

RESOLUTION NO. CCCIII (303)

A RESOLUTION PLACING A LIEN UPON REAL PROPERTY FROM WHICH A NUISANCE WAS REMOVED OR ABATED (Whipple property).

WHEREAS, conditions existing on the hereinafter described real property were declared to be a nuisance By the Superintendent of Public Works; and

WHEREAS, notice was posted on the premises where the nuisance existed directing the owner or person in charge of the property to abate such nuisance; and

WHEREAS, at the time of posting a copy of the notice was forwarded by certified mail, postage prepaid to Stanley Whipple, the owner in charge of the property at his last known address of 37265 Wheeler Rd., Pleasant Hill, Oregon 97401; and

WHEREAS, an affidavit of posting and mailing the notice is filed in the City Recorder's office; and

WHEREAS, the owner or person in charge of the property did not remove or abate the notice within ten days; and

WHEREAS, it therefore became necessary for the Superintendent of Public Works to cause the nuisance to be abated; and

WHEREAS, the City Recorder kept an accurate record of the expenses incurred by the City abating the nuisance, to-wit:

Front-end loader (6 hours)	\$105.00
Operator (8 hours)	68.08
Laborer (5 hours)	33.25
Hauling by Canby Disposal Co.	401.70
	<u>\$608.03</u>
20% administrative overhead	121.61
TOTAL DUE	<u>\$729.64</u>

WHEREAS, notice of the total cost of the abatement including the administrative overhead was sent to Stanley Whipple on May 26, 1981; and

WHEREAS, the cost of the abatement has not been paid; now, therefore,

IT IS HEREBY RESOLVED:

1. That the cost of abatement of the nuisance, to-wit: \$729.64 shall be entered in the docket of city liens, and upon such entry being made shall constitute a lien upon the property described as follows:

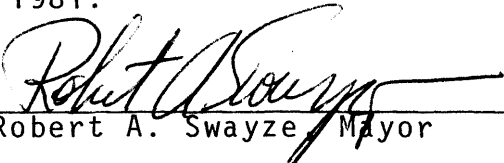
Part of the Philander Lee D.L.C. No. 56, In Section 33, T. 3S., R.1E., W.M. described as:

Beginning at a point 165 feet South 64° West from the southeast corner of a tract of land conveyed to Victor L. Mack by Philander Lee, et ux, by deed recorded January 16, 1884 in Book X, Page 169 Deed Records; thence north 26° West along the easterly boundary of the Randall tract described in Book 90, Page 440, Deed Records, 254 feet to the northeasterly corner of the Kate Spulak tract as established by boundary line agreement recorded in Book 217, Page 435, Deed Records; which corner is the true place of beginning of the tract to be described; thence South 63° 30' West along the northerly boundary line of the Kate Spulak tract 132 feet; thence North 26° West 55 feet; thence North 63° 30' East 132 feet to the easterly line of that tract of land conveyed to Harriet Spulak by deed recorded April 27, 1925 in Book 178, Page 325, Deed Records; thence South 26° East 55 feet to the true place of beginning.

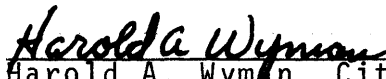
from which the nuisance was removed or abated.

2. That the lien shall be enforced in the same manner as liens for street improvements are enforced, and shall bear interest as provided in Ordinance No. 465 as amended or as may subsequently be hereinafter amended. Such interest shall commence to run from the date of the entry of the lien in the lien docket.

ADOPTED by the Canby City Council at a regular meeting thereof Wednesday , July 15, 1981.


Robert A. Swayze Mayor

ATTEST:


Harold A. Wymn, City Recorder