



**CITY OF MILWAUKIE**

*"Dogwood City of the West"*

**Resolution No. 78-2015**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILWAUKIE, OREGON, ASSESSING THE COSTS OF ABATEMENT OF THE NUISANCE LOCATED AT 11611 SE 33<sup>rd</sup> AVE AND ENTERING THE SAME ON THE DOCKET OF CITY LIENS PURSUANT TO MILWAUKIE MUNICIPAL CODE SECTION 8.04.200(D).**

**WHEREAS**, on March 26, 2015 notice of a nuisance was issued and posted on the property located at 11611 SE 33<sup>rd</sup> Ave, Milwaukie, Oregon; and

**WHEREAS**, the property owner or person in charge of the property did not abate the property or file a protest to the notice of a nuisance within ten (10) days of the posting; and

**WHEREAS**, the City abated the nuisance after first obtaining a judicial warrant authorizing entry to the property to abate the nuisance; and

**WHEREAS**, on May 11, 2015, the City forwarded to the owner, or person in charge, by registered or certified mail, postage prepaid, a notice of the abatement costs in compliance with Milwaukie Municipal Code Section 8.04.200(A) et seq; and

**WHEREAS**, there has been no objection filed to the abatement costs within ten (10) days after the notice nor have the costs of the abatement been paid within thirty (30) days from the date of the notice; and

**WHEREAS**, Milwaukie Municipal Code Section 8.04.200(C) provides that if the costs of abatement are not paid within thirty days from the date of notice, an assessment of the costs as determined by the City Council shall be made by resolution and shall thereupon be entered in the dockets of city liens, and upon such entry being made shall constitute a lien upon the property from which the nuisance was abated.

**Now, Therefore, be it Resolved By The City Council, City Of Milwaukie, State Of Oregon, That, Pursuant To Milwaukie Municipal Code Section 8.04.200(C):**

Section 1. The assessment of the costs for the abatement of the said nuisance, including administrative overhead, is in the amount of \$2,621.58.

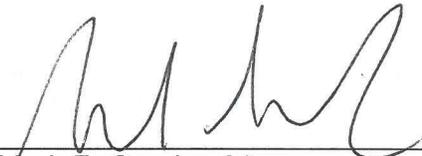
Section 2. The above assessment of costs shall be entered in the docket of city liens.

Section 3. This resolution is effective immediately upon adoption.

**IT IS FURTHER RESOLVED THAT** the City may also record the lien as a lien in the County lien records.

Introduced and adopted by the City Council on 7/7/15.

This resolution is effective on 7/7/15.

  
\_\_\_\_\_  
Mark F. Gamba, Mayor

ATTEST:

APPROVED AS TO FORM:  
Jordan Ramis PC

  
\_\_\_\_\_  
Pat DuVal, City Recorder

  
\_\_\_\_\_  
City Attorney



**MILWAUKIE**  
*Dogwood City of the West*

May 11, 2015

Jerry & Arija Anderson  
 11611 SE 33<sup>rd</sup> Ave  
 Milwaukie, OR 97222

Certified Mail # 7014 3490 0000 8974 0257

**Abatement Costs of Nuisances on Your Property at  
 11611 SE 33<sup>rd</sup> Ave, Milwaukie OR 97222**

To Whom It May Concern:

An abatement of numerous code violations has occurred on your property. The City of Milwaukie has done the following work on your property, which will now be entered onto the City's lien docket:

<u>Work Completed by Contractors or City Employees</u>		<u>Cost</u>
McLean Landscape Maintenance (ATTACHED)		\$1,890.33
<u>Administrative Staff Time</u>	<u>Hours</u>	<u>Cost</u>
Tim Salyers, Code Compliance Coordinator	10 X \$65	\$ 650.00
Tim Salyers, Overtime	1 X \$81.25	\$ 81.25
	<b>Total</b>	<b><u>\$2,621.58</u></b>

The cost as indicated will be assessed to and become a lien against the property unless paid within **thirty (30) days** from the date of this notice.

If the owner or person in charge of the property objects to the cost of the abatement as indicated, he or she may file a notice of objection with the city recorder not more than **ten (10) days** from the date of this notice.

Sincerely,

Pat DuVal  
 City Recorder  
 503-786-7502

CC: First Class Mail