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Court Order Halts Cedar-Vine

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By Alan Jones
Sentinel Staff Writer

A monkey wrench was thrown in the Cedar-Vine works yesterday when Superior Court Judge Charles Franich signed a temporary restraining order which halts the city from assessing Cedar-Vine project costs against 45 property owners protesting the project.

A July 29 hearing was ordered, at which the city will be directed to show cause why the restraining order should not be made permanent.

City Attorney Rod Atchison said today the city will be required to forward evidence and records of the Cedar-Vine pro-

ceedings to the court, but the burden is still on the plaintiffs to prove there was any illegality in the proceedings.

Attorney Frank Murphy filed the complaint last week on behalf of the property owners to stop the project.

The Cedar-Vine project will cut a two-block street to complete Cedar and Vine and produce a through street paralleling Pacific avenue one block away. City officials say the link is essential to the over-all traffic plan of the city.

Atchison said consultant attorney Ken Jones, an expert on assessment district procedures, will suggest that the city coun-

cil postpone tonight's scheduled Cedar-Vine action for two weeks to allow study of the situation. Scheduled for tonight was a resolution directing reduction and amendment of assessments for the project.

The restraining order prevents the city from including in the assessment district, or levying an assessment, against the plaintiffs.

Atchison said it is too soon to say what course the city will take in response to the court action.

It seems unlikely that the restraining order will delay actual construction of the Cedar-Vine link, unless the court rules

against the city in the July 29 hearing. Several buildings in the right-of-way are still in use, including The Sentinel and a county office annex, and construction is not planned until they are vacated — the date depending on completion of the new Sentinel plant and the new county courthouse. The courthouse is to be finished in June, 1967.

The total cost of Cedar-Vine is an estimated \$550,000. The city has agreed to finance \$100,000 of the cost, including \$12,500 or so in lieu of property taxes on city-owned property in the assessment district. Another \$29,000 will be paid by the off-street parking

district as a levy against the downtown parking lots. The city's contribution and a reduced estimated cost from the original estimate of \$607,000 led to the proposed reduction in assessments.

It is not known how long the court will need to review the Cedar-Vine proceedings. The proceedings were compiled over a two-year period and many public hearings, and add up to a bulky set of papers to be considered.

There may be a ruling after the July hearing, Atchison said, or the court could take other actions, such as issuing an interim restraining order for more time to study the case.