

AN ORDINANCE <sup>08-87</sup>

LEVYING SPECIAL ASSESSMENTS ON ACCOUNT OF THE COST OF THE IMPROVEMENT OF BONHAM STREET, BY WIDENING AND STRAIGHTENING THE SAME FROM E. HOUSTON STREET, TO EAST CROCKETT STREET, AND TO PROVIDE FOR THE ISSUANCE OF ASSESSMENT CERTIFICATES, AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COMMISSIONERS OF THE CITY OF SAN ANTONIO:

THAT WHEREAS, the Commissioners did heretofore, to-wit, on the 15th day of December, A. D. 1924, by Ordinance, order the improvement on the special assessment plan, of that portion of Bonham Street in the City of San Antonio between the intersections of said street with the North line of Commerce Street and the South line of Crockett Street, by widening and straightening said street, and ordered that a hearing be given to the owners of property abutting thereon for the purpose of determining the amounts, if any, that should be assessed against said owners and said property to defray their lawful proportion of the cost of such improvements; and

WHEREAS, said improvements and the special assessments to be levied therefore and all proceedings, notices and instruments in connection therewith are governed by certain rules and regulations described in a certain ordinance of this City known as the IMPROVEMENT ORDINANCE, passed and approved on the 8th day of March, A. D. 1920, and as amended on the 12th day of August, A. D. 1920, which, together with all subsequent amendments to said ordinance, if any, and Chapter 11 of Title 22, Revised Civil Statutes of Texas for 1911, are made a part of this ordinance; and all such proceedings and other matters requisite to the passage of this ordinance have been regularly had and performed and are hereby ratified and confirmed, and.

WHEREAS, notice of said property owners' hearing aforesaid was duly given by publishing such notice three times in a newspaper published in this City, to-wit, in the San Antonio Evening News on the 17th, 18th, and 19th days of December, A. D. 1924, and additional and cumulative notice of said hearing was also duly given by posting registered letter containing a copy of the aforesaid Ordinance of December 15th, 1924, more than ten (10) days prior to the date fixed for said hearing, one of which said letters was duly addressed and delivered to each of said property owners; and

WHEREAS, the hearing was duly opened at the time and place mentioned in said ordinance and notices, to-wit, on the 29th day of December, A. D. 1924, at which time said hearing was continued to January 5th, A. D. 1925; said hearing being held in the Council Chamber of the City Hall of said City and duly opened at 4:00 P. M., on said December 29th, A. D. 1924, and duly closed on said January 5th, A. D. 1925; and

WHEREAS, in said hearing all persons desiring to contest said proposed assessment, or personal liability, or the regularity of the proceedings with reference to the improvement, or wishing in any manner to be heard concerning the benefits of said improvements to their property, or any other matter with reference thereto, were duly heard and their claims fully considered; and thereupon all errors, mistakes and other matters requiring rectification were fully examined into and considered and corrected, and the Commissioners having also fully heard and examined and considered the evidence concerning frontage and other considerations, including said plat and statement of the City Engineer and the Citizens' Committee, and evidence concerning the benefits of said improvements to said property, and being of the opinion that the assessment herein below levied and the personal liabilities hereby declared are just and equitable, and that no such assessment is made herein in any case against any parcel

of property or any person in excess of the actual benefit to the owner thereof in the enhanced value of his property by reason of such improvements;

NOW, THEREFORE, BE IT FURTHER ORDAINED:

SECTION ONE: That the aggregate amount hereinafter shown, being less than three-fourths of the cost of said improvements, shall be and the same are hereby levied, charged, apportioned and assessed on the front foot plan against the said abutting property hereinafter described and each parcel thereof, whether one lot or more, and against each of the several owners of said property below named in the respective itemized amounts and the total amount including same, set opposite to the name or names of each such person or persons and the description of each such parcel of property.

SECTION TWO. Each such lot or parcel of property so assessed is located in the City of San Antonio, Bexar County, Texas, abutting on said highway, or portion thereof to be improved, and is hereunder described whenever practicable by the New City Block ("N.C.B.") number and by lot number in each such block; but each such parcel of property, if any, indicated hereunder in any such block by letters "A", "B", "C", etc., or any such letter coupled with any number, in lieu of or in connection with the lot numbers, in the same property indicated by the corresponding letter in the corresponding block as shown on said plat for said improvement now on file in the offices of the City Engineer and the City Clerk, which plat is made a part hereof, and each of said lots and parcels of abutting property, and the frontage thereof on said highway as shown hereunder in feet in the column headed "Front Ft." and said letters, if any, indicating such parcels, and also all intersecting streets, are hereunder noted and set forth for each side of said highway and for each block in the same order down the following list as same are found from East Commerce Street to East Crockett Street, in said plat and on the ground; and each such description and assessment shall be held to extend back from said line abutting on said highway and to include the entire depth and area of each respective parcel, lot or lots of abutting property as same may be owned and bounded at this date; and the abbreviations "N"., "S"., "E"., or "No.", "So"., "Ea.", and "We.", when used before a lot number shall be taken to mean respectively the "Northerly", "Southerly", "Easterly" or "Westerly" parts of the lot or block before the number of which any of said abbreviations may be placed; and the names of said owners, such description of said property and said amounts respectively assessed against them and it, are as follows, to-wit:-

NAME OF OWNER	CITY BLK NO.	LOT OR TRACT	AMT. FRONT FT.	TOTAL ASSESSMENT.
EAST SIDE; FROM EAST CROCKETT STREET TO EAST COMMERCE STREET:				
Mrs. Rob't Maxey	166	A	80.4	\$2482.75
Gus Hahn	166	B	50.0	1544.00
Geo. R. Karges	166	C	51.3	1584.15
Mrs. Lottie Moore	166	104	44.7	1380.34
Mrs. Johanna Steves	166	105	41.1	1269.16
Diehlman Bros. & C. W. Meyer	152	A-68	50.0	1544.00
Sisters of Devine				
Providence	152	67	51.65	1594.95
Hrs. of L. W. Menger	152	67	46.7	1442.10
J. & D. Oppenheimer & A. H. Halff	1010	1	117.5	3628.40
WEST SIDE, FROM EAST COMMERCE STREET TO EAST CROCKETT STREET:				
L. S. Teft	151	8 & 65	165.0	5095.20
Joske Bros. Co.	151	62 & 63	101.7	3140.50
Hrs. Elizabeth S. Kampmann	143	5, 7, 12 & 13	264.0	8152.32
		Total	1064.05	\$32,857.87

SECTION THREE: That the amounts specified are hereby assessed against the respective persons and property named, together with interest thereon at the rate of seven (7) per cent per annum from the 1st. day of March, A. D. 1925, shall be payable in ten equal installments,

the first of said installments to be due and payable on March 1st., A. D. 1926, and the others regularly one regularly on the 1st. day of March of each year thereafter, with the privilege to said owners to pay any of the installments before maturity upon the payment of all accrued interest, and said amounts so assessed together with interest and the cost of collection of such sums, including reasonable attorney's fees incurred, are hereby declared and ordered to be good and lawful liens upon the said respective parcels of property and a personal liability of the respective owners thereof. Such assessments and liens shall be superior to all other liens and claims except State, County and Municipal taxes.

SECTION FOUR: That ~~the~~ assignable assessment certificates evidencing said respective amounts due from said persons above named shall be issued in the name of the City of San Antonio and made payable to the order of the City of San Antonio, which assessment certificates shall be dated the 1st. day of March, A. D. 1925, and shall be in such form as provided for by the IMPROVEMENT ORDINANCE, and the amendment thereto, and shall contain an adequate description of said parcel of property assessed, together with the designation of the owner's name and all prescribed forms, recitals and requisites.

SECTION FIVE: That all other matters and proceedings shall be regulated and conducted as provided by law and by said IMPROVEMENT ORDINANCE so far as applicable hereto and that full correction of any mistake or irregularity in any of said proceedings, and re-assessment, if necessary, shall be made in case the Commissioners may deem the same necessary or proper; the Commissioners reserving the right to exercise all such powers as provided by the street improvement law and said IMPROVEMENT ORDINANCE.

SECTION SIX: This ordinance, being of urgent importance because of the need of said City to collect and use said amounts due to said City, the same shall take effect from and after its passage.

PASSED AND APPROVED this 19th day of January, A. D. 1925.

Jno. W. Tobin.  
Mayor, City of San Antonio, Texas.

ATTEST: Fred Fries.  
City Clerk.