

RESOLUTION NO. 2011-42

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMOORE
DECLARING A PUBLIC NUISANCE AT 526 HEINLEN STREET, 130 F STREET,
537 E STREET, 322 NORTH LEMOORE AVENUE, 348 MAGNOLIA AVENUE,
APN 023-020-010 (EAST D STREET BEHIND FLEET RESERVE) AND
APN 023-150-003 (SOUTH CHAMPION) IN LEMOORE AND
ORDERING ABATEMENT THEREOF**

At a Regular Meeting of the City Council of the City of Lemoore duly called and held on October 18, 2011 at 7:30 p.m. on said day, it was moved by Council Member _____, seconded by Council Member _____ and carried that the following Resolution be adopted:

WHEREAS, on September 6, 2011 the Council adopted Resolution No. 2011-36 declaring its intention to commence abatement proceedings under Chapter 2 of Title 8 of the Lemoore Municipal Code with regard to properties within the City of Lemoore and ordering a public hearing on the question of public nuisances and their abatement at the following locations:

ASSESSOR PARCEL NO.	ADDRESS
020-025-017	526 Heinlen Street
020-024-019	130 F Street
020-063-003	537 E Street
020-111-001	322 North Lemoore
020-031-032	348 Magnolia Avenue
023-020-010	East D Street
023-150-003	South Champion

WHEREAS, the Council held a public hearing on October 18, 2011 and received a written report from the Public Works Director of the City of Lemoore which report is received and incorporated by reference, in full, into this resolution; and

WHEREAS, the Council received further testimony suggesting that the buildings located at 526 Heinlen Street, 130 F Street, 537 E Street, 322 North Lemoore Avenue, 348 Magnolia Avenue, East D Street (APN 023-020-010) and South Champion Street (APN 023-150-003) contain numerous unsafe conditions, specifically outlined in the said report, and constitutes a public nuisance and an attractive nuisance for vagrants, vandals and others; and

WHEREAS, the Council received further evidence during the public hearing that the owners of said buildings had been personally notified of the public hearing held on this date; and

WHEREAS, the owners of said building did/did not appear at the public hearing to offer opposition or testimony; and

WHEREAS, the Council has heard and considered all objections and protests, if any, has received all testimony from all interested parties, witnesses, which are interested in the said building,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lemoore as follows:

1. The Council hereby overrules all objections and protests to the proposed repair or demolition of the unsafe buildings located at 526 Heinlen Street, 130 F Street, 537 E Street, 322 North Lemoore Avenue, 348 Magnolia Avenue, East D Street (APN 023-020-010) and South Champion Street (APN 023-150-003).
2. The Council hereby finds and determines that said unsafe buildings are a public nuisance, an attractive nuisance, and represent an unsafe structure and hereby orders the Director of Public Works to abate the said nuisances by demolition after thirty days written notice to the owners thereof.
3. A copy of this resolution shall be served upon each owner in accordance with the provisions of Section 8-1-3 of the Lemoore Municipal Code.
4. The Public Works Director is instructed to keep an account of the cost, including incidental expenses, of abating the nuisance as directed herein by the Council and to return and provide a report to the City Council regarding said abatement costs, in accordance with the provisions of Section 8-2-5 of the Lemoore Municipal Code.

Passed and adopted at a Regular Meeting of the City Council of the City of Lemoore held on the 18th day of October, 2011 by the following vote:

AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Willard J. Rodarmel, Mayor

ATTEST:

Nanci C.O. Lima, MMC, City Clerk

CERTIFICATE

STATE OF CALIFORNIA)
COUNTY OF KINGS) ss.
CITY OF LEMOORE)

I, Nanci C.O. Lima, City Clerk of the City of Lemoore, do hereby certify the foregoing Resolution of the City Council of the City of Lemoore was passed and adopted at a Regular Meeting of the City Council held on October 18, 2011.

DATED: October 19 , 2011

Nanci C.O. Lima, MMC, City Clerk