RESOLUTION NO. 18-021

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE TO APPROVING THE RELEASE RECORDED LIENS ON 1009 FOREST AVENUE

FINDINGS

1. The City assessed penalties against owner, Rosemary Coleman of 1009 Forest Avenue pursuant to Administrative Decisions and Orders in Code Compliance matter 13-655 and 14-047;
2. Notice of Lien recorded on June 11, 2014 as Document No. 2014026977 and Notice of Lien recorded on May 13, 2015 as Document No. 2015025042 totaled amount due and owing by Ms. Coleman was $113,465;
3. The property was sold at public Auction on December 5, 2016 due to a foreclosure action;
4. The two City liens were junior to the Deed of Trust held by the Trustee and upon sale the liens were extinguished by the senior lien;
5. The City no longer has the ability to collect on the amounts due;
6. The proposal to release the liens would not be detrimental to the public interest, health, safety, convenience, or welfare of the city; and
7. The site is physically suitable (including access, provision of utilities, compatibility with adjoining land uses, and absence of physical constraints) for the requested and anticipated land uses.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Resolution.

2. The Council authorizes the City Manager to execute documents to release the liens from the property at 1009 Forest Avenue.

3. This Resolution shall become effective immediately following passage and adoption thereof.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 20th day of June, 2018, by the following vote:

AYES: Mayor Kampe, Councilmembers Cuneo, Fischer, Garfield, Huitt, Peake, and Smith.

NOES: None.

ABSENT: None.

APPROVED:

Bill Kampe

BILL KAMPE, Mayor

ATTEST:

Sandra Kandell

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

Heidi Quinn for

DAVID C. LAREDO, City Attorney