

RESOLUTION NO. 417

A RESOLUTION FINDING THAT THE STRUCTURES LOCATED AT 1017 E. WALNUT, CONSISTING OF LISLE'S 1ST SUBDIVISION, BLOCK 6; BEG 84 E SW COR BLK 6 TH E60 N84 W60 S84 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 15th day of March, 2010, 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. 411, dated the 5th day of April, 2010, 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. 411 was timely published, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on this 17th day of May, 2010, at 6:45 o'clock p.m., the Governing Body did conduct the hearing scheduled in Resolution No. 411 and took evidence from the following; the Enforcing Officer on behalf of the City. The following parties in interest appeared: Russell D. Zwahlen.

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:

1017 E. Walnut, consisting of Lisle's 1st subdivision, block 6; Beg 84 E SW COR BLK 6 TH E60 N84 W60 S84 to POB, in the City of Columbus, Cherokee County, Kansas, is unsafe and dangerous. Russell D. Zwahlen agrees with the City's decision that the house structure is to be demolished and the premises made safe and secure. The City Council agrees to Russell D. Zwahlen's request for 30 additional days to remove his personal property from the house before the City begins demolition of the structure.

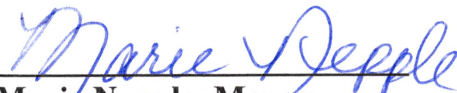
2. The removal of personal property and the commencement of demolition shall be reviewed by the Governing Body on June 21, 2010, at the regular City Council meeting.

3. If the owner fails to remove his personal property 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 personal property from 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 a copy of this Resolution to be mailed to the owners, agents, lienholders, occupants and other parties in interest.

Adopted this 17th day of May, 2010.


Marie Nepple, Mayor

ATTEST:


Janice Blancett, City Clerk

(Seal)