lot 12, in Block 17, Original Town of Kendrick, thence Northerly along the center lines of Blocks 17 and 20 to the North line of Block 20, thence Northeasterly to the Southwest corner of Lot One, Block 27, thence Northerly along the West line of lots One and Two of Block 27 to the Northwest corner of Lot Two, Block 27, thence Easterly along the North line of Lot Two to the Northeast corner of Lot Two, Block 27, thence Southerly along the East line of lots two and one to the Southeast corner of Lot One, Block 27, thence Easterly to the Southwest corner of Block 28, thence Southerly to the Northwest corner of Block 19, thence Easterly along the North line of Block 19 to the North and South center line of Block 19, thence Southerly along the North and south center line blocks 19, 18 and "B" to the north line of the alley of block "B," thence westerly along the north side of the alley to the southwest corner of lot eight block "A," thence southerly to the southwest corner of lot nine, block "A," thence southerly 30 feet to a point: thence westerly to the southwest corner of lot ten of block 1.

thence westerly along the south line of blocks 1, 2, 3 and 4 to the southwest corner of lot ten, block 4, thence northerly to the southwest corner of lot three, block 4, thence Westerly along the north line of the alley through blocks 4, 5, 6, 7, 8 and "D" to the southwest corner of lot one, block "D", original Town of Kendrick, thence southerly to the southeast corner of lot one, block 98, Oaks Addition to the Town of Kendrick, thence southwesterly along the north line of the alley, through blocks 98 and 99 to the southwest corner of lot ten, block 99, Oaks Addition to the Town of Kendrick, thence northwesterly along the west line of said lot ten and along the west line of lot ten, block 96 to the northwest corner of block 96, the place of beginning.

Section 3. That all of said lots, tracts and parcels of land, as specified in section 3 hereof, and which are fronting, abutting, contiguous or tributary to the portion of the said streets to be improved, and which are subject to special assessment to pay all of the costs and expenses for the construction of all the improvements, by this ordinance authorized and ordered, including all spaces formed by the intersection or junction of two or more streets or where one main street terminates in or crosses another main street, all crossings and cross walks, and also the spaces formed opposite alleys, and in accordance with the terms of said petition of seventy percent of the resident owners of property, subject to assessment, in Local Improvement District No. One, and Ordinance No. 155, all of the cost and expense of said improvement must be paid by the owners of said property.

Section 4. Special assessments, payable in ten annual installments, shall be and are hereby assessed to and levied upon the lots, tracts and parcels of land, in the assessment district as described in Section 3 of this ordinance, and as provided by Ordinance No. 155 of the Village of Kendrick, Idaho, and such assessments are intended to be made under the provisions of said ordinance No. 155, this ordinance and Section 2238, by Chapter 97, Acts of the Legislature of Idaho, 13th session, A. D. 1915, and as amended by the provisions of Chapter 22, acts of the Legislature of Idaho, 14th session, A. D. 1917, and a sufficient amount to pay all of the costs and expenses of the improvement herein provided, including the cost and expense of all spaces formed by the intersection of streets and spaces formed opposite alleys.

That such assessment, when the same is confirmed by the chairman and Board of Trustees of the Village of Kendrick, Idaho, shall be and become alien from that time, upon all of the said property and real estate in said Local Improvement District No. One, the payment of which assessment may be enforced in any manner and form as provided by law, which lien, from the time of such confirmation, shall be a first and prior lien upon said lots, tracts and parcels of land, and superior to all other liens, claims or incumbrances, except liens for prior assessments and taxes for all general purposes and shall be payable at the same time as our taxes for general purposes, and be placed upon the roll for collection and subject to the same

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Section 5. That upon the passage of this ordinance and as soon thereafter as may be, the committee on Streets, together with the engineer of the Village of Kendrick, or other proper authority, shall make out an assessment roll, of the costs and expenses of such improvements, according to the provisions of this ordinance and shall certify the same to the Board of Trustees of the Village of Kendrick, Idaho.

That such assessment roll shall show in separate columns, the name of the owner or owners as shown by the county records of Latah

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