

once proceed to re-assess against <sup>such</sup> ~~said~~ property such proportion of the costs of making such improvements as shall be proper, lawful and just, and fix a lien against such property; and such board shall have power, and it shall be its duty, by ordinance or resolution, to adopt such rules and regulations, and to make such orders as shall, in compliance with the law, provide for the correcting such mistakes and making a valid re-assessment against such property, and fix a valid lien thereon; said board shall have power and it shall be its duty to adopt such rules and regulations for a hearing to the owners of such property before such re-assessment which may be necessary or proper, in order to legally bind such owners and their property, by such re-assessment; and shall have power to adopt all other rules and regulations which may be requisite to a valid reassessment of such property. Subject to the provisions of this charter, the cost of any such improvement or improvements, after deducting the proportion of such costs as may be assessed against any railroad or street railroad, and the proportion of said costs which may have been finally assessed against against property abutting upon the street or alley or section or portion thereof, ordered to be improved and against the owners of such property, shall be borne and paid by the city.

10. In addition to the power hereby conferred <sup>upon</sup> ~~by~~ the board, by a majority vote, to order the construction of any street improvement or improvements as herein defined, and to assess the costs thereof in whole or in part against the abutting property; whenever the owners of two thirds of the front feet of property abutting upon and street, avenue or alley or section or part thereof, shall in writing petition for the improvement thereof, and shall in such petition agree to pay three fourths of the cost of such improvements in front of their respective property, and of improving intersections of streets and alleys, exclusive of such cost as is payable <sup>or</sup> under the terms hereof, by railroads and street railroads, shall generally ~~and the said board shall order the construction of such improvements~~ designate the nature of the proposed improvements; provided, only, that before a resolution ordering the said improvements shall be passed by the board, it shall be satisfied from the petition or other evidence as shall be submitted to it, that, exclusive of the cost of said improvement to be paid by said railroad or street railroad at least three fourths of the whole cost of said improvement can be secured by a valid assessment against property abutting <sup>upon</sup> the street, or alley or section or part thereof to be improved, or will otherwise be satisfactorily secured. If said petition shall specify any particular kind of material or pavement desired, then the work shall be ordered to be constructed with that material or pavement only, and bids taken accordingly; provided, that in such case the petition may stipulate the maximum cost per front foot, cubic or square yard at which the work shall be let, and no contract shall be let at a greater cost than is thus stipulated. Where improvements are ordered to be made upon such petition as provided for in this section the method of proceeding in reference thereto, and with reference of assessing the cost thereof against abutting property, shall, subject to the provisions of this section be in accordance with the terms and provisions of this article. Where improvements are to be made upon such petition as is provided for in this section the work shall not actually be begun until three fourths of the cost of said improvement, exclusive of the part of the cost to be paid by any rail roads or street railroad, shall have been assessed against the property abutting upon the public street, avenue or alley, or section or part thereof, to be improved, in the manner hereinbefore provided in this section; provided, however, that no assessment shall be made, except after the hearing hereinbefore provided, and the costs of such improvements shall be apportioned between the various abutting property owners according to the frontage of their property upon such street, avenue or alley, or section or part thereof, to be improved; provided that whenever, after such assessment the board shall be of the opinion that