

RESOLUTION NO. ____ -2018

**RESOLUTION OF THE FORT BRAGG CITY COUNCIL
APPROVING THE NUISANCE ABATEMENT CHARGES AND
PLACING AN ASSESSMENT LIEN
ON PROPERTY AT 119 PINE STREET**

WHEREAS, pursuant to the authority vested by the provisions of Chapter 6.12 of the Fort Bragg Municipal Code, the abatement officer of the City of Fort Bragg did on or about May 16, 2018 through August 29, 2018, cause the property hereinafter described to be demolished in order to abate a public nuisance on said real property, consistent with the May 23, 2018 administrative hearing declaring conditions at 119 Pine Street, Fort Bragg, California (APN 008-055-19-00) to be a Public Nuisance and Ordering Abatement; and

WHEREAS, the City of Fort Bragg incurred costs and fines in the amount of \$20,928.00 to abate the nuisance at 119 Pine Street, Fort Bragg, California; and

WHEREAS, notice of the costs and fines incurred and the City Council consideration of such charges was provided to all parties as required by law and consistent with Fort Bragg Municipal Code section 6.12.160 and Government Code section 38773.5; and

WHEREAS, a public hearing before the City Council on September 24, 2018 was held to hear all interested persons regarding the costs of abatement;

NOW THEREFORE, the City Council of the City of Fort Bragg does resolve as follows:

Section 1. The charges in the amount of \$20,928.00 are approved as those charges expended for abatement of nuisance of the property located at 119 Pine Street, Fort Bragg, California, and shall be reimbursed to the City by the property owners or if unpaid by the property owners the amount shall be collected as a special assessment against the property.

Section 2. The City Clerk is hereby authorized and directed to record a copy of a Notice of Lien as set forth in Exhibit A in the office of the Mendocino County Recorder's Office.

Section 3. City staff is hereby authorized and directed to record a copy of this Resolution with the Mendocino County Auditor-Controller, and carry out all matters necessary to cause the charges set forth herein to be a nuisance abatement lien against the parcel on the secured tax roll.

Section 4. The liens created hereby shall be collected in the same manner as the county secured property taxes and shall be released upon payment thereon.

Section 5. The Auditor-Controller of Mendocino County is requested to attach for collection on the County tax rolls those fees herein stated.

The above and foregoing Resolution was introduced by Councilmember _____, seconded by Councilmember _____, and passed and adopted at a regular meeting of the City Council of the City of Fort Bragg held on the 3rd day of October, 2018, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSED:

LINDY PETERS,
Mayor

ATTEST:
June Lemos, CMC
City Clerk

EXHIBIT A

NOTICE OF LIEN

Gov. Code § 38773.5

Claim of City of Fort Bragg

119 Pine Street, City of Fort Bragg

APN 008-055-19-00

Recording Requested by
and Return to:

City Clerk
City of Fort Bragg
416 N. Franklin Street
Fort Bragg, CA 95437

No Fee pursuant to Gov. Code § 27383

NOTICE OF LIEN
Gov. Code § 38773.5
Claim of City of Fort Bragg

Pursuant to the authority vested by the provisions of Chapter 6.12 of the Fort Bragg Municipal Code, the abatement officer of the City of Fort Bragg did on or about May 16, 2018 through August 29, 2018, caused the property hereinafter described to be demolished in order to abate a public nuisance on said real property, consistent with the May 23, 2018 administrative hearing declaring conditions at 119 Pine Street, Fort Bragg, California (APN 008-055-19-00) to be a Public Nuisance and Ordering Abatement.

The City Council of the City of Fort Bragg did on the 3rd day of October, 2018 adopt Resolution ____ -2018, which approved the assessment of the cost of such abatement upon the real property hereinafter described; and the same has not been paid nor any part thereof; and that said City of Fort Bragg does hereby claim a lien and special assessment on such real property in the amount of said assessment, to wit: the sum of \$20,928.00, plus the County collection fee; and the same shall be a lien upon said real property pursuant to Government Code section 38773.5, until the same has been paid in full and discharged of record.

Furthermore, notice is hereby given that pursuant to Government Code section 38773.5 the property may be sold after three years by the tax collector for unpaid delinquent assessments. The assessment may be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary municipal taxes.

The real property hereinabove mentioned, and upon which a lien is claimed is that certain parcel of land lying and being in the City of Fort Bragg, County of Mendocino, State of California, at the street address of 119 Pine Street, identified as Assessor's Parcel Number 008-055-19-00, as more particularly described as follows:

The land referred to in this Report is situated in the City of Mendocino, County of Mendocino, State of California, and is described as follows:

Parcel One:

Beginning the Southeast corner of Lot 8, Block 8, City of Fort Bragg, for the point of beginning;

Thence around the exterior boundaries of the land herein described by the following courses and distances: North 81.3 feet; thence West 29 feet; thence North 12 feet; thence West 37 feet; thence South 93.3 feet; thence East 66 feet to the point of beginning, the above land being a part of Lots 7 and 8, Block 8.

Parcel Two:

Commencing at the Southeasterly corner of Lot 8, Block 8, of the City of Fort Bragg, and running thence Northerly and along the Easterly Boundary of said Lot 8, a distance of 81.3 feet to the point of beginning of this description; thence from said point of beginning and along the Northerly Boundary of the lands described in that certain Deed dated February 16, 1946, wherein Kathleen Perkins is the 1st party and Mary A. Webb the 2nd party, which said Deed is recorded in Volume 204 of Official Records, Page 38 et seq, Mendocino County Records, West a distance of 29 feet; thence North a distance of 12 feet; thence West a distance of 4 feet; thence leaving the aforesaid Northerly Boundary of the lands described in the aforesaid Deed from Perkins to Webb, North a distance of 20 feet; thence Easterly and parallel to the Southerly Boundary of Block 8, City of Fort Bragg, a distance of 33 feet; thence Southerly a distance of 32 feet to the point of beginning.

DATED: _____

June Lemos, CMC, City Clerk
City of Fort Bragg