

December 20, 2001

File: 3220-20

City Manager

Inspection Services Manager

REMOVAL OF A NOTICE AGAINST 2498 DUBBIN ROAD, KELOWNA, B. C., LOT A, RP.16429

REPORT PREPARED BY - G. MOLLER

RECOMMENDATION

THAT Council pass a resolution to remove a Notice (number KR4075), Previously Filed in the Land Title Office, against Lot A, RP 16429, regarding the alterations and renovations, to the residential dwelling, that have taken place without the required permits and inspections. Permission for council to remove the Notice by resolution is given in Section 701. (2), of the Local Government Act.

AND THAT the owner be responsible for the costs involved.

BACKGROUND

The Notice had been filed against this property to warn prospective buyers that there was a considerable amount of work done at this location without the benefit of permits or inspections. The Notice has done its job and there is a prospective buyer (Enrique Urteaga) who cannot get his mortgage approved with the Notice filed against the Land Title.

In turn, for having this Notice removed, Mr. Ortega is prepared to have a 219 Covenant registered. The wording of this covenant is being prepared by attorney, Douglas Welder, and is being reviewed by our attorney, Barry Williamson. The summary of this covenant is that all of the works required in the August 28, 2001, letter from Thiessen, Petraroia & Langford, are to be completed by March 31, 2002, or dwelling shall cease to be occupied.

Gerry Moller
Inspections Supervisor

Keith Skinner
Inspection Services Manager