

**RESOLUTION NO. 2009-3**

**A RESOLUTION DIRECTING CITY CLERK TO CERTIFY RAZING COSTS TO THE WAYNE COUNTY CLERK AND THE WAYNE COUNTY TREASURER TO BECOME A LIEN ON THE EAST 48' OF THE WEST 100' OF LOTS 4, 5, AND 6, BLOCK 24, ORIGINAL TOWN TO WAYNE, WAYNE COUNTY, NEBRASKA, MORE COMMONLY DESCRIBED AS 418 WEST FIRST STREET, WAYNE, NEBRASKA.**

**WHEREAS**, the City of Wayne has incurred costs associated with the razing of the property located at 418 West First Street, Wayne, and legally described as the East 48' of the West 100' of Lots 4, 5, and 6, Block 24, Original Town to Wayne, Wayne County, Nebraska; and

**WHEREAS**, Section 18-241 of the Wayne Municipal Code states that if any owner of any building or structure fails, neglects, or refuses to comply with notice by or on behalf of the City to repair, rehabilitate, or demolish and remove a building or structure which is unsafe, or a public nuisance, or is in violation of the 2000 International Property Maintenance Code as adopted by Wayne Municipal Code, Sec. 18-242, the City may proceed with the work specified in the notice to the property owner; and

**WHEREAS**, Section 18-241 of the Wayne Municipal Code further states that the Council may levy the cost as a special assessment against the lot or real estate upon which the building or structure is located; which special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments; or collect the cost from the owner of the building or structure and enforce the collection by civil action in any court of competent jurisdiction.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and the Council of the City of Wayne, Nebraska, that the Wayne City Clerk shall certify to the Wayne County Clerk and the Wayne County Treasurer the total amount of \$3,112.64 in expenses incurred by the City of Wayne in the razing of the property referenced herein, and upon certification to the Wayne County Clerk and the Wayne County Treasurer, such expense shall become a lien on 418 West First Street, Wayne, and legally described as the East 48' of the West 100' of Lots 4, 5, and 6, Block 24, Original Town of Wayne, Wayne County, Nebraska, as a special assessment tax levied on the date of such certification.

**BE IT FURTHER RESOLVED** that the Wayne County Treasurer shall add such expense to and it shall become and form a part of the taxes on such property described herein and shall bear interest at the same rate as taxes and to be collected as a special tax in the manner provided by law.

Passed and approved this 20<sup>th</sup> day of January, 2009.

THE CITY OF WAYNE, NEBRASKA

BY \_\_\_\_\_

Mayor

ATTEST:

\_\_\_\_\_

City Clerk

APPROVED AS TO FORM AND CONTENT:

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City Attorney

**CERTIFICATE OF UNPAID COSTS TO BE LEVIED**

**ON 418 WEST FIRST STREET, LEGALLY DESCRIBED AS**

**THE EAST 48' OF THE WEST 100' OF LOTS 4, 5, AND 6, BLOCK 24, ORIGINAL  
TOWN TO WAYNE, WAYNE COUNTY, NEBRASKA.**

STATE OF NEBRASKA     )

)

COUNTY OF WAYNE     ) ss.

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CITY OF WAYNE         )

I, Betty A. McGuire, the undersigned duly qualified and acting City Clerk of the City of Wayne, Wayne County, Nebraska, by direction of the Mayor and Council of the City of Wayne, Nebraska, do hereby certify to the County Clerk/Register of Deeds and the Wayne County Treasurer for entry upon the real estate records the attached Resolution 2009-3, which was adopted on the 20<sup>th</sup> day of January, 2009.

WITNESS my hand and seal of office this 30<sup>th</sup> day of January, 2009.

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City Clerk of the City of Wayne

Wayne County, Nebraska

(SEAL)