ORDINANCE NO. 122

Ordinance to establish and build concrete sidewalks and crossings in the City of Atkins, Pope County, Arkansas.

Whereas, the majority in vlaue of the property holders owning property adjoining the locality to be affected and situated in District No. one organized for the purpose of building concrete side walks and crossings in the City of Atkins, Arkansas, have petitioned the council of the City of Atkins, Arkansas, for the construction of said improvements and that the cost thereof shall be assessed upon the real property of said District according to benefits ~~XXXXXX~~ received by each and every block and lot and parcel of real property situated in said district equals or exceeds the local assessment thereon, and whereas the estimated costs of said improvements is twelve cents per square foot of concrete side walks to be built in said district and that said concrete side walks and ~~XXXXX~~ crossings are to be made erected of the following material hereinafter named and specified in this ordinance.

Now, thereof, it is ordained by the City Council of the City of Atkins, Arkansas, that said several lots and blocks and parcels of land real property in said district No. one effected by the building of said concrete walks and ~~XXXX~~ crossings in the City of Atkins, Arkansas, be severally accordingly to the assessment list for said improvement district as the same appears and remains in the office of the recorder of the said City of Atkins, and that twenty-five per centum on each of said lots, blocks and parcels of real property shall be paid annually the first assessment or installment payment shall not be later than sixty days from the date of this ordinance.

Provided the first assessment shall be paid on the 1st day of October, 1911, and the remainder of assessments to be paid annually until the whole of said local assessments shall be fully paid.

Section 2. And said local assessment shall be a charge and a lien against all the real property in said district from the date of this said ordinance and, shall be entitled to preference over all judgements, executions, incumbrances or liens whensoever created and shall continue such local assessment with any penalty costs that may accrue thereon shall be paid. Provided as between grantor and grantee all payments not due at that date of transfers of such real property shall be payable to the grantee.

Section 3. That within thirty days of the passage of this ordinance the recorder or city clerk, as the case may be, shall publish a copy of it in some newspaper in the City of Atkins, Arkansas, and all persons who shall fail to begin legal proceedings within thrity days after such publication for the purpose of correcting or invalidating such assessment shall be forever barred and precluded.

Section 4. That the concrete side walks and crossings are to be built, erected and completed of the following material and dimensions for body of concrete walks, five parts of crushed rock and two parts of sand and one part of cemend for top part of said side walks, for a finish two parts of sand and one part of cemendt; that said side walks shall be four feet wide in the resident part of the city and said side walks shall be ten feet wide in the business part of said City of Atkins, or as wide as the old walks appear in the business part of said city.

Section 5. That the waterways at the end of each side walk shall be concreted across said waterways with the necessary openings under said concrete waterways to pass the water under said crossings at the end of side walks in the territory reported by the Board of Improvement to the City Council where such side walks are to be erected.

Section 6. That all of said concrete side walks be erected and completed on a uniform grade in the City of Atkins; that all of said crossings in the streets be on a uniform grade, that said crossings in the streets be not less than four feet wide and be erected and built of material as follows: 5 parts of crushed rock, 2 parts of sand and 1 part of cement.

Section 7. That the following territory is established for concrete side walks and for crossings in the City of Atkins, Arkansas, as is reported by the Committee of the Board of Improvements for the said City of Atkins to the City Council for said City of Atkins, Arkansas, as follows:

The walks on the south side of Railroad Ave. are to be built as follows: Commencing at the northwest corner of Oscar Jackson's lot, thence west to the Lynch property. On the north side of Railroad Avenue commencing at the southeast corner of Lou Harris's property, thence west to the A. M. Gibson property.

Commence at the southeast corner of the Paul Reiss place on Main Street, west on the North side of Main street to the W. J. Pitts property.

Commencing at the northeast corner of block 17 (Mrs. Robinson's property), thence west on south side of Center street to the northwest corner of the Lewis property, thence north to the W. M. Lemley property, thence west on the nath side of Center street to White Hall Ave. (H. C. Correther's place)

Commencing at the southeast corner of the Hartwick property, running thence west on north side of north street to West street (at the school house).

Commencing at the southwest corner of the Allmon property, running west on the north side of Darr street to West street(at Robets residence).

Commencing at the southwest corner of the Ino Groben property on East street to southwest corner of Hartwick property, thence on east side of block No. 5 to northeast corner of W. N. Godbey's property.

Commencing at the southwest corner of the Catholic church property, running north on east side of Everett street to northwest corner of block No. 5 (A. J. Sisney's)

Commencing at the commercial Hotel, running north on west side of Galla street to southeast corner of Block No. 3 thence north on the east side of said street to the northwest corner of Block E Highland Addition.

Commencing at City cemetery gate running thence north on east side of Dover street to the northwest corner of Block B Highland Addition.

Commencing at the calaboose running north on east side of West street to the northwest corner of Block I, Highland Addition then cross West street and north on west side of west street to northeast corner of Eli Baucnm's property.

Commencing at the southeast corner of A. J. McCollum property thence on west side of Reynold's Street to the Southeast corner of J. E. Darr's.

Commencing at the southeast corner of the White property, thence south on west side of center street to White Oak Creek.

Commencing at the southeast corner of W. J. Pitts property continuing on north side of Main street west to the southwest coner of the J. H. Bogan property.

Commencing at the northwest corner of J. F. Cleveland's residence thence south on east side of Galla Street to the southwest corner of E. A. Darr's resident lot.

Section 8. That within forty days after the passage of this ordinance, unless the time be extended by the City County, the City Recorder shall delier to the City Collector a copy of said assessment of benefit containing a description of said block, lots and parcel of lands in said district and the amount assessed on each lot, block and parcel of lands and shall deliver it with his warrant attached thereto to the City Collector, which warrant may be in the following form:

STATE OF ARKANSAS, CITY OF ATKINS

TO THE CITY COMECTOR OF THE CITY OF ATKINS, ARKANSAS:

You are hereby notified to collect from the owners of real property described in the annexed copy of Ordinance No. 122 the assessment on the same and as extended thereon for the current year and pay to the Treasurer of local Improvement District No. one of the City of Atkins, Arkansas, within sixty days from this date.

Given under my hand at the office in the City of Atkins, Arkansas, this the_____day of_____, 1911.

_____
RECORDER OF THE CITY OF ATKINS, ARK.

Section 9.

That this ordinance take effect and be in force from and after the date of its passing and publication.

Passed and approved Aug. 1, 1911.

A. J. McCollum, Mayor

W. J. Jones, Recorder