

ORDINANCE NO. 121

AN ORDINANCE CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF BROOKINGS, OREGON, TO BE KNOWN AS SANITARY SEWER DISTRICT NO. 8, DESIGNATING THE PROPERTY TO BE SPECIALLY BENEFITED BY SAID SANITARY SEWER, LEVYING A SPECIAL ASSESSMENT UPON SAID PROPERTIES AND PROVIDING FOR 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. 37 of the City of Brookings passed August 12, 1958, there was thereafter and on August 21, 1958 filed with the City Recorder the report of Engineer Erichsen, which report was filed in conformity with the provisions of Section 1 of Ordinance No. 48, 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 September 9, 1958 beginning at the hour of 8:30 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 September 9, 1958, and having made some changes in the Engineer's report and in the proposed district as a result of the objections, did adopt the report as amended. The Council, having adopted the report as amended, does hereby determine in its judgment that the assessments on the respective properties as changed by Council action and 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 the 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. 8, which district includes all of the real property lying within the boundaries of the 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:

The following lands all in Section 6, Township 41 South, Range 13 West of the Willamette Meridian, in the City of Brookings, Curry County, Oregon, the boundaries of said lands 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 Easy Street, a City of Brookings Street, said point being the Northwest corner of Tax Lot 14 in the said Southeast Quarter of the Northwest Quarter; thence following the West line of said Tax Lot 14 South 150 feet; thence East 310 feet to a point on the West line of Tax Lot 15A; thence following the West line of said Tax Lot 15A South to the Southwest corner of said Tax Lot 15A; thence East 80 feet to the Northeast corner of Tax Lot 15; thence South to the Northwest corner of Tax Lot 23; thence following the North line of said Tax Lot 23 East 386.2 feet to the Southwest corner of Lot 6 of the Aldrich Manor Tract; thence Northeasterly across said Lot 6 to the Southeast corner of Lot 5 of said tract; thence Southeasterly to the Southwest corner of Lot 1 of the Elizabeth Tract; thence following the South line of said Lot 1, 110 feet to the Southeast corner of said Lot 1; thence North 63 feet to the Southwest corner of Lot 3 of said tract; thence following the South line of said Lot 3 East 107 feet to the Southeast corner of said Lot 3, said corner being on the West line of Richard Street in the said tract; thence following said street line North to a point which is West from the Southwest corner of Lot 6 of said tract; thence East 40 feet to the Southwest corner of said Lot 6; thence following the South line of said Lot 6 East 58 feet to the Southeast corner of said Lot 6; thence following the East line of said Lot 6 North 114 feet to the Northeast corner of said Lot 6, said corner being on the South line of Easy Street; thence Northwesterly to the Southeast corner of Lot 96A of the Thornton and Ward Subdivision, said corner being on the North line of Easy Street; thence following the South line of Lot 96 of said Subdivision North $89^{\circ}22'$ East 100 feet; thence North to a point on the North line of said Lot 96, said point being 100 feet East from the Southeast corner of Lot 97A of said Subdivision; thence due West 100 feet to the Southeast corner of said Lot 97A; thence following the East line of said Lot 97A North 150 feet to the Northeast corner of said Lot 97A; thence following the North line of Lot 97 of said Subdivision East to a point which is 150 feet from the Southwest corner of Lot 98 of said Subdivision; thence North to a point which is 150 feet from the South line of Lot 99 of said Subdivision; thence West to a point which is 150 feet from the Northeast corner of Lot 45 of said Subdivision; thence South to a point on the South line of Lot 43 of said Subdivision, said point being 150 feet from the Southeast corner of said Lot 43; thence following

the South lines of said Lot 43, Lots 40, 31 and 28, all of said Subdivision, to a point which is 150 feet from the Southwest corner of said Lot 28; thence North to a point on the North line of Lot 26 of said Subdivision, said point being 150 feet from the Northwest corner of said Lot 26; thence ^{NE} East 150 feet to the said Northwest corner of said Lot 26, said corner also being on the East line of Second Street; thence Southwesterly across Second Street to the Northeast corner of Lot 21A of said Subdivision; thence West 290.40 feet to the Northwest corner of said Lot 21A; thence South to a point on the North line of the Heikla Tract, a subdivision, said point being on the Southwest corner of Lot 20B of the Thornton and Ward Subdivision; thence West to the Northwest corner of Lot 4 of the Heikla Tract; thence South to the Northwest corner of Lot 10 of said tract; thence following the North line and the East line of said Lot 10 Easterly and Southerly to a point on the South line of Easy Street; thence following said South street line East 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. 8, 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:

NAME	SEC. TWP. RANGE
ADLRICH, E. V.	6-41-1
MCGREW, MORRIS E.	6-41-1
KERR, HENRY	6-41-1
ALDRICH, E. V.	6-41-1
ALDRICH, E. V.	6-41-1
ALDRICH, E. V.	6-41-1
ALDRICH, E. V.	6-41-1
GADBERRY, ORIS R.	6-41-1
UNITES STATES NATIONAL CORP.	6-41-1
BONER, ROBERT	6-41-1
FRITZ, HERBERT E. & ERMA M.	6-41-1
HENRY, W. A. AND GLADYS	6-41-1
BOLVI, WAYNE AND EMMA LOU	6-41-1
MENNING, RALPH	6-41-1
ALDRICH, E. V.	6-41-1
WHITE, HOWARD E. & MARY	6-41-1
ECHOLS, JUANITA H. & CHARLES	6-41-1
SMITH, WARREN T.	6-41-1
BISHOP, F. M.	6-41-1
FOREST, JAMES D.	6-41-1
SABIN, C.	6-41-1
HARDISON, WILLIE E.	6-41-1

PARRY, H.	6-41-13	T & W	21A	150.00	16,750	\$ 402.00
MATTSON, R. A.	6-41-13	T & W	20A	1670.00	11,844	284.26
MURRY, GEORGE H.	6-41-13	T & W	20	100.00	8,705	208.92
HARRISON, FRANK M.	6-41-13	T & W	20B	850.00	20,490	491.76
SMITH, DON H.	6-41-13	HEIKLA		700.00	14,070	337.68
HEIKLA, EDWARD H.	6-41-13	HEIKLA	4	150.00	12,891	309.38
HEIKLA, EDWARD H.	6-41-13	HEIKLA	5	1200.00	13,068	313.63
HEIKLA, EDWARD	6-41-13		6	200.00	6,357	152.57
TANTATE, EMIL T.	6-41-13	HEIKLA	11	720.00	19,602	470.45
CHASE, HARRY W.	6-41-13	T & W	12	150.00	22,500	540.00
CORNETT, MARY E.	6-41-13	T & W	26	150.00	22,500	540.00
MICKOLAYCZJK, FLORIAN AND			27			
WATSON, ORIN	6-41-13	T & W	28	700.00	22,500	540.00
RAUSCH, C. H.	6-41-13	T & W	29	1600.00	36,060	865.44
RAUSCH, DOYLE E.	6-41-13	T & W	29A	80.00	7,500	180.00
KINION, MRS. ROY	6-41-13	T & W	30	1000.00	43,560	1,045.44
KINION, MRS. ROY	6-41-13	T & W	41	200.00	43,560	1,045.44
STANHURST, CHARLES & FAYE	6-41-13	T & W	42	2100.00	43,560	1,045.44
STANHURST, CHARLES & FAYE	6-41-13	T & W	43	150.00	22,500	540.00
STANHURST, CHARLES & FAYE	6-41-13	T & W	44	150.00	22,500	540.00
CARLILE, WENDELL S.	6-41-13	T & W	45	500.00	22,500	540.00
GUDGER, RODERICK	6-41-13	T & W	96	250.00	13,822	331.73
CLARE, MARGUERITE J.	6-41-13	T & W	96A	250.00	16,817	403.61
STANHURST, CHARLES	6-41-13	T & W	98	225.00	22,500	540.00
CLARE, MARGUERITE J.	6-41-13	T & W	97A	250.00	18,000	432.00
STANHURST, CHARLES	6-41-13	T & W	99	225.00	22,500	540.00
KIRWAN, LOIS G.	6-41-13		14	600.00	43,500	1044.00
FOWLER, J. J.	6-41-13		15A	200.00	33,600	806.40
GORTE, CALVIN & BETTY	6-41-13	ALDRICH MANOR	1	1650.00	10,206	244.94

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 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.

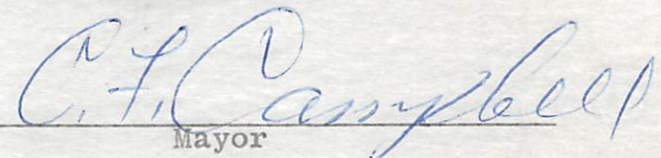
Section 5: Any improvement warrants issued by the City

of Brookings evidencing indebtedness for the construction of such sanitary sewer system within Sanitary Sewer District No. 8 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. 8 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 ~~21st~~ day of ~~October~~, 1958.

SUBMITTED to and approved by the Mayor of the City of Brookings, Oregon, this ~~21st~~ day of ~~October~~, 1958.



Mayor

ATTEST:



City Recorder

