

**RESOLUTION NO. 528**

**A RESOLUTION FINDING THAT THE GARAGE STRUCTURE LOCATED AT 515 WEST OLIVE STREET, COLUMBUS, CHEROKEE COUNTY, KANSAS, CONSISTING OF LOTS 20 AND 21, BLOCK 1 IN DEEMS ADDITION, COLUMBUS, KANSAS, IS UNSAFE AND DANGEROUS, AND DIRECTING THAT THE STRUCTURE AND DEBRIS BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.**

**WHEREAS, the Enforcing Officer of the City of Columbus, Kansas, did on the 5<sup>th</sup> day of September, 2017, file with the Governing Body of Columbus, Kansas, a statement that a certain two-story garage structure and miscellaneous debris inside and surrounding the structure herein described, is dilapidated, unsafe and dangerous and a blight upon the neighborhood; and,**

**WHEREAS, the Governing Body set 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. 517 was published on the 22<sup>nd</sup> day of September, 2017, and on the 29<sup>th</sup> day of September, 2017, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,**

**WHEREAS, on the 6<sup>th</sup> day of November, 2017, the Governing Body did conduct the hearing scheduled in Resolution No. 517 and took evidence from the following: the Enforcing Officer on behalf of the City, and the owner, Ruth Blankenship Box. The owner was granted an extension of time to explore the possibility of renovating the structure or demolishing the structure; the progress review was scheduled for January 2, 2018. On January 2, 2018, the property owner requested additional time to resolve the issue, and the Governing Body continued the matter until March 5, 2018.**

**WHEREAS, the property owner, Ruth Blankenship Box, appeared before the Governing Body on March 5, 2018, and requested another extension of time, stating that the contents of the garage are still being removed because the garage cannot be restored, and the owner prefers to conduct the demolition instead of the City. The request for another extension was denied by the Governing Body, and the Enforcing Officer was directed to proceed with bids for demolition.**

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

**1. The Governing Body hereby finds that the garage structure and miscellaneous debris inside and surrounding the structure, located at:**

**515 West Olive Street, City of Columbus, Cherokee County, Kansas,**

and described as Lots 20 and 21, Block 1, Deems Addition, Columbus, Kansas, are unsafe and dangerous and directs that such structure and debris are to be removed and the premises made safe and secure.


2. The owner(s) of such structure is/are hereby directed to commence the removal of the structure and debris within fourteen days (14) days from the date of this hearing, not later than March 19, 2018, and to complete the removal of the structure and debris not later than April 5, 2018.

3. If the owner(s) fail(s) 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. 12-1,1115, 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 19<sup>th</sup> day of March, 2018.

  
Grant Spieth, Mayor

ATTEST:

  
Cherri Chancellor, City Clerk

