

ORDINANCE NO. 89-O-443

AN ORDINANCE SETTING THE ASSESSMENT FOR THE CITY OF BROOKINGS IMPROVEMENT DISTRICT NO. 2-89 FOR SANITARY SEWER IMPROVEMENTS WITHIN THE DAWSON TRACT, OREGON DRIFTWOOD SHORES, WEST HARRIS HEIGHTS AREA IMMEDIATELY FOLLOWING ANNEXATION; AND NUMBERING AND DECLARING THE ASSESSMENT ROLL FOR SAID DISTRICT, AND DECLARING AN EMERGENCY. [Effective March 14, 1989]

[See Ordinance No. 89-O-443 in its entirety in original ordinance books]

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Sections:**Introduction**

Section 1. Boundaries of Assessment District.

Section 2. Estimated Cost.

Section 3. Assessment Roll.

Section 4. Docket of City Liens.

Section 5. Emergency Clause.

WHEREAS, the City Council of the City of Brookings adopted Resolution No. 89-R-447 on the 9th day of January, 1989 declaring its intention to initiate the establishment of a local improvement district to construct sanitary sewer improvements and service immediately following the effective day of annexation of the Dawson Tract, Oregon Driftwood Shores and West Harris Heights area, based upon written petitions consenting to the formation of an LID for sanitary sewer improvements from owners of more than half the land within the assessment district; and,

WHEREAS, notice of a public hearing on said proposal to construct sanitary sewer improvements and assess the cost of such improvements to benefitting property owners was duly posted in the city hall and within the boundaries of the area where the proposed improvements are to be made; and,

WHEREAS, on the 3rd day of March, 1989, the City Engineer mailed notice of a public hearing on the matter to the owners of property to be assessed for the cost of such improvements; and,

WHEREAS, a public hearing was held on the 13th day of March, 1989, to allow benefitting property owners of such proposed improvements to appear before the City Council to present and the Council to consider written objections to the

proposed assessment; and,

WHEREAS, the City Engineer did submit and present at the hearing a survey and plat of such project and said written report included an estimate of cost of said improvements, all of which the Council did duly consider; and,

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WHEREAS, after said public hearing and on the 13th day of March, 1989, the City Council of the City of Brookings did, upon a motion duly seconded, unanimously agreed to proceed with the improvements in accordance with said engineer's report.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1. Boundaries of Assessment District. The boundaries of the assessment district to be benefitted and assessed for said improvements are declared to be those set forth in Exhibit "A" and map Exhibit "B" attached hereto and by this reference incorporated herein.

Section 2. Estimated Cost. That the total estimated cost of said sanitary sewer improvements is \$1,542,900.00, which estimated cost does not consider the possibility of EPA grant assistance, as listed in Exhibit "C" attached hereto and by reference incorporated herein and said cost is to be assessed against the property benefitted within the aforescribed improvement district.

Section 3. Assessment Roll. The proposed Assessment Roll prepared for the City of Brookings filed on March 2, 1989, is hereby accepted as the Assessment Roll No. 2-89. A copy of said roll is attached hereto as Exhibit "D" and by reference made a part hereof and declared to be Assessment Roll No. 2-89.

Section 4. Docket of City Liens. Assessment Roll No. 2-89 is hereby declared to be the Assessment Roll for the City of Brookings, Oregon, Improvement District No. 2-89 as heretofore described. The sum of \$1,542,900.00 dollars is hereby assessed, or a lesser amount determined by deducting said amount by the amount of EPA grant assistance, on each lot, part of lot, and parcel of land within said improvement district in the respective amounts set opposite the description of each lot, part of lot and parcel of land thereof in Assessment Roll No. 2-89. The City Recorder is hereby directed to enter a statement of the assessments

hereby made together with a description of the improvements and names of the owners and the date of this Ordinance in the Docket of City Liens.

Section 5. Emergency Clause. Whereas the Department of Human Resources, Health Division conducted a survey in the fall of 1987, and found widespread contamination of domestic water wells and inadequacies in other water supply sources throughout the proposed annexation area, and the health, safety and general welfare of the persons residing in the territory may be adversely affected, an emergency is hereby declared to exist and this ordinance may be introduced, read and placed on its final passage at any one meeting of the City Council and shall be in full force and effect from and after its passage and approval by the Mayor.
Effective March 14, 1989

