

ORDINANCE NO. 130

AN ORDINANCE CREATING A SPECIAL IMPROVEMENT DISTRICT WITHIN THE CITY OF BROOKINGS, OREGON, TO BE KNOWN AS STREET IMPROVEMENT DISTRICT NO. 3, DESIGNATING THE PROPERTIES 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. 48 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} ~~Erichson~~, 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 9 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 expressly benefited thereby.

Section 2: The Council therefore does determine that there shall be and there hereby is created a public improvement district for the installation of an oil mat type paving on certain streets within said improvement district, which district shall be known as Street Improvement District No. 3,

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 Sections 5 and 6, 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 Oak Street and the Northerly line of Fir Street, said intersection also being the Southwest corner of Lot 36 in the Azalea Park Manor Plat; thence Northwesterly along the Westerly line of said Lot 36 to the Northwest corner of said Lot 36; thence Northeasterly along the Northerly line of said Lot 36 to the Northeast corner of said Lot 36; thence Northwesterly along the Westerly line of Lot 35 in said Plat to the Northwest corner of said Lot 35; thence Northeasterly along the Northerly lines of said Lot 35, Lot 34, Lot 33 and Lot 32, all in said Plat, to the Northeast corner of said Lot 32; thence Northeasterly across a utility easement to the Northwest corner of Lot 31 in said Plat; thence Northeasterly along the Northerly lines of said Lot 31, Lots 30, 29, 28, 27, 26, 25, 24, 23, 22 and 21, all in said Azalea Park Manor Plat, to the Northeast corner of said Lot 21; thence Southeasterly along the Easterly line of said Lot 21 to the Northwest corner of Lot 20 in said Plat; thence Northeasterly along the Northerly line of said Lot 20 to the Northeast corner of said Lot 20; thence Southeasterly along the Easterly line of said Lot 20 to the Southeast corner of said Lot 20, said Southeast corner also being the intersection of the Westerly line of the North Bank Chetco River Road and the Northerly line of Fir Street; thence Southerly across Fir Street to the Northeast corner of Lot 19 in the Barrett Tract; thence Southerly along the arcs of the said Westerly line of the North Bank Chetco River Road to the Southeast corner of Lot 16 in said tract; thence Southwesterly along the Southerly line of said Lot 16 to the Southwest corner of said Lot 16, said Southwest corner also being on the Easterly line of Myrtle Street; thence Southwesterly across Myrtle Street to the Northwest corner of Lot 8 in Block 29 in Plat No. 1; thence Southeasterly along the Westerly line of said Lot 8 to the Southeast corner of said Lot 8; thence Southwesterly along the Southerly lines of said Lot 8, Lots 9, 10, 11, 12, 13 and 14, all in said Block 29, to the Southwest corner of said Lot 14, said Southwest corner also being on the Easterly line of Alder Street; thence Southwesterly across Alder Street to the Southeast corner of Lot 8 in Block 28 in said Plat No. 1; thence Southwesterly along the Southerly lines of said Lot 8, Lots 9, 10, 11, 12, 13 and 14, all in said Block 28, to the Southwest corner of said Lot 14, said Southwest corner also being on the Easterly line of Oak Street; thence Southwesterly across Oak Street to the Southeast corner of Lot 12 in Block 18 in said Plat No. 1; thence along the Southerly lines of said Lots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23, all in said block, to the Southwest corner of said Lot 23; thence Northwesterly along the Westerly line of said Lot 23 to the Northwest corner of said Lot 23; said Northwest corner also being the intersection of the Easterly line of Fern Avenue and the Southerly line of Pine Street; thence Northwesterly across Pine Street to the Southwest corner of Lot 1 in Block 17 in Plat No. 1; thence Northwesterly along the Westerly line of said Lot 1 to the Northwest corner of said Lot 1; thence Northeasterly along the Northerly lines of said Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 13, all in said Block 17, to the Northeast corner of said Lot 13, said Northeast corner also being on the Westerly line of Oak Street; thence Northwesterly 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 installation of an oil mat type paving within said Street Improvement District No. 3, 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 ^{FRONT FOOTAGE} ~~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

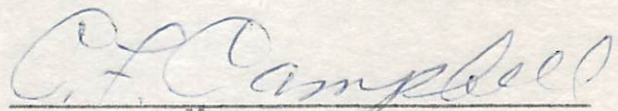
have been entered in the city lien docket.

Section 5: Any improvement warrants issued by the City of Brookings evidencing indebtedness for the installation of an oil mat type paving within Street Improvement District No. 3 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 installation 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.



Mayor

ATTEST:



City Recorder



PAVING DISTRICT NO. 3

<u>NAME</u>	<u>DESCRIPTION</u>	<u>FRONT FOOT</u>	<u>ASSESSMENT</u>
Assembly of God Church	Lot 36, Azalea Park Manor	130.00	98.80
Assembly of God Church	Lot 35, Azalea Park Manor	60.00	45.60
Assembly of God Church	Lot 34, Azalea Park Manor	60.00	45.60
Willard J. Spencer	Lot 33, Azalea Park Manor	60.00	45.60
Willard J. Spencer	Lot 32, Azalea Park Manor	60.00	45.60
Steve Howard	Lot 31, Azalea Park Manor	60.00	45.60
Steve Howard	Lot 30, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 29, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 28, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 27, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 26, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 25, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 24, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 23, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 22, Azalea Park Manor	60.00	45.60
H.V. Utterback & D.A. Schatz	Lot 21, Azalea Park Manor	60.00	45.60
Bob Geiger	Lot 20, Azalea Park Manor	128.80	97.89
St. Timothy Episcopal Church	Lot 19, Barrett Tract	170.00	129.20
St. Timothy Episcopal Church	Lot 18, Barrett Tract	100.00	76.00
Robert Dimmick & Evelyn Dimmick	Lot 17, Barrett Tract	61.56	46.79
Robert Dimmick & Evelyn Dimmick	Lot 8, Barrett Tract	61.56	46.79
Chester Davis	Lot 7, Barrett Tract	61.56	46.79
William S. Huovila	Lot 6, Barrett Tract	61.56	46.79
Betty Waite & Lourlla Kurle	Lot 5, Barrett Tract	61.56	46.79
Hardy Lancaster	Lot 4, Barrett Tract	61.56	46.79
Frank & Hyatt & Nadine Hyatt	Lot 3, Barrett Tract	61.56	46.79
Henry S. Huovila	Lot 2, Barrett Tract	61.56	46.79
Yolande Barth	Lot 1, Barrett Tract	61.56	46.79
Gary Wimberley	Tax Lot 38	379.90	288.72
Bernice Ward	Lot 1, Block 17, Plat #1	44.57	33.87
Bernice Ward	Lot 2, Block 17, Plat #1	50.00	38.00
Lloyd Harbin	Lot 3, Block 17, Plat #1	50.00	38.00
Lloyd Harbin	Lot 4, Block 17, Plat #1	50.00	38.00
Bernice Ward	Lot 5, Block 17, Plat #1	50.00	38.00
C.H. & Pauline Kimberley	Lot 6, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 7, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 8, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 9, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 10, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 11, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 12, Block 17, Plat #1	50.00	38.00
Palm May Stout	Lot 13, Block 17, Plat #1	50.00	38.00
Gary Wimberley	Tax Lot 38	376.50	286.14
Mike Kassa	Lot 9, Barrett Tract	61.50	46.74
Albert Mincer	Lot 10, Barrett Tract	61.50	46.74
James Huddleston	Lot 11, Barrett Tract	61.50	46.74
Warren Smith	Lot 12, Barrett Tract	61.50	46.74
Alvin Sarver	Lot 13, Barrett Tract	61.50	46.74
Carl Berger	Lot 14, Barrett Tract	61.50	46.74
Carl Berger	Lot 15, Barrett Tract	61.50	46.74
Charlew Kerr	Lot 16, Barrett Tract	11.00	8.36
U. S. Forestry Service	Lot 8, Block 29, Plat #1	57.00	43.32
U. S. Forestry Service	Lot 9, Block 29, Plat #1	50.00	38.00

Exhibit A-1

PAVING DISTRICT NO. 3

<u>NAME</u>	<u>DESCRIPTION</u>	<u>FRONT FOOT</u>	<u>ASSESSMENT</u>
U. S. Forestry Service	Lot 10, Block 29, Plat #1	50.00	38.00
U. S. Forestry Service	Lot 11, Block 29, Plat #1	50.00	38.00
U. S. Forestry Service	Lot 12, Block 29, Plat #1	50.00	38.00
U. S. Forestry Service	Lot 13, Block 29, Plat #1	50.00	38.00
U. S. Forestry Service	Lot 14, Block 29, Plat #1	50.00 57.00	38.00 43.32
Christian Science Society	Lot 8, Block 28, Plat #1	57.00	43.32
Donald Craig	Lot 9, Block 28, Plat #1	50.00	38.00
Max Brainard	Lot 10, & 1/2 of Lot 11, Block 28, Plat #1	75.00	57.00
Star of the Sea Catholic Church	Lot 12 & 1/2 of Lot 11, Block 28, Plat #1	75.00	57.00
Edith Lundeen	Lot 13, Block 28, Plat #1	52.00	39.52
Florence Howard	Lot 14, Block 28, Plat #1	55.00	41.80
Palm May Stout	Lot 12, Block 18, Plat #1	50.00	38.00
Palm May Stout	Lot 13, Block 18, Plat #1	50.00	38.00
Palm May Stout	Lot 14, Block 18, Plat #1	50.00	38.00
Palm May Stout	Lot 15, Block 18, Plat #1	50.00	38.00
Palm May Stout	Lot 16, Block 18, Plat #1	50.00	38.00
James Smith	Lot 17, Block 18, Plat #1	50.00	38.00
James Smith	Lot 18, Block 18, Plat #1	50.00	38.00
Theo. Freeman	Lot 19, Block 18, Plat #1	50.00	38.00
Bernice Ward	Lot 20, Block 18, Plat #1	50.00	38.00
Bernice Ward	Lot 21, Block 18, Plat #1	50.00	38.00
Bernice Ward	Lot 22, Block 18, Plat #1	50.00	38.00
Edward Schoenbeck	Lot 23, Block 18, Plat #1	82.40	62.62
		2,822.97	2,145.45
		5185.71	3941.17

Exhibit A-2