

RESOLUTION NO. 403

A RESOLUTION FINDING THAT THE STRUCTURES LOCATED AT 414 S. FLORIDA, CONSISTING OF BLOCK 8 IN FIRST ADDITION SUBDIVISION, DESCRIBED AS:

Lot 13

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 19th day of October, 2009, file with the Governing Body of said City, a statement in writing that the structures, hereinafter described, are unsafe and dangerous.

WHEREAS, the Governing Body, did by Resolution No. 398, dated the 16th day of November, 2009, fix the time and place of a hearing at which the owner, her 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. 398 was published on the 23rd day of November, 2009, and on the 30th day of November, 2009, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on this 4th day of January, 2010, at 6:30 o'clock p.m., the Governing Body did conduct the hearing scheduled in Resolution No. 398 and took evidence from the following; the Enforcing Officer on behalf of the City. The following parties in interest appeared: Robert Pease.

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

1. The Governing Body hereby finds that the house located at:

Block 8 in First Addition Subdivision, Lot 13, in the City of Columbus, Cherokee County, Kansas, and commonly known and referred to as 414 S. Florida, Columbus, Kansas, is unsafe and dangerous. Robert Pease agrees with the City's decision that the house is to be demolished and the premises made safe and secure. The City Council agrees to Robert Pease's request for 30 days to remove his personal property from the house before the City begins demolition of the house

structure.

2. The Governing Body hereby finds that the garage structure located at:

Block 8 in First Addition Subdivision Lot 13, in the City of Columbus, Cherokee County, Kansas, and commonly known and referred to as 414 S. Florida, Columbus, Kansas, shall be removed by the owner, Robert Pease. The owner is directed to complete the removal of the garage structure within 60 days from the date of this hearing, not later than March 6, 2010.

3. If the owner fails to complete the removal of the garage 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. 12-1,1115, and amendments thereto, or shall be assessed as a special assessment against the lot or parcel of land upon which the structures 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 structures 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 structures 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 1st day of February, 2010.


Marie Nepple, Mayor

ATTEST:


Janice Blancett, City Clerk

(Seal)

