

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION PLACING CHARGES FOR NON-PAYMENT)
OF COSTS OF ABATEMENT OF PUBLIC NUISANCE ON) RESOLUTION NO. 23-122
FISCAL YEAR 2024-2025 TAX ROLL AND AUTHORIZING)
RECORDATION OF NOTICE OF ABATEMENT LIEN WITH)
COUNTY RECORDER)

WHEREAS, after providing notice to the property owner of 19134 Pine Drive, Pioneer (APN 023-380-011) and an opportunity for hearing under section 10.32.080 (Notice of intention to abate and remove vehicle) of the County Code, the Code Enforcement Officer obtained a court order to remove abandoned vehicles deemed a public nuisance through the Amador Abandoned Vehicle Abatement Service Authority (AAVASA), and did in fact remove those vehicles from the property on April 28, 2023; and

WHEREAS, on May 11, 2023, the Code Enforcement Officer served the property owner (Mary Louise and James Gileno are deceased and on title, and Faustina James is securing title through probate) a demand for reimbursement of costs of administrative abatement of the public nuisance upon the property, in the amount of \$6,218.32; and

WHEREAS, the \$6,218.32 has not been paid; and

WHEREAS, County Code section 10.32.150 (Collection of delinquent assessment) states that, if costs are not paid within 30 days of a demand, “such costs shall be assessed against the parcel of land pursuant to Section 25845 of the Government Code, and shall be transmitted to the tax collector for collection subject to collection in any manner specified in said section.”

WHEREAS, Government Code section 25845 reads in relevant part:

(d) If the owner fails to pay the costs of the abatement upon demand by the county, the board of supervisors may order the cost of the abatement to be specially assessed against the parcel. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary county taxes. All laws applicable to the levy, collection, and enforcement of county taxes are applicable to the special assessment.

(e) If the board of supervisors specially assesses the cost of the abatement against the parcel, the board also may cause a notice of abatement lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the nuisance was ordered by the board of supervisors and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost.

WHEREAS, the County desires to recover the costs incurred in abating the public nuisance by placing a special assessment against the property from which the public nuisance was abated; and

WHEREAS, the County further desires to record a Notice of Abatement Lien with the Amador County Recorder's Office against the parcel of property from which the public nuisance was abated; and

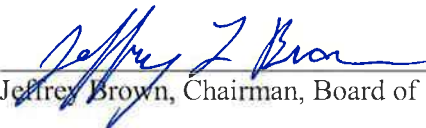
WHEREAS, notification of a public hearing was made on the matters of the special assessment lien and the recordation of a Notice of Abatement Lien by both publication in the Ledger Dispatch in accordance with Amador County Codes, as well as by certified and regular mail to the property tax billing address for the property owner.

BE IT RESOLVED by the Board of Supervisors of the County of Amador, State of California, as follows:

1. The Board of Supervisors hereby adopts the recommendation of Staff to place a lien for the costs of abatement of the public nuisance upon the Fiscal Year 2024 — 2025 Tax Roll for the property, and to record a Notice of Abatement Lien against the property.
2. The Board of Supervisors hereby resolves to cause a special assessment in the amount of \$6,218.32 to be placed on the Fiscal Year 2024 — 2025 Tax Roll for the property identified in Attachment "A" hereto, which assessment may be collected at the same time and in the same manner as ordinary county taxes are collected, and shall be subject to the same penalties and same procedure and sale in case of delinquency as are provided for ordinary county taxes.
3. The Board of Supervisors further resolves to cause a Notice of Abatement Lien to be recorded with the Amador County Recorder's Office against the property identified in Attachment "A" hereto.

The foregoing resolution was duly passed and adopted by the Board of Supervisors in the County of Amador at a regular meeting thereof, held on the 26th day of September, 2023, by the following vote:

AYES: Jeffrey Brown, Brian Oneto, Patrick Crew, Frank U. Axe, Richard Forster
NOES: None
ABSENT: None



Jeffrey Brown, Chairman, Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California



Deputy

"EXHIBIT A"

LOT NUMBER THREE HUNDRED FIFTY-NINE (359) AS SHOWN ON MAP OF "AMADOR PINES UNIT NO. 5", RECORDED DECEMBER 21, 1965 IN BOOK 1 OF SUBDIVISION MAPS, PAGE 68, RECORDS OF AMADOR COUNTY, CALIFORNIA.