

**CITY OF MODESTO, CALIFORNIA**

Community and Economic Development Department  
Building Safety Division  
P.O. Box 642  
1010 Tenth Street, Suite 3100  
Modesto, California 95353



Telephone: (209) 577-5232  
Facsimile: (209) 571-5135  
TDD: (209) 526-9211

# **NOTICE OF PASSAGE OF RESOLUTION**

**JANUARY 7, 2014**

**TO: LIZEBETH PATINO  
2405 LISELLE LANE  
MODESTO, CA 95358**

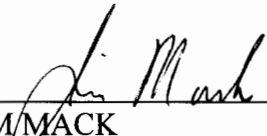
**VIA: CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**RE: THE PARTIALLY DEMOLISHED FIRE-DAMAGED SINGLE-FAMILY  
DWELLING LOCATED AT THE PROPERTY KNOWN AS 1006 SANTA  
FE AVENUE, MODESTO, CALIFORNIA; CITY OF MODESTO CODE  
ENFORCEMENT CASE NO. COD2012-40173**

PLEASE TAKE NOTICE that on December 18, 2013, the Board of Building Appeals of the City of Modesto conducted a public appeal hearing regarding the real property situated in the City of Modesto commonly referred to as 1006 Santa Fe Avenue (hereinafter referred to collectively as the “premises”). Following the public appeal hearing, the Board adopted Resolution No. 2013-16, a true and correct copy of which is attached to this Notice.

PLEASE TAKE FURTHER NOTICE that the owners of the premises or any other interested person having any objections, or feeling aggrieved at any proceeding taken by the City of Modesto in ordering abatement of the nuisance, must bring an action in a court of competent jurisdiction within thirty (30) days after the date of posting on the premises the notice of passage of the resolution declaring the nuisance to exist to contest the validity of any proceedings leading up to and including the adoption of the resolution, otherwise all objections will be deemed to have been waived.

Dated: January 7, 2014

  
\_\_\_\_\_  
JIM MACK  
SECRETARY TO THE BOARD

JM:cp  
Attachment

cc: LIZEBETH PATINO  
2405 LISELLE LANE  
MODESTO, CA 95358

City Attorney  
Jim Mack, Acting Chief Building Official  
Bert Lippert, Building Inspection Program Coordinator  
File

BOARD OF BUILDING APPEALS  
RESOLUTION NO. 2013-16

A RESOLUTION AMENDING THE ADMINISTRATIVE ENFORCEMENT ORDER DATED NOVEMBER 18, 2013, RELATIVE TO PROVIDING AN ADDITIONAL THIRTY (30) DAYS AT THE CITY STAFF'S DISCRETION OF THE CHIEF BUILDING OFFICIAL AND REPORT AT THE NEXT REGULAR MEETING ON JANUARY 23, 2014

WHEREAS, on December 6, 2013, a "Notice of Hearing" was mailed by certified mail, postage prepaid, return receipt requested, to record owner(s) and posted on the property, pursuant to California Code of Regulations, Title 25, Division 1, Chapter 1, Subchapter 1, Article 6, Sections 58 and 60; and

WHEREAS, said "Notice of Hearing" gave notice that a public hearing would be held by the Board of Building Appeals of the City of Modesto, on December 18, 2013, at 4:00 p.m., in the Second Floor Conference Room 2005 – Tenth Street Place, 1010 Tenth Street, Modesto, California; regarding the real property situated in the City of Modesto commonly referred to as 1006 Santa Fe Avenue; and

WHEREAS, a duly noticed public hearing of the Board was held at date, time, and place as mentioned above, for the purpose to hear and receive evidence to determine whether said premises constitutes a public nuisance and to consider other appropriate action to abate such nuisance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Building Appeals of the City of Modesto, that the following be ordered:

1. Amend the Administrative Enforcement Order dated November 18, 2013, relative to providing an additional thirty (30) days at the city staff's discretion of the Chief Building Official.
2. Report back at the next regular meeting on January 23, 2014.

The foregoing matter was introduced at a special meeting of the Board of Building Appeals of the City of Modesto held on the 18th day of December 2013, by Board Member Tim Ragsdale, who moved its adoption, which motion being duly seconded by Board Member Rick Reid was upon roll call carried in the resolution adopted by the following vote:

Ayes:	Ragsdale, Reid, and Yoshino
Noes:	None
Absent:	None

BY ORDER OF THE BOARD OF BUILDING APPEALS OF THE CITY OF MODESTO.



TIM RAGSDALE  
BOARD OF BUILDING APPEALS

1 **PROOF OF SERVICE - CCP §1013(a)(3)**

2  
3 I am employed in the County of Stanislaus, State of California. I am over the age of eighteen  
4 years and not a party to the within entitled cause; my business address is: 1010 10<sup>th</sup> Street, Modesto,  
5 California 95354.

6 On January 7, 2014, I served a copy of the NOTICE OF PASSAGE OF RESOLUTION for  
7 1006 Santa Fe Ave, Modesto, California; Assessor's Parcel No: 038-035-010; on all parties in said  
8 action by serving a true copy thereof as follows:

9 LIZEBETH PATINO  
10 1006 SANTA FE AVENUE  
11 MODESTO, CA 95351

12  X

13 **BY MAIL:** I deposited the sealed envelope with the postage thereon fully prepaid to  
14 be placed in the United States Mail at Modesto, California. I am readily familiar with  
15 the office's practice for collection and processing of correspondence for mailing, and  
16 pursuant to those practices the envelope would be deposited with the United States  
17 Postal Service the same day.

18  X

19 **BY CERTIFIED MAIL:** I deposited the sealed envelope with the postage thereon  
20 fully prepaid to be placed in the United States Mail at Modesto, California. I am  
21 readily familiar with the office's practice for collection and processing of  
22 correspondence for mailing, and pursuant to those practices the envelope would be  
23 deposited with the United States Postal Service the same day.

24   **BY PERSONAL SERVICE:** I caused the within document to be hand delivered to  
25 the parties herein at the addresses set forth above.

26   **BY FACSIMILE:** I sent such document by way of facsimile to the offices of the  
27 addressee as indicated on the attached distribution list.

28   **BY POSTING:** I posted such document on the front door/doors of the  
structure/structures of the address as indicated above.

I declare under penalty of perjury under the laws of the State of California that the foregoing  
is true and correct. Executed this 7<sup>th</sup> day of January, 2014, at Modesto, California.



\_\_\_\_\_  
Tee Butler  
Administrative Office Assistant II

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	6.77

Total Postage: LIZEBETH PATINO  
1006 SANTA FE AVE  
MODESTO, CA 95351

Sent To  
Street, Apt. No.,  
or PO Box No.  
City, State, ZIP+

7013 1090 0000 1585 0877