

RESOLUTION NO. 348

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT**

**425 N. Magnolia Avenue, BG-C, Columbus, Cherokee County, Kansas,  
consisting of:**

**Section 13, Township 33, Range 23, Beg 176 N & 115 W SE COR NW4 NE4  
TH S7 W83 S11 W110 to E LN RR R/W NLY 98 M/L to S LN RR R/W  
NELY 194 S to POB,**

**IN THE CITY OF COLUMBUS, CHEROKEE COUNTY, KANSAS, IS  
UNSAFE AND DANGEROUS, AND DIRECTING THAT THE STRUCTURES BE  
REMOVED AND THE PREMISES MADE SAFE AND SECURE.**

**WHEREAS, the Enforcing Officer of the City of Columbus, Kansas, did on the  
3<sup>rd</sup> day of January, 2007, file with the governing body of said City a statement in  
writing that a certain structures, described above, were unsafe and dangerous; and,**

**WHEREAS, the Governing Body did by Resolution No. 345, dated the 3<sup>rd</sup> day  
of January, 2007, fix the time and place of a hearing at which the owner, his agent,  
and lienholders, any occupants and all other parties of interest of such structure  
could appear and show cause why such structure should not be condemned and  
ordered demolished and provided for giving notice thereof as provided by law; and,**

**WHEREAS, Resolution No. 345 was published on the 8<sup>th</sup> day of January,  
2007, and on the 15<sup>th</sup> day of January, 2007, and a copy of said resolution was served  
upon all persons entitled thereto as provided by law; and,**

**WHEREAS, on this 20<sup>th</sup> day of February, 2007, the governing body did  
conduct the hearing scheduled in Resolution No. 345 and took evidence from the  
following: Larry Overman, property owner, and Charles Sharp, the Enforcing  
Officer on behalf of the City.**

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY  
OF THE CITY OF COLUMBUS, KANSAS, THAT:**

**1. The Governing Body hereby finds that the structures and debris located at:**

**Section 13, Township 33, Range 23, Beg 176 N & 115 W SE COR NW4 NE4  
TH S7 W83 S11 W110 to E LN RR R/W NLY 98 M/L to S LN RR R/W  
NELY 194 S to POB, in the City of Columbus, Cherokee County, Kansas, and  
commonly referred to as 425 N. Magnolia Avenue, BG-C, Columbus,**

**Kansas, are unsafe and dangerous and directs that such structures and debris are to be removed and the premises made safe and secure.**

**2. The owner of such structure is hereby directed to commence the removal of the structures and debris within thirty (30) days from the date of publication of this Resolution, and not later than April 10, 2007, and to complete the removal of the structure not later than April 10, 2007.**

**3. If the owner fails to complete the removal of the structure within the time stated herein, or any additional time granted by the Governing Body, or fails to diligently prosecute the same until the work is completed, the Governing Body will cause the structure to be razed and removed and the costs of razing and removing, less salvage, if any, shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located or by both, all as provided by law.**

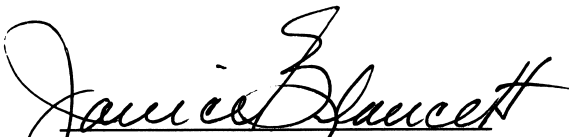
**BE IT FURTHER RESOLVED, that if the owner fails to commence the removal of the structure within the time provided herein or fails to diligently prosecute the same, the Governing Body may take such further action as it deems necessary to raze and remove the structure without further notice to the owner or other parties in interest.**

**BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official City paper and mail a copy to the owners, agents, lienholders, occupants and other parties in interest.**

**Adopted this 5<sup>th</sup> day of March, 2007.**

  
**John Brassart, Mayor**

**ATTEST:**

  
**Janice Blancett, City Clerk**

**(Seal)**



**CERTIFICATE OF MAILING**

STATE OF KANSAS                    )  
COUNTY OF CHEROKEE            )        ss:  
CITY OF COLUMBUS                )

I, Janice Blancett, City Clerk of the City of Columbus, Cherokee County, Kansas, do hereby certify that I caused a true and correct copy of Resolution No. 348, reflecting the findings and orders of the Columbus City Council regarding demolition of condemned property located at 425 N. Magnolia Ave, BG-C, Columbus, Kansas, by placing the same in the United States mail, first class delivery, on the 6<sup>th</sup> day of March, 2007, and addressed as follows:

Larry Overman  
425 N. Magnolia Ave., BG-C  
Columbus, Kansas 66725

The receipt of certified mailing is attached hereto.

In witness whereof, I have set my hand and seal this 6<sup>th</sup> day of March, 2007.

  
Janice Blancett  
City Clerk

(Seal)

