

City of Sherwood, Oregon  
Ordinance No. 98-1067

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**AN ORDINANCE ASSESSING REAL PROPERTY DESCRIBED AS ASSESSOR'S  
MAP 2S 13 2AC #1900 AND 1901, FOR THE COST OF ABATEMENT OF A NUISANCE  
PURSUANT TO CITY CODE CHAPTER 8.16 AND CHAPTER 9.44**

**WHEREAS**, Brian Patrick is the owner of real property described as Assessor's Map 2 South, Range 13, Section 2AC, tax lots 1900 and 1901, located at 575 South Lincoln Street, Sherwood, Oregon; and

**WHEREAS**, following notice of a nuisance, instructing Mr. Patrick to abate nuisance conditions which existed on the above described property, which notice was not complied with, City staff contracted to have the property cleaned up and the nuisance abated; and

**WHEREAS**, the nuisance was abated by Julio Arellano at a cost of \$1,104.64. Staff time and equipment usage related to the abatement resulted in additional costs of \$696.33 for a total abatement cost of \$1,800.97; and

**WHEREAS**, notice of the proposed assessment was mailed to Mr. Patrick, by certified mail, return receipt requested, on September 22, 1998, advising that the cost of the proposed assessment would become a lien upon the property if not paid in full within 15 days of the date of the notice, and said notice further notified property owner of time and manner of objecting to the assessment and obtaining a hearing thereon; and

**WHEREAS**, the deadline for filing objections to the proposed assessment and for paying the assessment in full has expired, and the assessment has not been paid.

**NOW THEREFORE, THE CITY OF SHERWOOD ORDAINS AS FOLLOWS:**

Section 1: Assessment

The cost of abating the nuisance conditions which existed upon the property located at 575 South Lincoln Street, Sherwood, Oregon, is hereby assessed upon the following described property, as set forth in the assessment roll which follows:

<u>Name and Address</u>	<u>Description</u>	<u>Final Assessment</u>
Brian Patrick 575 South Lincoln Street Sherwood, Oregon 97140	2S132AC #1900 and #1901	\$1,800.97
Total Final Assessment		\$1,800.97

Section 2: Docket Entry

Upon passage of this ordinance and its approval by the Mayor, the City Recorder, or his or her designee, is instructed and directed to enter in the Docket of City Liens the following matters in relation to the assessment:

1. The foregoing legal description of the property assessed;
2. The name of the owner or owners or a statement that the owner is unknown;
3. The sum assessed upon each lot or tract of land; and
4. The date of the docket entry.

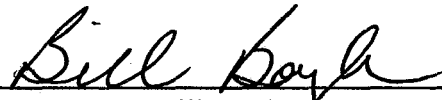
Section 3: Notices/ Collection of Assessment

The City Recorder, or his or her designee, is hereby directed to give notice of the foregoing assessment by publication in the manner provided for by administrative policy, which notice shall be substantially in the form of Attachment I, attached hereto and by this reference made a part hereof. At the time of publication, the City Recorder, or his or her designee, shall also cause a notice of collection of assessment to be mailed to the owner of each lot or tract of land at the owner's last known address. The City Recorder, or his or her designee, shall thereafter diligently proceed to collect the assessed amounts in the manner provided for by law.

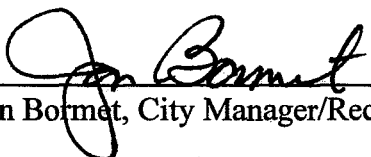
Section 4: Effective Date.

Inasmuch as it is necessary for the public welfare that costs incurred to abate nuisance conditions be promptly reimbursed to the City and that liens for said costs be promptly assessed to assure reimbursement of public funds expended to abate nuisances, an emergency is hereby declared to exist, and this ordinance shall be effective on its passage by the Council and approval by the Mayor.

**Duly Passed by the City Council this 8th day of December, 1998.**

  
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Bill Boyle, Mayor

Attest:

  
\_\_\_\_\_  
Jon Bormet, City Manager/Recorder

**ATTACHMENT I**


**NOTICE OF COLLECTION OF ASSESSMENT**

Notice is hereby given that the Council of the City of Sherwood has hereto assessed the cost of abatement of a nuisance upon property located at 575 south Lincoln Street, Sherwood, Oregon, which assessment was on the 24<sup>th</sup> day of November, 1998, entered in the Docket of City Liens as follows:

<u>Name and Address</u>	<u>Description</u>	<u>Final Assessment</u>
Brian Patrick 575 South Lincoln Street Sherwood, Oregon 97140	2S132AC #1900 and #1901	\$1,800.97
<b>Total Final Assessment</b>		<b>\$1,800.97</b>

Notice is hereby further given that if within twenty days from the date of the first publication of this notice, which is the 2<sup>nd</sup> day of December, 1998, the sum assessed upon any lot, parcel or part thereof, as set forth in this notice, is not paid or bonded within 20 days, as provided in the Bancroft Bonding Act, to the City Recorder, the City may thereafter proceed to foreclose the assessment lien upon said property according to law.

Notice is further given pursuant to Oregon law and City ordinances, that the owner of any property so assessed in the sum of \$25 or more, may at any time within twenty days after notice is first published, file with the City Recorder a written application to pay said assessment in installments. The application may be obtained from the City Director of Finance on request. However, the amount remaining unpaid upon assessment may not be bonded for payment in installments if the amount remaining unpaid upon the assessment, together with the unpaid balance of any previous assessments for improvements, against the same property equals or exceeds twice the assessed valuation of the property as shown by the last tax roll of Washington County, Oregon.

  
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City of Sherwood  
Jon Borner, City Manager/Recorder

ORDINANCE 98-1067 (DALSING)

BOYLE

Y

COTTLE

Y

KRAUSE

absent

HEIRONIMUS

absent

PATTERSON

Y