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Cedar-Vine Foes File Writ To Block Hearing

By John Elliott
Sentinel Staff Writer

The 700 feet between Cedar and Vine streets in downtown Santa Cruz began to look like the Burma Trail or Alaska highway today, in light of a court ruling that could conceivably kill and certainly will delay for months the entire project.

A "writ of prohibition," signed by Superior Court Judge Gilbert S. Perry, was served on Santa Cruz city officials yesterday. It declares the city council is "commanded" to refrain from holding reassessment hearings scheduled for tonight's city council meeting.

Set for Friday, December 23, is a "show cause" hearing at which time the city is instructed to show "why you should not be absolutely restrained from holding any such hearing or levying any such assessments or reassessments against the lands of plaintiffs."

The writ also orders the city "to desist and refrain from expending any funds . . . or issuing any bonds for the purchase of any property or construction of any works" on the project.

At the December 23 hearing, which may be pushed to a later date if attorneys and the court agree, the city is also instructed to show "why you should not be absolutely restrained from expending any such funds or issuing any such bonds for such purposes."

The writ was filed by Santa Cruz Attorney Frank Murphy Sr. on behalf of about 40 property owners, all of whom were involved in an earlier legal challenge against the city.

The council dropped the plaintiffs from original assessment roles. Tonight's action was set to place them back on the list, along with assessment figures.

France Says No To China Study

United Nations, N.Y. (AP) — France rejected today a proposed U.N. study of the Chinese problem as unrealistic, and declared that the only way to end the 16-year stalemate is to hand the Chinese seat in the United Nations to the Peking government.

French Ambassador Roger Seydoux told the U.N. General Assembly that the presence of Red China is "politically indispensable" for the world organization if it wishes to search for peace in Asia.

In a speech that stressed once more France's split with the United States on the China issue, Seydoux urged support of a resolution sponsored by Albania, Cambodia and nine other Communist and nonaligned nations calling for the expulsion of Nationalist China and the seating of Peking.

Instead, the council will either skip the matter completely or discuss the whole Cedar-Vine project. Unless they decide to violate the court order they won't approve reassessments against involved plaintiffs.

The council has approved the project, which is intended to connect Cedar and Vine streets so that there will be a parallel street to Pacific avenue. The construction distance for such a connection, according to the city public works department, is about 700 feet.

Total project cost is estimated at \$559,160, or about \$799 for each hotly-contested foot. Costs include both acquisition and construction, with acquisition to run about 70 per cent of the total. The city has agreed to contribute \$100,000 to the project, while another \$29,000 would be levied against downtown parking lots.

In addition to protesting the amount of original assessments, the plaintiffs contend Cedar-Vine would be of no benefit to them and therefore challenge any assessment.

The council established assessments zones, with the properties deriving the greatest benefit assessed at 100 per cent. The zones dropped from that point to 65 per cent, 50 per cent, 25 per cent and 10 per cent.