RESOLUTION No. 2022-001

A RESOLUTION REMOVING A RAPID CITY SPECIAL ASSESSMENT ON 631 LEMMON AVENUE

WHEREAS, on April 7, 2021, the Code Enforcement Division of the Rapid City Community Development Department abated a nuisance or nuisances on the property commonly known as 631 Lemmon Avenue and legally described as “Lot 5-7, Block 33, North Rapid Addition, Rapid City, Pennington County, South Dakota” (the “Property”); and

WHEREAS, at the time of this abatement, the owner of the Property was Rose Suliveres; and

WHEREAS, the fee for this abatement was $525.00, plus a late fee of $100; and

WHEREAS, the City of Rapid City approved a special assessment for the nuisance abatement on May 17, 2021, by a resolution entitled “Resolution 2021-046 A Resolution Levying Assessment for Abatement of Nuisances”; and

WHEREAS, a $625 special assessment was assessed against the Property, which over time may have accrued interest and late fees; and

WHEREAS, the Pennington County Treasurer’s Office issued a Treasurer’s Deed for the Property to James Bialota Jr. on April 27, 2021; and

WHEREAS, because the nuisance abatement was not an SDCL Chapter 9-43 special assessment, the special assessment did not survive the issuance of the Treasurer’s Deed to Mr. James Bialota Jr.; and

WHEREAS, the City Council desires to recognize that this special assessment is not collectable; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Rapid City, South Dakota that the special assessment approved by the City of Rapid City on May 17, 2021 is removed from the Property,

BE IT FURTHER RESOLVED, by the City of Rapid City that any lien against the Property, created as a result of the special assessment, is extinguished.

DATED this ___________ day of ______________, 202__.

CITY OF RAPID CITY

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Steve Allender, Mayor

ATTEST:

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Pauline Sumption, Finance Director

(SEAL)