

ORDINANCE NO. 129

AN ORDINANCE CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF BROOKINGS, OREGON, TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 2, DESIGNATING THE PROPERTY TO BE SPECIALLY BENEFITED BY SAID STREET IMPROVEMENTS, LEVYING A SPECIAL ASSESSMENT UPON THE PROPERTIES WITHIN SAID DISTRICT, PROVIDING FOR THE PAYMENT OF THE COSTS OF SAID IMPROVEMENT AND DECLARING AN EMERGENCY.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1: Pursuant to Resolution No. 47 of the City of Brookings adopted June 29, 1959, there was thereafter and on July 2, 1959 filed with the City Recorder the report of Engineer ^{ECHOLS} ~~Ericksen~~, which report was prepared and filed in conformity with the provisions of Section 1 of Ordinance No. 49. 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, Brookings, Oregon, on July 17, 1959, beginning at the hour of 8 o'clock p.m. The Council having considered the Engineer's report and the objections, if any, to said report submitted at the hearing on July 17, 1959, did adopt the report. The Council, having adopted the report, does hereby determine in its judgment that the assessments on the respective properties as hereinafter 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 streets and the properties especially benefited thereby.

Section 2: The Council therefore does determine that there shall be and there hereby is created a public improvement district for the construction of certain concrete curbs and ^{SIDEWALKS} ~~gutters~~ and asphaltic cement type paving on certain streets within said improvement district, which district shall be known as Street Improvement District No. 2, which

district includes all 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 said district are described as follows:

✓ A tract of land in Section 5, Township 41 South, Range 13 West of the Willamette Meridian, located within the corporate limits of Brookings, Curry County, Oregon, and more particularly described as follows:

✓ Beginning at the intersection of the Easterly line of Pacific Avenue and the Easterly line of Oak Street, said intersection also being the Northwest corner of Lot 1 in the Azalea Park Manor Plat; thence Northeasterly along the Northerly line of said Lot 1 to the Northeast corner of said Lot 1; thence Southeasterly along the Easterly line of said Lot 1 to the Southeast corner of said Lot 1; thence Northeasterly along the Northerly line of Lot 36 in said plat to the Northeast corner of said Lot 36; thence Southeasterly along the Easterly line of said Lot 36 to the Southeast corner of said Lot 36, said Southeast corner also being on the Northerly line of Fir Street; thence Southeasterly across Fir Street to a point on the Northerly line of Tax Lot 38, said point being 150 feet, when measured at right angles, from the Easterly line of Oak Street; thence Southeasterly 150 feet from and parallel to the said Easterly line of Oak Street to a point on the Southerly line of said Tax Lot 38, said point also being on the Northerly line of Pine Street; thence Southwesterly across Pine Street to the Northeast corner of Lot 14 in Block 28 in Plat No. 1; thence Southeasterly along the Easterly line of said Lot 14 to the Southeast corner of said Lot 14; thence Southeasterly across a utility easement to the Northeast corner of Lot 1 in said Block 28; thence Southeasterly along the Easterly line of said Lot 1 to the Southeast corner of said Lot 1, said Southeast corner also being on the Northerly line of Redwood Street; thence Southeasterly across Redwood Street to the Northeast corner of Lot 21 in Block 27 in said Plat No. 1; thence Southeasterly along the Easterly line of said Lot 21 to the Southeast corner of said Lot 21; thence Southwesterly across a utility easement to the Northeast corner of Lot 1 in said Block 27; thence Southeasterly along the Easterly line of said Lot 1 to the Southeast corner of said Lot 1; thence Southwesterly along the Southerly line of said Lot 1 to the Southwest corner of said Lot 1, said Southwest corner also being the intersection of the Northerly line of U. S. Highway 101 and the Easterly line of Oak Street; thence Southwesterly across Oak Street to the Southeast corner of Lot 28 in Block 19 in said Plat No. 1; thence Southwesterly along the Southerly line of said Lot 28 to the Southwest corner of said Lot 28; thence Northwesterly along the Westerly line of said Lot 28 to the Northwest corner of said Lot 28; thence Northwesterly across a utility easement to the Southwest corner of Lot 29 in said Block 19; thence Northwesterly along the Westerly line of said Lot 29 to the Northwest corner of said Lot 29, said Northwest corner also being on the Southerly line of Redwood Street; thence Northwesterly across Redwood Street to the Southwest corner of Lot 11 in Block 18 in said Plat No. 1; thence Northwesterly along the

Westerly line of said Lot 11 to the Northwest corner of said Lot 11; thence Northwesterly across a utility easement to the Southwest corner of Lot 12 in said Block 18; thence Northwesterly along the Westerly line of said Lot 12 to the Northwest corner of said Lot 12, said Northwest corner also being on the Southerly line of Pine Street; thence Northwesterly across Pine Street to the Southwest corner of Lot 13 in Block 17 in said Plat No. 1; thence Northwesterly along the Westerly line of said Lot 13 to the Northwest corner of said Lot 13; thence Northwesterly across a utility easement to the Southwest corner of Lot 14 in said Block 17; thence Northwesterly along the Westerly line of said Lot 14 to the Northwest corner of said Lot 14; thence Southwesterly along the Northerly lines of Lots 15 and 16 in said Block 17 to the Northwest corner of said Lot 16; thence Northwesterly across Tax Lot 37 and the vacated street lying South of said Tax Lot 37, 150 feet from and parallel to the Easterly line of said Tax Lot 37 to a point on the Northerly line of said Tax Lot 37; thence Northeasterly along the Northerly line of said Tax Lot 37 to the Northeast corner of said Tax Lot 37, said Northeast corner also being the intersection of the Easterly line of Pacific Avenue and the Westerly line of Oak Street; thence Northeasterly across Oak Street to the point of beginning.

Section 3: The Council hereby determines that the properties to be specially benefited by said public improvement in the construction of the concrete curbs and ^{SIDEWALKS} ~~gutters~~ and asphaltic cement type paving within said Street Improvement District No. 2, together with the description of said property, 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 the said amount on the properties as hereinafter described and set forth:

(The description of said properties, together with the names of the owners and the amounts of the special assessment against each of the said properties are set forth in the exhibit attached to this ordinance, marked "Exhibit A", and hereby made a part of this ordinance as though set out in full and at length on this page.)

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 (30) 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 concrete curbs and ^{SIDEWALKS} ~~gutters~~ and asphaltic cement type paving within Street Improvement District No. 2 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 need for the immediate construction of said street improvements within said district and in the interest of the public peace, health and safety of the City of Brookings and the inhabitants thereof said street improvements 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 11th day of August, 1959.

SUBMITTED to and approved by the Mayor of the City of Brookings, Oregon, this 11th day of August, 1959.

P. L. Campbell
Mayor

ATTEST:

Bernice M. Duddleston
City Recorder



PAVING DISTRICT NO. 2

<u>Name</u>	<u>Description</u>	<u>Front Ft.</u>	<u>Assessment</u>
Assembly of God Church	Lot 1, Azalea Park Manor	75.00	356.25
Assembly of God Church	Lot 36, Azalea Park Manor	60.00	285.00
Gary Wimberley	Lot 38	296.30	1,407.43
Florence Howard	Lot 14, Block 28, Plat #1	120.00	570.00
Star of the Sea Catholic Church	Lot 1, Block 28, Plat #1	120.00	570.00
State of Oregon	Lot 21, Block 27, Plat #1	122.08	579.88
State of Oregon	Lot 1, Block 27, Plat #1	90.00	427.50
Elmer Bankus	Lot 28, Block 19, Plat #1	95.90	455.53
Elmer Bankus	Lot 29, Block 19, Plat #1	122.08	579.88
Palm May Stout	Lot 11, Block 18, Plat #1	120.00	570.00
Palm May Stout	Lot 12, Block 18, Plat #1	120.00	570.00
Palm May Stout	Lot 13, Block 17, Plat #1	120.00	570.00
Palm May Stout	Lot 14, Block 17, Plat #1	120.00	570.00
Presbyterian Church	Tax Lot 37	<u>216.20</u>	<u>1,026.95</u>
		1,797.56	8,538.42

Exhibit A