

RESOLUTION NO. 79

WHEREAS, Fred W. Flynn is the owner of Lots 6 and 7, Iowa Plat, in the City of Brookings, Oregon, and was the owner on February 10, 1959 and thereafter; and

WHEREAS, the Council heretofore created Assessment District No. 1 to provide sanitary sewer for the area within said district and pursuant to Ordinance No. 124 did levy an assessment in the amount of \$144.38 against Lot No. 6 in Iowa Plat and an assessment of \$190.56 against Lot No. 7 in Iowa Plat; and

WHEREAS, the said Fred W. Flynn has heretofore paid the amount of \$78.89 upon the principal and interest of said assessments; and

WHEREAS, a further investigation has established that under the existing circumstances it is impossible for the City to provide sanitary sewer from said Assessment District No. 1 for the said Lots 6 and 7 in Iowa Plat and therefore the said Lots 6 and 7 would receive no benefit from the assessment; and

WHEREAS, the Council has heretofore authorized the refund of \$78.89 to Fred W. Flynn and the transfer from the general sewer operation and maintenance fund the sum of \$284.69 to the Bancroft bond account for the cancellation of the unpaid balance of said assessments on Lots 6 and 7 in the Iowa Plat in Sewer District No. 1 and the Council desires by this resolution to ratify and confirm such action,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brookings, Oregon, in regular session this 14th day of August, 1962, that the action of the City Recorder pursuant to the previous direction of the Council in refunding to Fred W. Flynn the sum of \$78.89, representing principal and interest paid by him for assessments in Sewer District No. 1 on Lots 6 and 7 in Iowa Plat, be and the same hereby is

ratified, approved and confirmed.

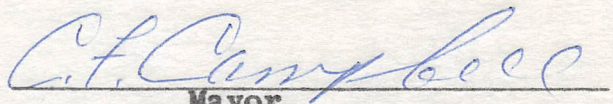
BE IT FURTHER RESOLVED that the action of the City Recorder in transferring from the general sewer construction and maintenance fund the sum of \$284.69 to the Bancroft bond account, representing the balance of the assessment on said Lots 6 and 7 in the Iowa Plat, be and the same hereby is approved, ratified and confirmed.

BE IT FURTHER RESOLVED that the action of the City Recorder in satisfying and discharging the lien from Sewer District No. 1 on Lots 6 and 7 of the Iowa Plat be and the same hereby is approved, ratified and confirmed.

BE IT FURTHER RESOLVED that this action is without prejudice to the right of the City to levy another assessment in the future upon said Lots 6 and 7 in the Iowa Plat for another sewer assessment district from which it will provide sanitary sewer service for said lots, and with the cancellation of the prior liens on said lots the City expressly and specifically reserves the right to make an assessment on said lots for sanitary service in the future.

ADOPTED by the Council of the City of Brookings, Oregon, this 14th day of August, 1962.

SUBMITTED to and approved by the Mayor of the City of Brookings, Oregon, this 14th day of August, 1962.


Mayor

ATTEST:


City Recorder

