

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION ACCEPTING AND CONFIRMING THE REPORT OF  
BUILDING OFFICIAL FOR STRUCTURE DEMOLITION AND PROPERTY  
ABATEMENT OF PROPERTY LOCATED AT 410 N. OSBORNE AVENUE,  
GILLETTE, WYOMING 82716 AND LEGALLY DESCRIBED AS LOT 3,  
BLOCK 2, RAINBOW ADDITION TO THE CITY OF GILLETTE, WYOMING  
AND ORDERING ASSESSMENT OF COSTS OF THE DEMOLITION AND  
ABATEMENT AGAINST THE PROPERTY ITSELF

WITNESSETH

WHEREAS, Ken Rogers, Chief Building Official for the City of Gillette, Wyoming did determine that the property located at 410 North Osborne Avenue, Gillette, Wyoming was a Dangerous Building according to the terms of the 1997 Uniform Code for the Abatement of Dangerous Buildings; and

WHEREAS, on May 17, 2016, Ken Rogers, Chief Building Official for the City of Gillette, did issue a NOTICE AND ORDER OF VACATION AND REPAIR AND ABATEMENT, mandating the repair or demolition of the residential structure located at 410 North Osborne Avenue within sixty (60) days of notice; and

WHEREAS, pursuant to the NOTICE AND ORDER OF VACATION AND REPAIR AND ABATEMENT, those individuals who may have an interest in said property were provided a copy of the NOTICE AND ORDER OF VACATION AND REPAIR AND ABATEMENT by means of both Regular U.S. Mail and Certified Mail, and by affixing a copy to the property located at 410 North Osborne Avenue, and by means of publication in the Gillette News Record, a newspaper of general circulation in Gillette and Campbell County, Wyoming; and

WHEREAS, no permits allowing for the repair or demolition of the property located at 410 North Osborne Avenue, were sought or obtained by from the Chief Building Official, and no repairs or demolition was otherwise undertaken with regard to the premises; and

WHEREAS, pursuant to the terms of the 1997 Uniform Code for the Abatement of Dangerous Buildings, the Chief Building Official for the City of Gillette did cause the structure located at 410 North Osborne Avenue to be abated through demolition at the cost to the City of Gillette in the amount of sixteen thousand, one hundred forty-five dollars (\$16,145.00); and

WHEREAS, pursuant to §901 of the 1997 Uniform Code for the Abatement of Dangerous Buildings, and Section §5-I-10 of the Gillette City Code, the City of Gillette may recover all costs associated with the abatement of the premises for a total expended sum of seventeen thousand, three hundred fifty-four dollars and thirty-five cents (\$17,354.35); and

WHEREAS, the Building Official prepared a Report of Building Official dated January 19, 2017 for the Abatement of Building Located at 410 N. Osborne Avenue, Gillette, WY 82716, Lot 3, Block 2, Rainbow Addition, to the City of Gillette, Wyoming, which specified the work completed, the itemized and total cost of the work done, a description of the real property upon which the building or structure was located, and the names and addresses of the persons entitled notice; and

WHEREAS, pursuant to the PUBLIC HEARING NOTICE for the consideration of the REPORT OF BUILDING OFFICIAL, those individuals who may have an interest in said property were provided notice of the PUBLIC HEARING and a copy of the REPORT OF BUILDING OFFICIAL by means of both Regular U.S. Mail and Certified Mail, and by affixing a copy to the property located at 410 North Osborne Avenue, and by means of publication in the Gillette News Record, a newspaper of general circulation in Gillette and Campbell County, Wyoming; and

WHEREAS, an opportunity to file written protests or objections was allowed to all persons interested or affected by the charge prior to the hearing held on March 7, 2017 at 7:00 p.m. local time as advertised; and

WHEREAS, the Gillette City Council held the hearing as advertised to consider objections or protests and is satisfied with the correctness of the charge as it deems just; and

WHEREAS, this matter having come before the Council for a Public Hearing to consider the Report of the Building Official regarding Structure Demolition and Property Abatement of the property located at 410 N. Osborne Avenue, Gillette, Wyoming 82716 and legally described as Lot 3, Block 2, Rainbow Addition, to the City of Gillette, Wyoming ("Subject Property"); and the Council having reviewed the Report of the Building Official and being otherwise fully advised in the premises and making such inquiry as the Council deems necessary, finds that just cause exists to accept and confirm the Report of the Building Official; and

WHEREAS, a Special Assessment in the amount of seventeen thousand three hundred fifty-four dollars and thirty-five cents (\$17,354.35) will be levied on the Subject Property, in accordance with WYO. STAT. § 15-6-406, to recover the costs associated with the Structure Demolition and Property Abatement of the Subject Property; and

WHEREAS, the City Attorney is authorized to proceed with judicial foreclosure of the Subject Property, in accordance with WYO. STAT. § 15-6-419 and §5-I-10 of the Gillette City Code;

and

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF GILLETTE, WYOMING, the REPORT OF THE BUILDING OFFICIAL dated January 19, 2017, is hereby accepted and confirmed.

BE IT FURTHER RESOLVED, it is hereby ordered that the charge shall be levied against the property as a Special Assessment in the amount of \$17,354.35, and not a personal obligation against those persons or parties who may have an interest in the property.

AND FURTHER RESOLVED, the City Attorney is authorized to proceed with judicial foreclosure of the Subject Property, in accordance with WYO. STAT. § 15-6-419 and §5-I-10 of the Gillette City Code

PASSED, APPROVED, AND ADOPTED this 7th day of March, 2017.

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Louise Carter-King, Mayor

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ATTEST:

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Karlene Abelseth, City Clerk