

# Cedar-Vine Foes Plan To Carry Their Battle Into Superior Court

By Don Righetti  
Sentinel Staff Writer

Attorney Frank Murphy Sr. has until May 15 to file action in Superior court to set aside the levy of \$81,000 in disputed assessments on the Cedar-Vine connecting street project.

Murphy told The Sentinel he intends to beat the deadline and carry on the battle in the courtroom.

The attorney represents 24 individual groups of property owners who have been assessed the \$81,000 as their share of the \$559,000 project total.

The project itself is not endangered by Murphy's action. It will proceed. The \$81,000, however, is very much at stake. If Murphy wins his case, that amount will have to be made up by raising all other assessments or by increased city contribution.

Murphy said his court complaint will contend that on September 22, 1964, the city abandoned the Cedar-Vine project after failure to gain a four-fifths affirmative vote of the city council.

The counselor said he will further claim that the city has never given legal notice as required by law that it was reacting the project.

"We feel that this not only makes the action void as to our people," he said, "but as to every other parcel in the district.

"Basically," he continued, "we have a problem with the assessment district racket. Cedar-Vine and San Lorenzo Industrial Park and many other assessment districts have been entirely without benefit of warrant.

"We have the example of the DeVere Gray case," he went on, "which is the grossest kind of injustice." (Gray, a San Lorenzo Valley homeowner was hit with a large assessment when a district was created to pay for an access road to the recently constructed Quail Hollow School at Ben Lomond).

"Then there is the example of the subdivision in the mountains where streets, curbs and gutters were put in and bonds issued against the property," Murphy went on. "Later it was discovered the health department would not issue permits for septic tanks and the property became entirely unsalable. The bond holders were left holding the bag.

"I am not so much disturbed about Cedar-Vine in itself as I am about the racket continuing," he declared. "I do think the project is necessary, but if the city wanted to do it at city expense, that would have been its own business.

## State Estimates County Growth In Population

Santa Cruz county will have a 1985 population of 196,200 persons if population grows at the rate predicted this week by the state Department of Finance.

The department earlier said California can expect a population of 29.5 million, up from 19.5 million, in 1985.

This county had a population of 104,800 in July, 1965, the state department said. By 1970, demographic experts said the county will have 125,000 persons, increasing to 148,000 by 1975 and 171,800 by 1980.

The Sentinel has estimated a population of between 240,000 and 260,000 persons in Santa Cruz county by 1985, based on the higher-than-average rate of growth here. Following the state pattern of growth would produce a population of about 180,000 persons.

"I think it was entirely unjust for the city to acquire \$465,000 worth of property without paying a just share of it. The city has been very niggardly in the amount it wants to contribute to the project."

(The city has agreed to a \$100,000 contribution and is considering increasing that by \$50,000).

Now, as Murphy completes his complaint, which he reports is a very complicated document, 24 property owners wait anxiously to find out if you really can beat city hall.

## SC Harbor Expansion