

**A RESOLUTION DETERMINING AN ASSESSMENT )  
FOR THE ABATEMENT OF A NUISANCE AND )  
DIRECTING THE IMPOSITION OF A LIEN UPON )  
REAL PROPERTY )**

Resolution No. 14  
for 2002

WHEREAS, the City of Lebanon has determined that a nuisance existed upon real property located at 120 E. Vine Street, Lebanon, Linn County, Oregon, Linn County Tax Lot Number 12S-2W-11CB, Tax Lot 7800, deed reference MF 530-55; and

WHEREAS, pursuant to the mandates of Lebanon Municipal Code (LMC) and Chapter 9 of the 1997 Dangerous Building Code which is incorporated into the Lebanon Municipal Code, the City has abated said nuisance on or about April 10, 2002; and

WHEREAS, the City Council finds that on or about the 12<sup>th</sup> of June, 2002 notice was sent by certified mail, postage prepaid, to the owner(s) of record for said real property as to the costs of said abatement and advising those persons in said notice of a hearing to be conducted on June 26, 2002 for the purpose of considering any objections to said costs; and

WHEREAS, the City Council finds that notice of the hearing conducted herein was appropriately made by publishing said notice once in a newspaper of general circulation in this jurisdiction more than 10 days prior to the hearing conducted by the Council; and

WHEREAS, the City Council finds that the sum of \$8570 is an appropriate and reasonable sum to reimburse the City for actual costs incurred for the contract for the abatement of the nuisance; and

WHEREAS, the City Council finds that the cost of abatement has not been paid by the property owner as required by ordinance; and

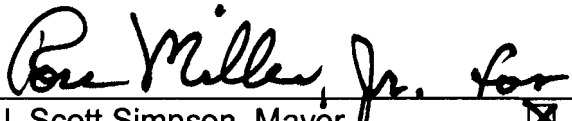
WHEREAS, the City Council has considered any objections or protests to the abatement costs filed by interested persons prior to the hearing;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. An assessment is hereby made and determined by the Lebanon City Council, based upon the above recited findings, in the sum of \$8570 against the real property described above.
2. The City Recorder is ordered to enter said assessment in the docket of city liens, and upon such entry being made, it shall constitute a lien upon the property described herein.
3. The assessment made herein shall be enforced in the same manner as liens for street improvements are enforced and shall bear interest at the rate of seven percent per annum, commencing thirty days from the date of recording on the lien assessment roll and continuing upon any unpaid balance thereon.

- 4. The lien assessed herein may be collected as provided by law.
- 5. This Resolution shall become effective immediately upon its passage.

Passed by the City Council by a vote of 4 for and 0 against on the 26<sup>th</sup> day of June 2002.

  
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J. Scott Simpson, Mayor   
Ken Toomb, Council President

ATTEST:

  
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John E. Hitt, City Recorder