

ORDINANCE NO. 143

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF BROOKINGS IMPROVEMENT BONDS IN THE SUM OF \$48,073.50, PROVIDING AND APPROVING THE FORM OF THE BONDS TO BE ISSUED AND THE COUPONS TO BE ATTACHED THERETO, PROVIDING FOR THE ADVERTISEMENT AND SALE OF SAID BONDS, AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Brookings has heretofore proceeded to have installed certain sewers and make certain street improvements in said City, including paving, and has duly assessed the cost of such improvements to the property benefited thereby or liable therefor according to the provisions of the Charter and the ordinances of said City; and

WHEREAS, the owners of the property so assessed for such street improvements in the amount of \$25.00 or more, aggregating in all the sum of \$48,073.50, have filed with the City Recorder written applications to pay said assessments in installments, and each and all of which written applications did state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve the street or sewer for which assessment is levied and in the apportionment of the cost thereof; and

WHEREAS, each and all of said applications contained the provision that the applicant and property owner agrees to pay said assessment in twenty-semi-annual installments with interest at the rate of 6% per annum on all of said installments which have not been paid; and

WHEREAS, each and all of said applications did contain the statement by lots or blocks or other convenient description of the property of the applicant assessed for such improvements; and

WHEREAS, in no application received as aforesaid did the

amount of said assessment, including all unpaid assessments or previously bonded liens, equal or exceed double its assessed valuation as shown by the last tax roll of Curry County, Oregon; and

WHEREAS, the City Recorder has kept all such applications in convenient form for examination, that is to say, the applications reserved for each street and sewer improvement have been kept separate; and

WHEREAS, the City Recorder has entered in a book kept for that purpose under separate heads for each street and sewer improvement the date of filing of each application, the name of the applicant, description of the property and the amount of the assessment as shown in the application; and

WHEREAS, after the expiration of the time for filing applications for the payment of assessments for said improvements by installments, as provided by law, the City Recorder did enter in a docket kept for that purpose under separate heads for each improvement district by name and number a description of each lot or parcel of land or other property against which such assessments is made which bears or is chargeable for the cost of such improvement, with the name of the owner and the amount of such unpaid assessment.

NOW, THEREFORE, THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1: That the City of Brookings issue bonds in the name of and under the corporate seal of said City in the denomination of \$1,000.00 each, except for one odd bond for \$73.50, and in all equal to the total amount of the unpaid assessments for such improvements and for which applications to pay under the provisions of law have been duly filed, as shown by the bond lien docket, to-wit: in the amount of \$48,073.50, all of said bonds in the amount of \$1,000.00,

each to be numbered consecutively from 2 to 49, both numbers inclusive, and one of said bonds in the amount of \$73.50 to be numbered 1, said bonds to bear the date of December 1, 1959, and to be signed by the Mayor and countersigned by the City Recorder of the City of Brookings, and the corporate seal to be affixed thereto, and said bonds shall, by the terms thereof, mature serially in numerical order as follows:

Nos. 1 to 5 inclusive on December 1, 1960  
Nos. 6 to 9 inclusive on December 1, 1961  
Nos. 10 to 14 inclusive on December 1, 1962  
Nos. 15 to 19 inclusive on December 1, 1963  
Nos. 20 to 24 inclusive on December 1, 1964  
Nos. 25 - 29 inclusive on December 1, 1965  
Nos. 30 - 34 inclusive on December 1, 1966  
Nos. 35 - 39 inclusive on December 1, 1967  
Nos. 40 - 44 inclusive on December 1, 1968  
Nos. 45 - 49 inclusive on December 1, 1969

The bonds shall bear interest at not to exceed 6% interest per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, which coupons shall have the signatures of the Mayor and City Recorder of the City of Brookings lithographed or engraved thereon. The bonds, together with the interest thereon, shall be payable at the office of the City Treasurer of the City of Brookings and shall be known as "City of Brookings Improvement Bonds, Series of 1959."

Section 2: That the bonds hereby authorized and the coupons attached thereto shall be in substantially the following form:

No. \_\_\_\_\_ \$1,000.00

UNITED STATES OF AMERICA  
STATE OF OREGON  
COUNTY OF CURRY

CITY OF BROOKINGS IMPROVEMENT BOND  
SERIES OF 1959

KNOW ALL MEN BY THESE PRESENTS, That the City of Brookings

In the County of Curry, State of Oregon, for value received, hereby agrees and promises to pay to the bearer the sum of

ONE THOUSAND DOLLARS

in lawful money of the United States on the presentation and surrender of this obligation on the 1st day of December, 19\_\_\_, without grace, with interest thereon from the date hereof at the rate of \_\_\_ percent (\_\_\_%) per annum, payable semi--annually on the first days of June and December of each year on the presentation and surrender of the proper coupons hereto annexed, principal and interest payable at the office of the Treasurer of the City of Brookings, Oregon.

All of said bonds which mature after December 1, 1964 shall be subject to call and redemption on December 1, 1964 and on any interest paying date thereafter.

This bond is one of a series of bonds authorized by and under the provisions of the Charter of said City and Chapter 223, Oregon Revised Statutes, as amended, providing for the issuance of bonds for street and sewer improvements and for the payment of the costs of such improvements and is an obligation of the City of Brookings, as aforesaid, and it is further certified that all the requirements of law have been fully complied with by the proper officials in the issuance of this bond.

For the fulfillment of the conditions of this obligation, the full faith and credit of the City of Brookings are hereby irrevocably pledged.

IN WITNESS WHEREOF, this bond has been signed by the Mayor and countersigned by the City Recorder of the City of Brookings, and the corporate seal of said City hereto affixed this 1st day of December, 1959.

\_\_\_\_\_  
Mayor

Countersigned:

\_\_\_\_\_  
City Recorder

(COUPON)

No. \_\_\_\_\_ \$ \_\_\_\_\_

THE CITY OF BROOKINGS, STATE OF OREGON, will pay to the  
bearer on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_  
\_\_\_\_\_ DOLLARS

in lawful money of the United States at the office of the  
City Treasurer of the City of Brookings, Oregon, being six  
months' interest on Improvement Bond No. \_\_\_\_\_, Series of  
1959, dated December 1, 1959.

Countersigned: \_\_\_\_\_ Mayor

\_\_\_\_\_  
City Recorder

This bond, if it matures after December 1, 1964, is  
subject to call and redemption on December 1, 1964 and  
on any interest paying date thereafter.

Section 3: In the coupons maturing after December 1,  
1964 there shall be a provision making the coupon void if  
the bond is redeemed prior to the maturity date of such  
coupon.

Section 4: The City Recorder is hereby authorized and  
instructed to advertise said bonds for sale at the Council  
meeting to be held on the 10th day of November, 1959, by ad-  
vertisement thereof in the Brookings-Harbor Pilot once each  
week for two weeks prior to said date of sale.

Section 5: Whereas, the Council of the City of Brookings  
has heretofore found that the making of said improvements are  
necessary for the peace, health and safety of the City of  
Brookings and the inhabitants thereof and has let contracts  
for the performance of said work with private contractors and  
a substantial portion of said work has been completed, and it  
is necessary that funds be provided for payment for said work,



NOW, THEREFORE, an emergency is hereby declared to exist and this ordinance may be put through all 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 13th day of October, 1959, by the following vote:

YEAS Councilmen Hein, Hanks and Phettenlace and Mayor Pro-Tem Goetz

NAYS None

ABSENT None

SUBMITTED to and approved by the Mayor of the City of Brookings this 13th day of October, 1959.

Gordon G. Goetz  
Mayor Pro-Tem

ATTEST:

Bernice M. Middleton  
City Recorder

