

RESOLUTION NO. 2024-17

A RESOLUTION OF THE CITY OF CRETE, SALINE COUNTY, NEBRASKA, TO LEVY SPECIAL ASSESSMENTS AGAINST CERTAIN REAL PROPERTY DESCRIBED AS CRETE CITY NORTH 1/2 OF LOT 5, BLOCK 1, ORIGINAL TOWNSHIP, CITY OF CRETE, SALINE COUNTY, NEBRASKA

WHEREAS in Summer of 2023 Building Inspector, Brad Bailey completed an exterior inspection of the real property described as the North 1/2 of Lot 5, Block 1, Original Township, City of Crete, Saline County, Nebraska; commonly known as 1215 Main Ave, Crete, Nebraska 68333 (the "Property"); and

WHEREAS Neb. Rev. Stat. 19-5401 to 19-5408 authorizes municipalities in the State of Nebraska to create a vacant property registry, charge property owners for holding property on the registry, and assess unpaid charges to the property; and

WHEREAS the City of Crete, Nebraska adopted Crete Municipal Code 11-903 in 2021 to create a vacant property registry for the City of Crete; and

WHEREAS the property at 1215 Main Ave has sat vacant for over one year without any building permits, occupancy permits, listings for rent or listings for sale; and

WHEREAS the property owners, Mario Mendez and Carmelo Lopez were notified the property would be placed the vacant property registry on January 31, 2024; and

WHEREAS Mr. Lopez met with City Administrator, Tom Ourada and Building Inspector, Brad Bailey in February of 2024, where he was informed of what he needed to do to keep the property off of the vacant property registry; and

WHEREAS Mr. Lopez was given one and a half months to acquire building permits for construction at 1215 Main Ave; and

WHEREAS as of April 20, 2024, no permits requests were submitted with the state electrical board or the City of Crete; and

WHEREAS the City allowed Mr. Lopez and Mr. Mendez over 30 days to protest being placed on the vacant property registry and no protests were submitted; and

WHEREAS the costs of \$1,000, the fee for a commercial building on the vacant property registry, has not been paid by Mr. Lopez or Mr. Mendez after multiple bills were sent by the Crete Finance Director, Wendy Thomas; and

WHEREAS notice of a special meeting of the City Council of the City of Crete, Saline County, Nebraska, for the purpose of determining the special assessment of costs associated with being placed on the vacant property registry were delivered upon the Owner by Mail on August 13, 2024 and Published via Legal Newspaper on August 14, and August 21, 2024;

WHEREAS the Owner had an opportunity to attend the meeting and provide testimony and written materials in support or opposition to the proposed special assessment;

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF CRETE, SALINE COUNTY, NEBRASKA:

Taking into account the impact a vacant property has on the City, there is hereby levied a special assessment in the amount of \$1,000.00 against the real property described below:

North 1/2 of Lot 5, Block 1, Original Township, City of Crete, Saline County, Nebraska; commonly known as 1215 Main Ave, Crete, Nebraska 68333 (the "Property"); and

Such special assessment shall be a lien against the real property on which it is levied and shall draw interest at the rate of fourteen percent (14%) per annum from the date of passage of this Resolution until the same is paid in full. The City Clerk shall forward a notice of special assessment to the County Treasurer for Saline County, Nebraska, with instructions to place upon the records of the office of said County Treasurer the imposition of this lien upon the real property identified above, and said County Treasurer shall be authorized to collect and remit payment of these liens, including interest and filing fees, to the City of Crete, Saline County, Nebraska.

If any section or part of this Resolution is held invalid for any reason, such section or part shall be deemed separable, and the invalidity itself shall not affect the validity of any other provision of this Resolution.

This Resolution shall take effect and be in full force from and after its passage and approval as required by law.

PASSED AND APPROVED THIS 3rd DAY OF SEPTEMBER 2024

Dave Bauer, Mayor

ATTEST:

Nancy Tellez, Clerk