

RESOLUTION NO. 87-61

RESOLUTION OVERRULING OBJECTIONS AND PROCEEDING WITH ABATEMENT

BEFORE THE CITY COUNCIL OF THE CITY OF LODI IN THE MATTER OF

Overruling Objections and)
Determining to Proceed with) RESOLUTION NO. 87-61
Abatement)

The City Council adopted Resolution No. 87-52 on May 6, 1987 which by its terms the Council elected to proceed under Government Code sections 39501-39588 and did declare as a public nuisance all weeds growing upon streets, sidewalks and private property in the city and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city; and

A public hearing was held on June 3, 1987 and no objections to the proposed removal of weeds, rubbish, refuse and dirt were made or presented either in writing or orally;

NOW, THEREFORE, IT IS FOUND, DETERMINED AND ORDERED AS FOLLOWS:

(1) On May 6, 1987, the council elected to proceed under Government Code sections 39501-39588 and did declare as a public nuisance all weeds growing upon the streets, sidewalks and private property in the city and all rubbish, refuse and dirt upon parkways, sidewalks and private property in the city, all as more particularly described in Resolution No. 87-52 adopted May 6, 1987.

(2) The council fixed June 3, 1987 at the hour of 7:30 o'clock p.m., in the city council chambers, 221 West Pine Street, Lodi, as the time and place for hearing all objections to the proposal of removal of weeds, rubbish, refuse and dirt, and the director of public works was designated as the person to perform the duties imposed by Government Code sections 39560-39588 upon the superintendent and he did prepare notices to destroy weeds and remove rubbish, refuse and dirt and did in the time and manner prescribed by law cause copies of the notice to be conspicuously posted on or in front of the property where the nuisance exists; the city did mail written notice of the proposed abatement to all persons owning property described in Resolution No. 87-52 in the time, form and manner prescribed by law.

(3) The city council did hold a public hearing on June 3, 1987 and no objections either written or oral to the proposed removal of weeds, rubbish, refuse and dirt were presented and the hearing was closed on June 3, 1987.

(4) The superintendent is ordered to abate the nuisance declared by Resolution No. 87-52 by having the weeds, rubbish, refuse and dirt removed and for this purpose, on those parcels shown on the attached exhibit (Exhibit A), the superintendent may enter upon private property to abate the nuisance. Before the superintendent arrives, any property owner may remove the weeds, rubbish, refuse and dirt at his own expense.

(5) The superintendent or the contractor awarded the work, as the case may be, shall keep an account of the cost of abatement in front of or on each separate parcel of land where the work is done and shall submit to the council for consideration, hearing of objections, modification and confirmation, an itemized written report showing this cost, all as more particularly prescribed by Government Code section 39574.

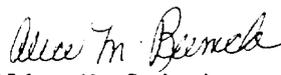
Adopted by the City Council of the City of Lodi on June 3, 1987 by the following vote:

Ayes: Council Members - Hinchman, Pinkerton, Reid, Snider, and Olson (Mayor)

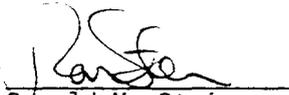
Noes: Council Members - None

Absent: Council Members - None

Attest:


Alice M. Reimche
City Clerk

Approved as to form


Ronald M. Stein
City Attorney

PH 1

WEED ABATEMENT

PARCELS NOT IN COMPLIANCE
AS OF 6/8/87

1. A1-06.87 041-410-01 Arnaiz Dev. Co.
Mokelumne Village Parcel 1-A
2. A1-35.87 049-180-47 LaVor Thompson
320 N. Cluff Ave. (south of 330 N. Cluff Ave.)
3. A2-02.87 047-020-12 Albert & Teresa Garibaldi
309 S. Stockton Street
4. A2-04.87 047-450-17 Lodi Associates
K-Mart Shopping Center, 520 S. Cherokee Ln. (vacant areas)
5. A2-15.87 049-070-50 Robert Woods Tr., etal
880 S. Beckman Rd. (all vacant areas around building)
6. A2-16.87 062-060-42 Atlantic Richfield
800 E. Kettleman Ln. - Don's Mini Mart (vacant area to south)
7. A2-59.87 062-060-20 Darrell Fandrich
1721 S. Cherokee Ln. - northwest corner of Almond Dr. (vacant area)
8. A2-61.87 047-280-12 Richard Sanborn
1210 S. Cherokee Ln. (vacant area northeast of Sanborn Chev.)
9. A2-62.87 047-280-16 Daryl Geweke
1150 S. Cherokee Ln. (all vacant areas)
10. A2-63.87 047-450-27 Washington Savings & Loan
Northeast corner of Cherokee Ln. and Hale Rd. - formerly 720 S.
Cherokee Ln. (vacant area)
11. A3-03.87 062-020-28 Daryl Geweke
1918 S. Church St. (vacant area south of 1916 S. Church St.)
12. A3-08.87 060-056-09 Ray Contractors
1602 Brandywine Ct. (vacant corner lot & foundation)
13. A3-09.87 060-056-10 Ray Contractors
1214 Brandywine Dr. (vacant lot & foundation west of 1208
Brandywine; duplex foundation with 1602 Brandywine Ct.)
14. A3-139.87 058-160-26 Thomas Luckey Construction
1403 S. Lakeshore Dr. (vacant area, southwest corner, Lakeshore
Dr. & Kettleman Ln.)
15. A3-140.87 058-160-27 Thomas Luckey Construction
1710 W. Kettleman Ln. (vacant area west of 1403 Lakeshore Dr.)

16. A3-141.87 058-160-29 Thomas Luckey Construction
1812 W. Kettleman Ln. (vacant area east of 1822 W. Kettleman Ln.)
17. A3-142.87 058-160-28 Thomas Luckey Construction
1716 W. Kettleman Ln. (vacant area west of 1423 Lakeshore Dr.,
near lake)
18. A3-143.87 058-160-81 Thomas Luckey Construction
1806 W. Kettleman Ln. (vacant area west of 1716 W. Kettleman Ln.;
near lake)
19. A4-03.87 045-240-07 Angelantonio De Rubis
713 S. Sacramento St. (vacant lot and building south of 711 S.
Sacramento St.; NOTE: This property was declared an emergency and
is being cleared due to the high, dry weeds and the fact it is
surrounded on 3 sides by homes)
20. A4-108.87 033-100-04 Garland Stroup
513 S. Fairmont Ave. (vacant lot south of 507 S. Pleasant)
21. A5-20.87 041-290-05 John Cope
257 Royal Oaks Ct. (vacant lot, west end of cul-de-sac)
22. A5-21.87 041-290-04 Rivergate Development Co.
258 Royal Oaks Ct. (vacant lot, west end of cul-de-sac)
23. A5-22.87 041-290-03 Roy Irick
250 Royal Oaks Ct. (vacant lot, west end of cul-de-sac)
24. A6-03.87 029-290-68 Park West
501 N. Lower Sacramento Rd. (vacant corner lot)
25. A6-18.87 029-290-38 Park West
2557 Amberwood Dr. (vacant lot)
26. A6.25-87 029-290-47 Park West
602 Glen Oak Dr. (vacant lot, northeast corner)
27. A6-31.87 029-290-51 Park West
507 N. Lower Sacramento Rd. (vacant lot, southwest corner)
28. A6-33.87 029-290-49 Park West
607 N. Lower Sacramento Rd. (vacant lot)
29. A6-84.87 029-300-26 Park West
415 Applewood Dr. (vacant lot south of 421 Applewood Dr.)