

ORDINANCE NO. 153

AN ORDINANCE CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF BROOKINGS, CURRY COUNTY, OREGON, TO BE KNOWN AS SANITARY SEWER DISTRICT NO. 10, DESIGNATING THE PROPERTY TO BE SPECIALLY BENEFITED BY SAID SANITARY SEWER, LEVING A SPECIAL ASSESSMENT UPON SAID PROPERTIES AND PROVIDING THE THE PAYMENT OF THE COST OF SAID SEWER IMPROVEMENT, AND DECLARING AN EMERGENCY.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

SECTION 1: Pursuant to Resolution No. 54 of the City of Brookings, passed May 24, 1960, there was thereafter and on June 1st, 1960, filed with the City Recorder the report of Engineer Erichsen, which report was filed in conformity with the provisions of the ordinances of the City of Brookings, The City Recorder, following the filing of such Engineer's report, gave due and regular notice of the hearing on such report, and said hearing was held pursuant to said notice by the Council of the City of Brookings in the Council Room in the City Hall in Brookings, Oregon, on June 14, 1960, beginning at the hour of 8 o'clock p. m. The Council, having considered the Engineer's report and the written and oral objections to said report submitted at the hearing on June 14, 1960; and a subsequent meeting on June 28, 1960, did adopt the report. The Council, having adopted the report, does hereby determine in its judgment that the assessments on the respective properties as hereafter set forth in this ordinance are reasonable and just and constitute a fair, just and proper assessment of the benefits to the properties to be served by said sewers and properties especially benefited thereby.

SECTION 2: The Council therefore does determine that there shall be created a public improvement district for the construction of a sanitary sewer therein, which district shall be known as Sanitary Sewer District No. 10, which district includes all of the real property lying within the boundaries of said district. The said district is located in the City of Brookings, Curry County, Oregon, and the boundaries of the district are described as follows:

LEGAL DESCRIPTION OF SEWER DISTRICT NO. 10

The following land in Section 1, Township 41 South, Range 14 West, W. M., and in Section 6, Township 41 South, Range 13 West, W. M., in the City of Brookings, Curry County, Oregon; the boundaries of said land being described as follows:

Beginning at the point of intersection of the West line of the Southeast Quarter of the Northwest Quarter of said Section 6 and the South line of that certain street known as Easy Street, said point also being the Northeast corner of Tax Lot 2700-41-13-6BC;

Thence following the East line of said Tax Lot 2700-41-13-6BC, South 361.70 feet to the Northeast corner of Tax Lot 2400-41-13-6BC;

Thence following the Northerly boundaries of said Tax Lot 2400-41-13-6BC, Tax Lot 2500-41-13-6BC and Tax Lot 2600-41-13-6BC to the most North corner of Tax Lot 2600-41-13-6BC;

Thence Southwesterly following the Westerly boundary of said Tax Lot 2600-41-13-6BC, South $49^{\circ}10'$ West 232.20 feet to a point on the Northerly right-of-way line of U.S. Highway No. 101, said point being the most West corner of said Tax Lot 2600-41-13-6BC;

Thence Southeasterly across said U. S. Highway No. 101 to a point on the Southerly right-of-way line of said U. S. Highway 101, said point being the Northeast corner of Tax Lot 1700-41-13-6BC;

Thence following the Southerly boundary of said Tax Lot 1700-41-13-6BC South $64^{\circ}05'$ West 150.00 feet;

Thence Southeasterly across Tax Lot 1900-41-13-6BC to the Northwest corner of Tax Lot 2000-41-13-6BC;

Thence South 105.10 feet to the Southwest corner of said Tax Lot 2000-41-13-6BC;

Thence East 239.30 feet;

Thence South $58^{\circ}30'$ East 76.00 feet to the Southeast corner of Tax Lot 2300-41-13-6BC;

Thence Southeasterly across Tax Lot 2200-41-13-6BC to the Northwest corner of Tax Lot 100-41-13-6CB;

Thence East 110.00 feet to a point on the West line of that certain lane known as Arnold Lane;

Thence Southeasterly across said Arnold Lane to a point on the East line of said Arnold Lane, said point being 150.00 feet, when measured at right angles, from the said Southerly right-of-way line of U. S. Highway No. 101;

Thence Southeasterly following a line that is 150.00 feet from and parallel to the said Southerly right-of-way line to a point on the West line of Tax Lot 3400-41-13-6BD;

Thence following said West line South to a point which is due West 202.90 feet from the Southwest corner of Tax Lot 3200-41-13-6BD;

Thence East 202.90 feet to the Southwest corner of said Tax Lot 3200-41-13-6BD;

Thence South $5^{\circ}11'$ East 120.50 feet to a point on the East-West center line of said Section 6;

Thence following said East-West center line East to its intersection with the Westerly line of that certain road known as Mill Beach Road;

Thence Southeasterly across said Mill Beach Road to a point on the Easterly line of said Mill Beach Road, said point being 150.00 feet, when measured at right angles, from the said Southerly right-of-way line of U.S. Highway 101;

Thence Southeasterly following a line that is 150.00 feet from and parallel to the said Southerly right-of-way line to a point on the Easterly line of Tax Lot 200-41-13-6D;

Thence Southwesterly to the Southeast corner of said Tax Lot 200-41-13-6D;

Thence Northwesterly to the Southwest corner of said Tax Lot 200-41-13-6D, said Southwest corner being on the Easterly line of said Mill Beach Road;

Thence following the variable bearings of the said Easterly line of Mill Beach Road Southerly to a point due East from the Southeast corner of Tax Lot 100-41-13-6CD;

Thence West across said Mill Beach Road to the said Southeast corner of Tax Lot 100-41-13-6CD;

Thence continuing West 398.50 feet;

Thence South 102.90 feet;

Thence West across said Tax Lot 100-41-13-6CD to the ordinary high tide line of the Pacific Ocean;

Thence Northwesterly following the said ordinary high tide line to its intersection with the Northerly line of Tax Lot 700-41-14-1AA;

Thence North $59^{\circ}00'$ East following the said Northerly line of Tax Lot 700-41-14-1AA to a point on the said Southerly right-of-way line of U. S. Highway 101;
 Thence continuing North $59^{\circ}00'$ East across said U. S. Highway No. 101 to a point on the said Northerly right-of-way line of U. S. Highway No. 101;
 Thence Northwesterly following the said Northerly right-of-way line of U. S. Highway No. 101 to a point due West from the Northwest corner of Tax Lot 700-41-13-6BB;
 Thence East across Tax Lot 100-41-14-1AA to the said Northwest corner of Tax Lot 700-41-13-6BB;
 Thence East to the Northeast corner of said Tax Lot 700-41-13-6BB;
 Thence continuing East across Tax Lot 600-41-13-6BB and Tax Lot 500-41-13-6BB to a point on the West line of Tax Lot 400-41-13-6BB;
 Thence South to the Southwest corner of said Tax Lot 400-41-13-6BB;
 Thence South $89^{\circ}45'15''$ East 330.00 feet to the Southeast corner of said Tax Lot 400-41-13-6BB;
 Thence Southeasterly across Tax Lot 1000-41-13-6BA to the most West Southwest corner of Tax Lot 1100-41-13-6BA;
 Thence East to the most East Northeast corner of said Tax Lot 1000-41-13-6BA;
 Thence South to a point which is due West from the Northwest corner of Tax Lot 1200-41-13-6BA;
 Thence East to the Northwest corner of said Tax Lot 1200-41-13-6BA;
 Thence South $89^{\circ}45'15''$ East to the Southeast corner of said Tax Lot 1100-41-13-6BA;
 Thence North following the West line of Tax Lot 1400-41-13-6BA to the Northwest corner of said Tax Lot 1400-41-13-6BA;
 Thence North across Tax Lot 898-41-13-6BA to a point on the North line of said Tax Lot 898-41-13-6BA;
 Thence North across a 40.00 foot roadway commonly known as Second Street to a point on the South line of Tax Lot 899-41-13-6BA;
 Thence North across said Tax Lot 899-41-13-6BA to a point on the North line of said Tax Lot 899-41-13-6BA, said North line also being the North line of said Section 6;
 Thence following the said North line of Section 6 South $89^{\circ}45'15''$ East to the Northeast corner of Tax Lot 300-41-13-6BA;
 Thence South following the East line of said Tax Lot 300-41-13-6BA to the Southeast corner of said Tax Lot 300-41-13-6BA, said Southeast corner being on the Northerly line of that certain avenue known as Ransom Avenue;
 Thence Southwesterly across said Ransom Avenue to the Northeast corner of Tax Lot 2500-41-13-6BA;
 Thence South following the East line of said Tax Lot 2500-41-13-6BA to the Southeast corner of said Tax Lot 2500-41-13-6BA;
 Thence West to the Southwest corner of said Tax Lot 2500-41-13-6BA, said Southwest corner being on the East line of that certain street known as Third Street;
 Thence West across said Third Street on the West line of said Third Street, said point being South 120.75 feet from the Northeast corner of Tax Lot 2200-41-13-6BA;
 Thence West across said Tax Lot 2200-41-13-6BA and Tax Lot 1500-41-13-6BA to a point on the East line of that certain street known as Second Street;
 Thence Southwesterly across said Second Street to the Southeast corner of Tax Lot 3500-41-13-6BB;
 Thence West following the South line of said Tax Lot 3500-41-13-6BB to the Southwest corner of said Tax Lot 3500-41-13-6BB;
 Thence South to a point on the North line of Tax Lot 2500-41-13-6BB;
 Thence West to the Northwest corner of said Tax Lot 2500-41-13-6BB;
 Thence South to the Northwest corner of Tax Lot 2600-41-13-6BB;
 Thence East following the North line of said Tax Lot 2600-41-13-6BB a distance of 66.80 feet;
 Thence following a 30.00 foot radius curve left to a point on the East line of said Tax Lot 2600-41-13-6BB, said point being North 120.00 feet from the Southeast corner of said Tax Lot 2600-41-13-6BB;
 Thence South 120.00 feet to the Southeast corner of said Tax Lot 2600-41-13-6BB, said Southeast corner being on the North line of that certain street known as Easy Street;
 Thence South across said Easy Street to a point on the South line of said Easy Street;
 Thence following said South line East 240.00 feet, more or less, to the point of beginning.

Section 3: The Council hereby determines that the properties to be specially benefited by said public improvement by the construction of a sanitary sewer system within said Sanitary Sewer District No. 10, together with the description of said properties, the name of the owner of record or contract owner thereof and the amount of the special assessment to be made against each property for the special benefits received by said property are as follows, and the Council does hereby levy and impose a special assessment in said amount on the properties as hereinafter described and set forth:

CITY OF BROOKINGS
Sewer District No. 10

All in Township 41 South, Range 13 West, W.M., 41 South, Range 14 West, W. M.

Tax Lot Map Sym.	Tax Lot No.		Area of Prop. Sq. Ft.	Area in Easement 10 ² Ft. Strips	Net Ass ^{bl.} Area of Property sq. Ft.	Total Assessment
T 41 S.R. 14 W.						
<u>In Section 1</u>						
AA	700	F. Flynn & D. Salisbury	25,554			\$ 817.73
AA	800	Sch Dist 176	13,430			429.76
AA1	100	Norman Yock	44,712			1,590.78
<u>In Section 6</u>						
BC	1001	W. L. Crissey	20,907	1,400	19,507	669.02=
	200	" " "	7,902	519	7,383	251.86
	300	C. F. Campbell	6,808	750	6,158	217.86
	400	same	13,436			429.95
	500	E & M Smith	15,085			482.72
	600	L. Redfield & Weber	19,138			612.42
	700	Al Rasmussen	18,775			600.80
	800	F. & E. Arrell	53,031	1,434	51,597	1,696.99
	900	Brookings Enterprise	22,315			714.08
	1000	W. L. Crissey	15,919			509.41
	1100	Ken Radford	8,000			256.00
	1200	W. L. Crissey	15,254			488.13
	1300	Brookings Entr.	4,675			149.60
	1400	Same	137,379	2,554	134,825	4,396.13
	1500	Same	54,616	1,432	53,184	1,747.71
	1600	Kalberen Hotel Supply	44,111	1,123	42,988	1,411.55
	1700	Doyle Harroun	13,000			416.00
	1900	Dorothy Stoker	25,930	2,431	23,499	829.76
	2100	Kalberen Hotel Supply	83,420	4,290	79,130	2,669.44
	2200	Leo Pfeil	104,740	2,000	102,740	3,351.68
	2700	Voice of Prophecy	219,583			7,026.66
CB	100	Marjorie Moore	12,000			384.00
	200	D. B. Allsup	18,000			576.00
	300	W. W. McNass	22,800			729.60
	400	Newton Kilpatrick	36,000			1,152.00
	401	John Ankrom	10,800			345.60
	500	H. & C. Yost	10,800			345.60
	600	M. & M. Pate	10,800			345.60
	700	J. & H. Barkley	10,800			345.60
	800	A. B. & L. Thomas	29,450			942.40
	801	D. & N. Jeffries	8,550			273.60

Tax Lot Map Sym.	Tax Lot No.	Name	Area of Prop. Sq. Ft.	Area in Easement 10 [±] Ft. Sq. Ft.	Net Ass [±] bl. Area of Property Sq. Ft.	Total Assessment
	900	Edith S. Taylor	49,980	2,043	47,837	1,599.36
	1000	M. J. & A. A. Clemens	17,070	1,022	16,048	546.24
	1100	E.&M. Smith	21,283	1,022	20,261	681.06
	1200	H.W. & C. R. Gustin	10,788			345.22
	1300	H. E. Mosier	21,600			691.20
	1400	Marcella Pate, Jr.	10,800			345.60
	1500	Lydia Martin	10,800			345.60
	1600	Marcelles & M. Pate	10,800			345.60
	1700-	Floyd Kilpatrick	89,460			2,862.72
CB	1800	M. E. Dixon	69,405			2,222.96
	1900	Rodney Rush	14,257			456.22
	2000	May R. & M. E. Dixon	8,140			260.48
	2100	Jack & May Lone	14,972			479.10
	2200	M. J. Clemens	10,387			332.38
	2300	M. E. Dixon	26,932			861.82
	2301	Louis Sidle	6,615-			211.68
	2400	Glen & Enid Hurst	6,615			211.68
	2500	M. E. Dixon	6,615			211.68
	2600	Raymond Reekman	6,615			211.68
	2700	M. E. Dixon	7,245			321.84
	2701	C. C. & Ione Dixon	6,300			201.60
	2800	C. C. & Ione Dixon	6,300			201.60
	2900	Vallon W. & Lorene McGinnis	6,562			209.98
	3000	Wendall L. Frasier	7,600			243.20
	3100	Chester Smith	7,600			243.20
	3200	Eldon E. & Coletta M. Hoskin	7,600			243.20
	3300	James & Patricia Widmer	7,600			243.20
	3400	Kenneth Erb	7,600			243.20
	3500	Mathews Bros.	7,600			243.20
	3600	Roderick Herrmann	7,600			243.20
	3700	Mathews Bros	15,200			486.40
	3701	Ralph Train	7,600			243.20
	3800	Everett Corey	8,788			281.22
	3900	Lloyd & Myrtle Bunnell	18,061	975	17,086	577.95
	4000	Mathews Bros.	15,400			492.80
	4001	Fauerso-Lesmeister Insu.Ag.	7,700			246.40
	4002	Mathews Bros.	7,700			246.40
	4003	Dorothy Powell	7,700			246.40
	4004	Marion & Marcille Comfort	7,700			246.40
	4005	Virgil Goldsberry	7,700			246.40
	4100	Leslie H. & Marine A. Kruger	7,700			246.40
	4200	Calvin Meek	7,700			246.40
	4300	Lenn Mackey	7,700			246.40
	4400	Jack Smith	7,700			246.40
	4500	Jack Smith	16,100			515.20
	4600	Elwood H. & Stotenberg Estate	14,000			448.00
	4700	E. R. Stevers	16,125	750	15,375	516.00
	4800	Eugene B. & Lilly Johnson	129,580	6,027	123,553	4,146.56
	4900	Harry Z. Smith	34,057	2,843	31,214	1,089.82
	5000	Glen & Enid Hurst	39,160			1,253.12
	5100	W. H. & Helen Shaw	12,600			403.20
	5200	James Collis	11,937			381.98
	5299	James Collis	13,230			423.36
	5300	Ben Franklin Jr. & Erin	24,248			775.94
	5400	James Collis	23,558			753.86
	5500	Mary Smith	18,266			584.51
	5600	Erskin Miller	12,430			397.76
	5700	Morris Miller	7,590			242.88
	5800	Percy & Connie Evans	11,325			362.40
	5900	Alden Loring	15,029			480.93
	6000	D. L. Hurst	7,980			255.36
	6100	John Hagan	18,386			588.35

Tax Lot Map Sym.	Tax Lot No.	Name	Area of Prop. Sq. Ft.	Area in Easement 10' Ft. Sq. Ft.	Net Ass ^{bl} . Area of Property Sq. Ft.	Total Assessment
41-13-6	6200	Forest Hysom	30,631	1,450	29,181	980.19
	6300	Erskin & Bernice S. Miller	2,100			67.20
	6400	Everett Corey	14,343			458.98
CA	100	Elmer Bankus	1,242			39.74
	200	James J. & Dixie Lee Washburn	9,984			319.49
	200	Fred & May Blunt	44,979			1,439.33
	300	Lyle Vaughn	102,590			3,282.88
	400	Ira Brown (Orin Watson)	13,343			426.98
	500	Rolf & Zelma Jensen	62,432			1,997.82
	600	James Fifield	84,480			2,703.36
	700	Earl Darrow (Ken Taylor)	8,040			257.28
	800	Ken Taylor	3,752			120.06
	801	Crump	4,288			137.22
	900	Oscar Crump	8,040			257.28
	1000	Ernest Turner	8,040			257.28
	1100-	Alfred Botzek	8,040			257.28
	1200	Nazarene Church	39,000			1,248.00
	1300	Le Roy Weideman	705,805	128,588	577,317	22,585.76
	1400	Clarence Powell	39,885-	2,013	38,872	1,276.32
	1500	Paul Fauerso	51,942	1,935	50,007	1,662.14
	1600	Clifford Linkskong	40,596	1,295	39,301	1,299.07
CD	100	Erskine Miller	113,915			3,645.28
	200	Peter O. & Pearl Pederson	15,820			506.24
BD	3300	Arthur Evans	84,128			2,692.10
	3400	Harvey & Elsie Foster	25,068			802.18
BA	300	H. Iran & Lucille Smith	228,093	27,376	200,717	7,298.98
	400	Alvin & Ruth Sawyer	219,847			7,035.10
	500	George Wayt	81,456			2,606.59
	600	William Hoff	20,930			669.76
	700	Henry La Barge	10,920			349.44
	898	Andrew Potocnick	6,802			217.66
	899	Andrew Potocnick	16,791			537.31
41-13-6	1000	Alvin & Ruth Sawyer	31,339			1,002.85
	1200	Lawrence Carl Clark	8,372			267.90
	1300		9,350	1,100	8,250	
	1400	Lawrence O. Beardiew	43,258			1,384.26
	1500	Emil Tantare	58,759			1,880.29
	2200	Nick Baungartner	35,051			1,121.63
	2300	Ernest & Lottie L. Clark	9,420			301.44
	2400-	J. W. Welch	12,950			414.40
	2500	Fred Wertall	56,015			1,792.48
BB	100	Gomer & Shirley Rettke	11,500			368.00
	200	Margaret Lindsey	53,699	1,179	52,520	1,718.37
	201	Noris E. & Deloras Anderson	7,490	535	6,955	239.68
	300	Maurice & Alys Clemens	11,900			380.80
	500	Ira E. Brown	142,560			4,561.92
	600	Freida Ransom	141,616			4,531.71
	700	Wallace Ransom	86,840			2,778.88
	800	N. F. German	14,976			479.23
	900	Robert A. Henderson	11,836			378.75
	1000	H. Ivan Smith	13,515			432.48
	1100	Walter & Vera Pifer	25,655			820.96
	1200	Ivan & Lucille Smith	16,863			539.62
	1300		54,150			1,732.80
	1400	W. L. & Millie Crissey	85,740			2,743.68
	1500	Lee & Mary English	140,147			4,484.70
	1600	Marguerite Clare	76,243			2,439.78
	1700	Alfred & Ramona Jacobsen	43,554			1,393.73
	1800	Jesse Portouw	19,170			613.44
	1900	Lewis & Lillian Leiter	24,390			780.48
	2000	Edward Heikla=	12,891			412.51
	2001	Elmer Tantare	13,068			418.18
	2100	John A. Smith	13,068			418.18
	2200	Joseph & Gladys Kanich	12,891			412.51
	2300	Ralph C. & Florence E. Mawick	14,070			450.24
	2400	Joseph & Gladys Kanick	14,070			450.24

Tax Lot Map -----Sym.	Tax Lot No.	Name	Area of Prop. Sq. Ft.	Area in Basement 10 ² Ft. Sq. Ft.	Net Ass ^{tbl.} Area of Property Sq. Ft.	Total Assessment
	2600	Allen M. Crosby	14,070			450.24
	3100	Lewis Leiter	4,995			156.96
	3500	John & Teddy Ebinger	21,880			700.16
	3600	Edward Grootendorst	43,577			1,394.46
			<u>1,410,848</u>	<u>2,814</u>		
			2,221,986	162,657		
			685,546	10,595		
			<u>1,405,296</u>	<u>21,920</u>		
			<u>5,723,676</u>	<u>197,986</u>	5,526,490	
						<i>182,647.47</i>

Section 4: The City Recorder shall enter upon the lien docket of the City of Brookings, Oregon, each tract and parcel of the above described property, together with the area thereof in square feet and the name of the owner thereof and the amount of the special assessment levied thereon by this ordinance. Each such special assessment levied by this ordinance. Each such special assessment levied by this ordinance shall become, upon the entry thereof by the City Recorder as herein set forth and provided, immediately due and payable and shall be a lien and charge upon the respective lots, tracts and parcels of real property against which the same are levied and assessed. Each and every lien so entered by the City Recorder shall be prior to all other liens, except as otherwise provided by law. Interest shall be charged at the rate of 6% per annum until paid on all amounts not paid within thirty days from the date of entry of said lien. The City of Brookings may proceed to foreclose as delinquent any lien not paid thirty days after the same shall have been entered in the city lien docket.

Section 5: Any improvement warrants issued by the City of Brookings evidencing indebtedness for the construction of such sanitary sewer system within Sanitary Sewer District No. 10 shall be general obligation improvement warrants of the City of Brookings, as provided in Sections 287.502 to 287.510, inclusive, Oregon Revised Statutes Annotated. Said warrants shall bear interest at 6% per annum.

Section 6: Whereas, there is now no provision for public sanitary sewer facilities within the said Sanitary Sewer District No. 10 and there is a continuing need for the immediate installation of sanitary sewer system within said district and in the interest of the public peace, health and safety of the City of Brookings and the inhabitants thereof said sanitary sewer should be

installed with as little delay as possible, an emergency is hereby declared to exist and this ordinance may be put upon all of its readings and placed upon its final passage at any one meeting of the Council and shall be in full force and effect from and after its passage by the Council and approval by the Mayor.

PASSED by the Council of the City of Brookings, Oregon, this 12th day of July, 1960.

SUBMITTED to and approved by the Mayor of the City of Brookings, Oregon, this 12th day of July, 1960.



Mayor

ATTEST:



City Recorder

