

RESOLUTION NO. 23

WHEREAS, the City of Brookings, by Ordinance No. 92, adopted July 10, 1956, created a public improvement district known as Sanitary Sewer District No. 2 and provided for the construction of a sanitary sewer system in said District; and

WHEREAS, the Council is in doubt as to the validity of the assessments made for such work by reason of alleged defects in the procedure, including alleged defects in the notice to the property owner of the hearing on such proposed improvement and assessment; and

WHEREAS, no remonstrances sufficient in law to defeat the sanitary sewer system improvement in said District No. 2 had been duly filed prior to the making of the improvement; and

WHEREAS, it is necessary and desirable that any doubt as to the validity of such improvement assessments be removed,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brookings, Oregon, that it is in doubt as to the validity of the assessments made for the construction of a sanitary sewer system in Sanitary Sewer District No. 2 by reason of alleged defects in the notice of hearing on the proposed improvements.

BE IT FURTHER RESOLVED by the Council that it proposes to cure said alleged defects by reassessment of the property within said Sanitary Sewer District No. 2 for the construction of the sanitary sewer system in said District No. 2; that the District within which the proposed reassessment for the sanitary sewer system is contemplated is in Sections 5 and 8, Township 4 South, Range 13 West of the Willamette Meridian, located in the City of Brookings, Curry County, Oregon, and the boundaries of said District are as follows:

Beginning at a point on the Westerly line at Brookings Land & Townsite Tax Lot No. 23A, said point being North 1,211.9 feet and 1,015.1 feet East from the Southwest corner of said Section 5, said point being 140 feet South when measured at right angles from the South line at Del Norte Lane; thence West a distance of 204 feet, more or less, to a point 140 feet when measured at right angles from the West line of Oak Street extended; thence North $21^{\circ}50'$ West parallel to the West line of Oak Street a distance of 294 feet, more or less, to a point on the South line of Hemlock Street; thence North $68^{\circ}10'$ East along said South line to the Northwest corner of Lot 6 of the Woodland Park Addition; thence South $21^{\circ}50'$ East along the Westerly line of said Lot 6, 90 feet to the Northwest corner of Lot 7, Woodland Park Addition; thence North $68^{\circ}10'$ East 330 feet to the Westerly line of an alley; thence South $21^{\circ}50'$ East 50 feet along said alley line to the North line extended of Lot 9; thence North $68^{\circ}10'$ East 134 feet along said North line to the West line of Alder Street; thence South $21^{\circ}50'$ East 145.84 feet to the North line of Del Norte Lane; thence East along said North line a distance of 135 feet, more or less, to a point on the North line of Del Norte Lane and the intersection of the East line extended of Lot 6, Block 1, Coast View Subdivision; thence South along said line extended a distance of 182.50 feet to the Southeast corner of said Lot 6; thence East along the North lines of Lots 8, 9, 10 and 11, said Block 1, and parallel to Del Norte Lane a distance of 320 feet to the West line of Lot 13 of said Block 1; thence North along said West line of Lot 13 in said Block 1 a distance of 32.50 feet to the Northwest corner of said Lot 13; thence East along the North line of said Lot 13 extended a distance of 179.32 feet to the East line of Del Norte Lane; thence North $19^{\circ}30'$ West along the East line of Del Norte Lane 158.99 feet to the North line of Del Norte Lane and the initial point of Woodland Park Addition; thence East along the North line of Del Norte Lane extended 148.15 feet; thence South $19^{\circ}30'$ East 424.21 feet to the North line of Johnson Lane, Tween Points tract; thence West on said North line a distance of 18.2 feet to the East line extended of Lot 7 of Tween Points tract; thence South $19^{\circ}30'$ East along the East line of Lots 7, 6, 5, 4 and 3 of said tract parallel to Del Norte Lane a distance of 328.87 feet to the North line of Tax Lot 12; thence East along the said North line a distance of 18.08 feet to the East line of Tax Lot 12-2; thence South $19^{\circ}30'$ East along the East line of said Tax Lot 12-2 a distance of 88.21 feet to the Southeast corner of said Tax Lot 12-2; thence Southwesterly along the South line of said Tax Lot 12-2 a distance of 10 feet; thence South $19^{\circ}30'$ West a distance of 165.76 feet to the North line of Tax Lot 12-A; thence South $84^{\circ}52'$ East along the North line of said Tax Lot 12-A a distance of 10.10 feet; thence South $19^{\circ}30'$ East a distance of 640 feet, more or less, to the South line of Tax Lot 10-C; thence along said South line of Tax Lot 10-C a distance of 147.36 feet to the East line of Del Norte Lane; thence South $19^{\circ}30'$ East 52.91 feet to the intersection of the South line of Memory Lane with the East line of Del Norte Lane; thence East along said South line of Memory Lane a distance of 68 feet, more or less, to the East line of Tax Lot 9-E; thence South $8^{\circ}10'$ West along said East line of Tax Lot 9-E a distance of 141.42 feet; thence West 140 feet from and parallel to Memory Lane a distance of 1994.71 feet, more or less, to the East line of Lot 9 of the Twohy Tract; thence North along said East line 17.44 feet to the centerline of a Utility Strip in said Twohy Tract; thence along said centerline West 430.42 feet to the Southwest corner of Lot 19 of the Twohy Tract; thence North to the Northwest corner of said

Lot 19; thence Northwest to the Southwest corner of Lot 22, said tract; thence North to the Northwest corner of said Lot 22; thence East to a point which is due South from the Southeast corner of Lot 24, said tract; thence North to the Northeast corner of said Lot 24; thence Easterly to a point on the Easterly line of Memory Lane, said point being 140 feet North from the North line extended of the due East-West portion of said Memory Lane; thence East parallel to Memory Lane a distance of 954 feet, more or less, to a point which is 140 feet West of the West line of Alder Street extended; thence North parallel to said Alder Street a distance of 1087.95 feet; thence West a distance of 124 feet, more or less, to the West line of Tax Lot 23-A; thence Northwesterly along said West line 126 feet, more or less, to the place of beginning.

BE IT FURTHER RESOLVED by the Council that the City Works Superintendent of Brookings be and he hereby is authorized and directed to prepare a proposed reassessment of the property included within the said Sanitary Sewer District No. 2 above described for the said sanitary sewer system and file said proposed reassessment in the office of the City Recorder of Brookings on or before the 3rd day of October, 1956. Such proposed reassessment shall be fair, just and reasonable and shall be based upon the special and peculiar benefit of the sanitary sewer system in said District No. 2 to the respective lots and properties at the time of the original making of the improvement.

BE IT FURTHER RESOLVED that a hearing shall be held by the Council in the City Council Room at the City Hall in Brookings, Oregon, at the hour of 7 o'clock p.m. on the 8th day of November, 1956, to hear any written objections which may be filed in accordance with law to said proposed reassessment of the cost of said sanitary sewer system in Sanitary Sewer District No. 2, and to hear other objections.

BE IT FURTHER RESOLVED that the City Recorder shall cause to be published in the Brookings-Harbor Pilot a notice of the filing of the proposed reassessment and of the hearing thereon as provided in Section 223.430, Oregon Revised Statutes, and that the City Recorder shall further mail the notice provided

in Section 223.435, Oregon Revised Statutes.

ADOPTED by the Council of the City of Brookings, Oregon,
this 25th day of September, 1956.

SUBMITTED to and approved by the Mayor of the City of
Brookings, Oregon, this 25th day of September, 1956.

Byron L. Brunson
Mayor

ATTEST:

Mae D. Smith.
City Recorder

