

ORDINANCE NO. 92-0488

AN ORDINANCE ESTABLISHING ASSESSMENTS FOR THE CITY OF BROOKINGS IMPROVEMENT DISTRICTS NO. 1-89 AND 2-89 FOR WATER AND SANITARY SEWER IMPROVEMENTS WITHIN THE DAWSON TRACT, OREGON DRIFTWOOD SHORES, WEST HARRIS HEIGHTS AREAS OF THE CITY OF BROOKINGS; AUTHORIZING THE CITY TO ENTER ASSESSMENTS IN THE LIEN DOCKET; SPECIFYING MAY 8, 1992 AS THE FINAL DATE FOR FILING BANCROFT BOND APPLICATIONS WITH THE CITY; AND DECLARING AN EMERGENCY.

[See Ordinance No. 92-O-488 in its entirety in original ordinance books.]

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Whereas, the City of Brookings, pursuant to Resolution No. 89-R-447, enacted January 9, 1989, declared its intention to initiate the establishment of a local improvement district for water and sewer system improvements in the Dawson Tract, Oregon Driftwood Shores and West Harris Heights areas of the City of Brookings;

Whereas, the City of Brookings after public hearing on March 13, 1989, did authorize the water and sewer system improvements in accordance with the City Engineer's report;

Whereas, the City of Brookings did enact Ordinance Nos. 89-0-442 and 89-0-443 on March 14, 1989, establishing the boundaries of the assessment district;

Whereas, the City duly entered into construction contracts for the purpose of the water and sewer system improvements;

Whereas, the City's engineer has apportioned the costs of the improvements upon the lots or parcels of land benefited within the local improvement district and has submitted his recommendation to the City;

Whereas, the City gave notice on March 26, 1992 of a time for a public hearing commencing at 7:00pm on April 6, 1992 and notice of the assessments and hearing were mailed to the owners of property subject to assessment with the notation that all objections to the proposed assessments would be heard and received by the City Council at the time of the public hearing; and

Whereas, the City Council has determined it is appropriate to levy the assessments for the local improvements in accordance with the benefit accruing

Sections:

Section 1. Assessment costs for Districts No. 1-89 and 2-89.

Section 2. Assessments to be entered in docket of City Liens.

Section 3. Notice of Assessment.

Section 4. Emergency Clause.

THE CITY OF BROOKINGS ORDAINS AS FOLLOWS:

Section 1. Assessment costs for Districts No. 1-89 and 2-89. The costs of the improvements for Improvement District No. 1-89 for water system improvements to be paid by owners of property within the assessment district by assessment is \$913,433.02. The costs of the improvements for Improvement District No. 2-89 for sanitary sewer improvements to be paid by the owners of property within the assessment district by assessment is \$1,960,088.74. The total cost of the improvements, water and sewer combined, to be paid by assessment is \$2,873,521.76 which is, by this Ordinance, hereby assessed against the parcels of property in the amounts set forth in Exhibit "A", which is attached hereto and incorporated by reference herein.

Section 2. Assessments to be entered in docket of City Liens. The City Recorder of the City of Brookings is hereby directed to enter the assessments shown on Exhibit "A" in the docket of City Liens and is further directed that the assessments shall hereafter constitute a lien against the properties identified on Exhibit "A" after the date of the adoption of this Ordinance.

Section 3. Notice of Assessment. The City Recorder shall cause to be mailed to the owners of each parcel of property identified on Exhibit "A", a Notice of Assessment in accordance with the assessment levied by this Ordinance. The Notice of Assessment shall include notice to property owners of assessed property to pay the assessments in cash within 30 days of the date of mailing notice or to file an application under the Bancroft Bonding Act with the City Recorder of the City of Brookings within 30 days of the date of mailing Notice, which application shall provide for installment payments over 20 years with the unpaid balance bearing interest in an amount equal to the net interest costs to the City in its financing of the obligation plus one-half of one percent for administration.

Section 4. Emergency Clause. It is determined that it is in the interest of the public welfare, peace and safety of the City of Brookings that this Ordinance be immediately effective upon its passage in order to levy the assessments to defray the costs of the project and to pay the costs of interim financing and therefore an emergency is hereby declared to exist and this Ordinance shall be in full force and effect from and after the date of its passage.

Effective Date:_____April 8, 1992