

RESOLUTION NO. 262

RESOLUTION CONDEMNING OBSTRUCTION TO WATER COURSE

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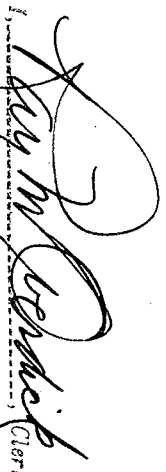
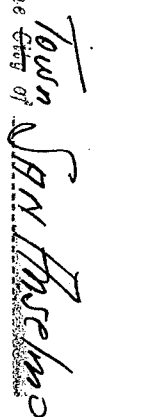
WHEREAS it appears to the City Council of the Town of San Anselmo and said Council does hereby find, that the Service Station constructed and maintained across San Anselmo Creek, adjacent to San Anselmo Avenue and which Service Station fronts upon the easterly line of San Anselmo Avenue at a point which is distant southerly upon said line approximately 242 feet from Buckley Street, is now obstructing the free flow of water in San Anselmo Creek and is a public nuisance and is likely to interfere with and impede the flow of flood waters in said Creek and is likely to interfere with said waters to the extent that the same will be caused to overflow the banks of said stream and cause great damage to the people of said Town and to the public sidewalks, streets and ways thereof, and is likely to and will, if allowed to remain in its present location, cause a serious public health menace and impede and interfere with the actions and activities of the Police Department and of the Fire Department of said Town; and

WHEREAS it appears that these premises have been constructed or are maintained by one C. W. Caletti and other persons unknown and that by reason thereof said persons are committing a public nuisance and endangering life, health and property within said Town and it is necessary that said premises be removed immediately; and

WHEREAS it appears to this Council that said C. W. Caletti and said other persons unknown, who are maintaining said premises and said obstruction, have refused to remove the same or to abate said nuisance;

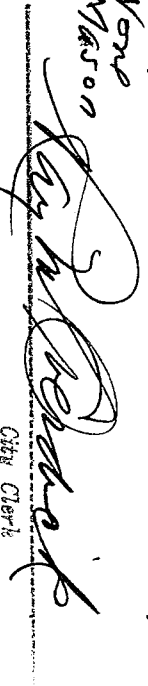
NOW, THEREFORE, be it RESOLVED as follows:

- (1) That this Council do and it does hereby find that said premises and structure constitute a public nuisance and ought to be abated and removed forthwith;
- (2) That a demand be made forthwith upon C. W. Caletti and such other persons as may be maintaining said premises, that they forthwith abate said nuisance and remove said structure and cease to obstruct said channel and the flow of said water and that a copy of this Resolution be served upon them, as notice of such demand; provided, however, that service of further notice shall not be deemed a condition precedent to the taking of other action as herein otherwise provided for;
- (3) That appropriate steps be taken in court forthwith to condemn said premises as a nuisance and to procure injunctive or other relief for the removal thereof and to prevent further or continued obstruction of said channel;
- (4) That Samuel W. Gardiner, City Attorney of the Town of San Anselmo be and he is hereby instructed and authorized forthwith to commence and prosecute appropriate proceedings and actions for the purpose of bringing about such abatement and for the purpose of securing such injunctive relief and for the purpose of preventing said structure from longer remaining as an obstruction to the flow of said stream and for the purpose of causing the removal thereof.

 
Kay M. Berdick, Clerk of the City of San Anselmo

hereby certify that the foregoing resolution was duly and regularly introduced and adopted at an adjourned regular meeting of the Council of said ~~City~~ ^{Town} held on Monday the 15 day of November 1943 by the following vote.

to-wit:
Ayes: Councilmen Smith-von Forz-Monte-Linich
Nos: Councilmen None
Absent: Councilmen Mason


Kay M. Berdick
City Clerk

TO THE HONORABLE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN:
Gentlemen:

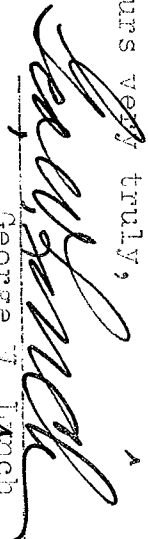
The Town of San Anselmo has acquired property formerly standing in the name of Rebecca Dimpfenfeld, et al., and which is more particularly described as follows:

beg N 69° E 45.63 ft N 21° W 91 ft Fr most
NW cor Lot 7 Greyhound TR TH N 69° E 78.23
ft curve to left on rad of 170 ft 33.67 ft
TH S 69° W 157.31 ft S 21° E 90 FT TH E 69°
E 50 ft TH N 21° W 53 ft TH N 60° E 18 ft
to beg. known as PTN UNREC Map of Greyhound
Tract

This property has a county assessment for current taxes, as shown by your tax bill No. 26172. The first and second instalments total \$130.00.

I have been instructed to contact you on this matter and to request, and I therefore do hereby request on behalf of the Town of San Anselmo, that this assessment be cancelled.

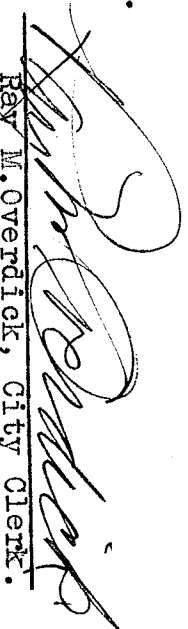
Yours very truly,


George J. Lynch
Mayor.

It is hereby RESOLVED by the City Council of the Town of San Anselmo that George W. Lynch, Mayor of said Town, be and he is hereby authorized and directed to execute the foregoing letter on behalf of the Town of San Anselmo and to present the same to the Board of Supervisors of the County of Marin.

I, Ray M. Overdick, Clerk of the Town of San Anselmo hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City held on Tuesday the 9th day of November, 1943, by the following vote, to-wit:

Ayes: Councilmen--Smith, von Rotz, Monte and Lynch
Noes: Councilmen--None
Absent: Councilmen Mason.


Ray M. Overdick, City Clerk.