

RESOLUTION NO. 307

A RESOLUTION DECLARING THE ENTIRE ASSESSMENT ACCOUNT BALANCE WITH ACCRUED INTEREST AND COSTS LEVIED ON PROPERTY IDENTIFIED IN "EXHIBIT A", BROOKINGS, CURRY COUNTY, OREGON, PRESENTLY DUE AND OWING AND ORDERING IMMEDIATE PAYMENT FROM THE OWNERS THEREOF.

WHEREAS, the City Council has authorized improvements in City property, which improvements have benefited certain property owners, by Resolution dated April 17, 1980 and by Ordinance No. 319; and

WHEREAS, the City Council has provided a method for benefited property owners to finance said improvements through Ordinance No. 319, and has sold general obligation improvement bonds, more commonly known as "Bancroft Bonds", pursuant to Oregon Revised Statutes, Chapter 223; and

WHEREAS, certain benefited property was assessed accordingly, and more specifically, property identified in "Exhibit A" and by reference incorporated herein, Brookings, Curry County, Oregon, was so benefited and assessed; and

WHEREAS, the owner of said property has applied to the City to make the assessment payment in installments, a copy of which is attached hereto, marked "Exhibit B" and by reference incorporated herein, yet has failed to make the installment payments as required, notwithstanding notice to do so by the City Finance Department, by and through the City Manager's Office; now, therefore

IT IS HEREBY RESOLVED BY THE CITY OF BROOKINGS, OREGON AS FOLLOWS:

Section 1. The entire balance of that certain assessment on real property identified in "Exhibit A", Brookings, Curry County, Oregon, is hereby accelerated and made presently due and payable. The owners of said property are ordered to pay forthwith the entire balance of the principal of said assessment, together with an amount equalling accrued interest and costs. The total sum of the amount now due and payable is the sum of Thirty-nine Thousand, Six Hundred, Forty-nine and 82/100 Dollars (\$39,649.82).

Section 2. The City staff is hereby authorized to proceed with the collection procedure, outlined in OREGON REVISED STATUTES Chapter 223, and foreclose on said property if the balance of the assessment is not paid within fourteen (14) days of service by mailing of a certified copy of this resolution upon the owners of said property. Said fourteen (14)

A RESOLUTION REGARDING THE ENTIRE ASSESSMENT ACCOUNT BALANCE WITH ACCRUED INTEREST AND COSTS DUE ON PROPERTY IDENTIFIED IN "EXHIBIT A", BROOKINGS, CURRY COUNTY, OREGON, HEREBY DUE AND OWING AND ORDERING IMMEDIATE PAYMENT FROM THE OWNERS THEREOF.

WHEREAS, the City Council has authorized improvements in City property, which improvements have benefited certain property owners, by Resolution dated April 17, 1980 and by Ordinance No. 319; and

WHEREAS, the City Council has provided a method for benefited property owners to finance said improvements through Ordinance No. 319, and has sold general obligation improvement bonds, more commonly known as "Sanborn Bonds", pursuant to Oregon Revised Statutes, Chapter 223; and

WHEREAS, certain benefited property was assessed accordingly, and more specifically, property identified in "Exhibit A" and by reference incorporated herein, Brookings, Curry County, Oregon, was so benefited and assessed; and

WHEREAS, the owner of said property has applied to the City to make the assessment payment in installments, a copy of which is attached hereto, marked "Exhibit B" and by reference incorporated herein, yet has failed to make the installment payments as required, notwithstanding notice to do so by the City Finance Department, by and through the City Manager's Office; now, therefore

IT IS HEREBY RESOLVED BY THE CITY OF BROOKINGS, OREGON AS FOLLOWS:

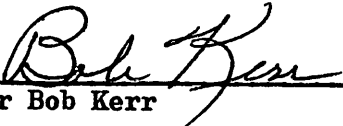
Section 1. The entire balance of that certain assessment on real property identified in "Exhibit A", Brookings, Curry County, Oregon, is hereby accelerated and made presently due and payable. The owners of said property are ordered to pay forthwith the entire balance of the principal of said assessment, together with an amount equaling accrued interest and costs. The total amount the amount now due and payable is the sum of thirty-nine thousand, six hundred, forty-nine and 82/100 dollars (\$39,649.82).

Section 2. The City staff is hereby authorized to proceed with the collection procedure, outlined in OREGON REVISED STATUTES Chapter 223, and foreclose on said property if the balance of the assessment is not paid within fourteen (14) days of service by mailing of a certified copy of this resolution upon the owners of said property. Said fourteen (14)

day period shall commence upon a deposit of a certified copy of this resolution in the mail, postage prepaid, to the last known address of the owner as stated on the application to pay in installments.

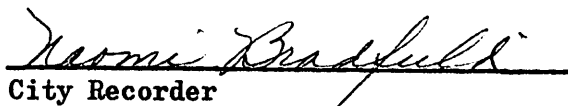
PASSED and ADOPTED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, this 13th day of July, 1982.

MAYOR:



Mayor Bob Kerr

ATTEST:



City Recorder

day period shall commence upon a deposit of a certified copy of this resolution in the mail, postage prepaid, to the last known address of the owner as stated on the application to pay in installments.

PASSED and ADOPTED by the Mayor and City Council of the City of Brookings, Curry County, Oregon, this 17th day of July, 1982.

MAYOR:



Mayor Bob Kerr

ATTEST:



City Recorder

PARCEL I:

That certain tract of land consisting of 2.41 acres, more or less, being a portion of lots 68 and 69 of the unrecorded Thornton and Ward tract, lying in the North half (N 1/2) of the North half (N 1/2) of Section Six (6), Township Forty-one (41) South, Range Thirteen (13) West of the Willamette Meridian, Curry County, Oregon, and described as follows:

Beginning at a point on the South line of Lot Sixty-eight (68), said point being South 683.1 feet and West 1154.6 feet from the Northeast corner of said Section Six (6); thence North 14° 10' East 71.5 feet; thence South 89° 20' East 109.1 feet; thence North 70° 35' East 92.0 feet; thence North 9° 20' East 229.5 feet; thence East 241.1 feet to a point on the East boundary of Lot Sixty-nine (69); thence following said lot line South 0° 32' East 332.5 feet to the Southeast corner of said lot; thence North 89° 08' West 501.22 feet to the point of beginning.

PARCEL 2:

That certain tract of land, being a portion of Lots Sixty-eight (68) and Sixty-nine (69) of the unrecorded Thornton and Ward subdivision, lying in the North one-half (N 1/2) of North one-half (N 1/2) of Section Six (6), Township Forty-one (41) South, Range Thirteen (13) West of the Willamette Meridian, more particularly described as follows:

Beginning at the Southwest corner of said lot 68, said point being South 680.66 feet and West 1311.56 feet from the Northeast corner of said Section 6; thence South 89° 08' East 163.00 feet; thence North 14° 10' East 71.50 feet; thence South 89° 20' East 109.10 feet; thence North 70° 35' East 92.00 feet; thence North 9° 20' East 229.50 feet; thence East 241.10 feet to a point on the East line of said lot 69; thence North 0° 32' West 361.07 feet to the Northeast corner of said lot 69; thence North 89° 45' 15" West 657.57 feet to the Northwest corner of lot 68; thence South 686.31 feet to the point of beginning.

"EXHIBIT B"

APPLICATION UNDER BONDING ACT

To

M. R. Archibald, Jr &
W. A. Archibald
Box AE
Brookings, OR 97415

IN THE MATTER OF CITY OF BROOKINGS NORTH SEWER DISTRICT

Improvement Resolution Dated April 17, 1980

Assessment Ordinance No. 319

To the Recorder of the City of Brookings, Oregon:

In accordance with the provisions of Chapter 223, O.R.S., as amended, I hereby make application and agree to pay my proportion of the cost of the improvement herein described as the same has been determined and assessed by the City Council of Brookings under the Ordinance No. herein given and thereafter entered in the Docket of City Liens of said City. I agree to make such payment in 40 semi-annual installments with interest thereon at the rate of ten percent (10%) per annum on all unpaid assessments for said improvement. Said interest to be paid semi-annually at the time each installment is paid, as required by the provisions of said Act.

In consideration of and pursuant to the provisions of said Chapter 223, O.R.S., as amended, I hereby expressly waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to cause the aforesaid improvement, for which this assessment is levied, to be constructed or made, and I do further waive all irregularities or defect, jurisdictional or otherwise, in the apportionment of the cost thereof.

The real property hereby assessed and the amount of the assessment are as follows: \$34,965.70

Amount of Assessment Thirty-Four Thousand Nine Hundred Sixty-Five and 70/100

Property affected by Improvement: Tax Lot # 200 Assessor's Map # 41-13-6AA

M. R. Archibald, Jr.
M. R. Archibald, Jr.

W. A. Archibald
W. A. Archibald