

**RESOLUTION NO. 2018-\_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF MERCED, CALIFORNIA,  
CONFIRMING THE COST ASSESSMENT  
REPORT RELATING TO THE NUISANCE  
ABATEMENT AT 439 EAST OLIVE AVENUE,  
MERCED, CALIFORNIA, ASSESSING A CHARGE  
THEREFOR AGAINST THE PROPERTY,  
APPROVING A LIEN AGAINST THE PROPERTY,  
DIRECTING THE TAX COLLECTOR OF  
MERCED COUNTY TO COLLECT THE  
DELINQUENT ACCOUNT, AND DIRECTING THE  
CITY CLERK TO FILE A CERTIFIED COPY OF  
THIS RESOLUTION WITH THE COUNTY  
RECORDER TO PROVIDE NOTICE OF THE  
LIEN**

WHEREAS, The City of Merced declared the condition of the building located at 439 East Olive Avenue owned by Ana Mayorga to be a public nuisance and a dangerous building pursuant to the Uniform Code for the Abatement of Dangerous Buildings, as adopted by Ordinance by the City Council; and,

WHEREAS, The City of Merced notified the owner of the building that the building was in violation of the Uniform Code for the Abatement of Dangerous Buildings and ordered that the building should either be brought into compliance or demolished; and,

WHEREAS, The owner of the building at 439 East Olive Avenue failed to bring the building into compliance or to demolish the building within a reasonable time; and,

WHEREAS, The condition of the building constituted an eminent threat to the health, safety, and welfare of the citizens of the City of Merced; and,

WHEREAS, Upon the failure of the owner to abate the public nuisance located at 439 East Olive Avenue, the City after seeking judicial approval caused the public nuisance to be abated by the demolition and removal of the building located thereon; and,

WHEREAS, The City of Merced has incurred costs as a result of the abatement; and,

WHEREAS, The Uniform Code for the Abatement of Dangerous Buildings authorizes the City to recover its costs of abatement pursuant to Chapter 9 of said Uniform Code.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MERCED HEREBY RESOLVES, DETERMINES, FINDS, DECLARES, AND ORDERS AS FOLLOWS:

SECTION 1. The statement of amount due for the demolition of the public nuisance located at 439 East Olive Avenue, Merced, California, as reported in the attached Cost Assessment Report, is appropriate.

SECTION 2. The time and place for submitting the report to the City Council has been noticed as required by law.

SECTION 3. The date and time for the hearing and considering the report has been noticed as the 5th day of February 2018, at 6:00 p.m., City Hall, Council Chambers, Merced, California.

SECTION 4. At the hearing, all those desiring to present evidence and testimony were provided the opportunity to do so.

SECTION 5. The City Council finds, after evaluating all testimony and other evidence, that said itemization of costs incurred by the City is correct and that the amounts charged are reasonable.

SECTION 6. The City Council hereby agrees with the abatement of said nuisance, orders and confirms the Cost Assessment Report attached as Attachment "A," and orders and confirms the charge described therein for the abatement of the nuisance.

SECTION 7. The City Council further orders that the charge be assessed against the property and directs the Tax Collector of the County of Merced to place the charge on the assessment roll to constitute a special assessment and a lien upon the property.

SECTION 8. The City Council directs the City Clerk to file this Resolution with Attachment "A" with the County Recorder of the County of Merced to provide notice of the lien against the property.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 5<sup>th</sup> day of February 2018, by the following vote:

AYES: Council Members:

NOES: Council Members:

ABSENT: Council Members:

ABSTAIN: Council Members:

APPROVED:

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Mayor

ATTEST:  
STEVEN CARRIGAN, CITY CLERK

BY: \_\_\_\_\_  
Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:

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