

RESOLUTION 9996

A RESOLUTION ESTABLISHING THE AMOUNT INCURRED FOR THE REPAIR OF THE SIDEWALK ADJACENT TO LOTS 12-13, BLOCK 316 OF GREAT FALLS ORIGINAL TOWNSITE, ADDRESSED AS 511 CENTRAL AVENUE, AND DECLARING A LIEN FOR SAID AMOUNT

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WHEREAS, the public sidewalk adjacent to Lots 12-13, Block 316 of Great Falls Original Townsite, Great Falls, Cascade County Montana, addressed as 511 Central Avenue, Great Falls, Montana (“Property”), was broken, defective or unsafe and in need of repair or replacement as required by §12.28.140, Great Falls Municipal Code; and

WHEREAS, pursuant to §12.28.120, Great Falls Municipal Code, the sidewalk was condemned by the Director of Public Works, City of Great Falls, as being dangerous to public safety; and

WHEREAS, the record owner of Property was served by mail with a letter notice to repair sidewalk within thirty days of date of notice; and

WHEREAS, after expiration of the thirty days, the record property owner did not repair or replace the unsafe portions of the dangerous sidewalk; and

WHEREAS, pursuant to §7-14-4122, MCA, the City contracted for the needed repair of the sidewalk; and

WHEREAS, the contractor completed removal and replacement of the dangerous sidewalk; and

WHEREAS, the amount of the repair and necessary costs is Two Thousand One Hundred Ninety-Eight and no/100 Dollars (\$2,198.00); and

WHEREAS, record owner has not reimbursed the City for the amount of the repair of the sidewalk and necessary costs; and

WHEREAS, pursuant to §7-14-4122, MCA, the amount of the repair is a lien upon the Property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA:

1. That in accordance with §7-14-4122, MCA, and §12.28.120, Great Falls Municipal Code, the amount of Two Thousand One Hundred Ninety-Eight and no/100 Dollars (\$2,198.00) for costs incurred in the repair of dangerous sidewalk is declared to be a lien upon Lots 12-13, Block 316 of Great Falls Original Townsite, Great Falls, Cascade County Montana, addressed as 511 Central Avenue, Great Falls, Montana.

2. That the City Manager is authorized to enforce the lien and recover the amount from the record owner by all legal means.

PASSED AND ADOPTED by the City Commission of the City of Great Falls, Montana, this 16<sup>th</sup> day October, 2012.

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Michael J. Winters, Mayor

ATTEST:

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Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

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David L. Nielsen, Interim City Attorney