

**RESOLUTION NO. 22-05**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORAGA-ORINDA FIRE DISTRICT CONFIRMING AND ADOPTING THE REPORTED COSTS INCURRED BY THE MORAGA-ORINDA FIRE DISTRICT (“DISTRICT”) IN ABATING PUBLIC NUISANCES AT 106 TAPPAN LANE, ORINDA, APN #266-38-0009, PURSUANT TO HEALTH AND SAFETY CODE SECTION 14912.**

**WHEREAS**, on June 16, 2021, by Resolution 21-13, the Moraga-Orinda Fire District (“the District”), after conducting a duly noticed public hearing, declared that the fire hazards existing at 106 Tappan Lane, Orinda (“the Property”) constituted a public nuisance, directed the Fire Chief to abate the nuisance, and directed the Fire Chief to maintain a record of all costs incurred in abating the nuisance, including administrative costs; and

**WHEREAS**, the Fire Chief subsequently abated the nuisance in the manner authorized by law on or after September 15, 2021; and

**WHEREAS**, the Chief and his designees prepared a report of the abatement costs for 106 Tappan Lane, Orinda and other properties entitled “Abatement Report on Abatement Costs incurred by the Moraga-Orinda Fire District on or after June 1, 2021” (“the Abatement Report”), which is attached hereto as Exhibit “A” and incorporated herein by reference; and

**WHEREAS**, the District duly noticed and agendized a hearing to be held on February 16, 2022 at 7:00 pm, at which the Board received and considered the Abatement Report and heard any objections or protests of the property owners to be assessed for the costs of the abatements performed by the District; and,

**NOW THEREFORE BE IT RESOLVED** by the Board of Directors of the Moraga-Orinda Fire District that:

1. The Board hereby orders the Abatement Report to be confirmed and further orders that the abatement costs for 106 Tappan Lane in the amount of \$35,100.00 identified therein shall constitute a special assessment against 106 Tappan Lane, APN #266-38-0009 and shall be a lien on the parcel in that amount.
2. The District Clerk is hereby directed to record a certified copy of this Resolution with the County Recorder pursuant to Health and Safety Code section 14912, less any payment made prior to this date required for submission to the County Recorder.

**PASSED, APPROVED and ADOPTED** this 16<sup>th</sup> day of February 2022 at a regular meeting of the District Board of Directors held virtually due to the COVID-19 pandemic, on motion made by Director Danziger, seconded by Director Jorgens, and duly carried with the following roll call vote.

<b>AYES:</b>	DIRECTORS BAITX, DANZIGER, JEX, JORGENS, AND DONNER
<b>NOES:</b>	NONE
<b>ABSENT:</b>	NONE
<b>ABSTAIN:</b>	NONE

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Dated: February 16, 2022  
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*Michael Donner*

Michael Donner (Feb 22, 2022 16:12 PST)

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Michael Donner, President  
Board of Directors

**ATTEST:**

*Marcia Holbrook*

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Marcia Holbrook  
District Secretary/District Clerk

**EXHIBIT A**

**Weed Abatement Report – UPDATED 2/11/2022**

<u>Case #</u>	<u>APN #</u>	<u>Owner</u>	<u>Address</u>	<u>Amount of Lien</u>
21-0193	266-38-0009	SIU FREDERICK & DORA TRE	106 TAPPAN LANE, ORINDA	\$35,100.00






# 22-05 Lien Hearing 106 Tappan (MMM edit 2-5-2022)

Final Audit Report

2022-02-23

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## "22-05 Lien Hearing 106 Tappan (MMM edit 2-5-2022)" History

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