

When recorded return to:

Leana Johnson
City of White Salmon
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RESOLUTION 2013-02-358

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITE SALMON,
WASHINGTON, ASSESSING THE COST OF NUISANCE ABATEMENT AGAINST
PROPERTY LOCATED AT W. JEWETT BLVD & GARFIELD AVE. AND DECLARING LIEN**

WHEREAS, the City adopted Ordinance No. 1996-6-631, as amended by Ordinance No. 2009-09-840, declaring certain unsafe conditions nuisances within the City, and

WHEREAS, on or about March 31, 2011, pursuant to WSMC 8.07.020, the City Public Works Director identified an unsafe condition on property described as follows:

Lot 5, Block D, Lauterbach Subdivision

Tax Account No. 03-10-2481-0404/05

To wit: the property was maintained in such a manner as to allow the bank abutting the city sidewalk to subside, thereby structurally damaging the sidewalk so as to be unsafe for passage.

WHEREAS, pursuant to WSMC 8.07.040, on January 4, 2012 the Public Works Director notified the property owner in writing of the unsafe condition, and gave the property owner 30 days opportunity to abate the condition. A copy of the Notice to Abate is attached as Exhibit "A" and was posted and served as provided in that ordinance. The property owner was notified that unless the condition was abated by the date specified the City would abate the condition and assess the cost of abatement as a lien against the property.

WHEREAS, on March 8, 2012 the Public Works Director found the condition had not been abated or improved in any way, and sought bids for abatement of the condition.

WHEREAS, on December 13, 2012 the City completed abatement of the condition and pursuant to WSMC 8.07.070, notified the property owner of the cost, giving the property owner an opportunity to pay the charges before asserting a lien against the property. A copy of the Notice of Assessment is attached as Exhibit "B".

WHEREAS, WSMC 8.07.090 provides that if the total costs of the abatement are not paid within 30 days from the Notice of Assessment, the Council shall assess the total cost of abatement and have the assessment docketed as a lien against the property, plus interest at the rate of twelve percent per annum.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WHITE SALMON, WASHINGTON, as follows:

THE COUNCIL FINDS that the City incurred the following costs to abate the nuisance described above.

NOW THEREFORE, BE IT FURTHER RESOLVED that the total costs of abatement shall and hereby is a lien against the property described as follows:

Tax Account No. 03-10-2481-0404/05

And said lien shall bear interest at the rate of twelve percent (12%) per annum from the date this lien is filed with the Klickitat Auditor's office until paid.

PASSED by the Council of the City of White Salmon, Washington. Dated this 6th day of February, 2013.

CITY OF WHITE SALMON, WASHINGTON


David Poucher, Mayor

ATTEST:


Leana Johnson, Clerk-Treasurer

APPROVED AS TO FORM:


Kenneth Woodrich, City Attorney