

RESOLUTION NO. 6813

A RESOLUTION DECLARING A CERTAIN STRUCTURE TO BE UNSAFE AND DANGEROUS, DIRECTING THAT SAID STRUCTURE BE REPAIRED OR REMOVED, AND FIXING A REASONABLE TIME WITHIN WHICH ACTION SHALL COMMENCE, ALL IN ACCORDANCE WITH K.S.A. 12-1750, ET. SEQ., AS AMENDED AND CHAPTER 5, ARTICLE 11 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2008 EDITION AND AMENDMENTS THERETO.

WHEREAS, a hearing was held by the Governing Body, in accordance with the provisions of Resolution No. 6801 and K.S.A. 12-1750 et. seq., as amended and Chapter 5, Article 11 of the Code of the City of Lawrence, Kansas, 2008, edition and amendments thereto, in the City Commission Room, November 11, 2008, at which time and place the owner, the owner's agent, and lien holders of record and any occupant having an interest in the structure, located on the following premises in the City of Lawrence, Douglas County, Kansas, to-wit:

West Lawrence Block 39 Lot 18, commonly known as 617 W. 4th Street

were free to appear and show cause why such structure should not be condemned and ordered repaired or demolished; and

WHEREAS, Resolution No 6801 of the Governing Body of the City of Lawrence, Kansas, was first published on September 21, 2008, with a second publication of September 28, 2008; and

WHEREAS, pursuant to K.S.A. 12-1752, a copy of said Resolution 6801 was mailed by certified mail within three (3) days of its first publication to the owner of record of said structure; and

WHEREAS, pursuant to K.S.A. 12-1752 at least thirty (30) days have elapsed between the said last publication of the said Resolution and the date set for the hearing.

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

Section 1. The above recitals are incorporated herein as if fully set forth.

Section 2. The structure for the purpose of this Resolution and as defined in K.S.A. 12-1750, is commonly located at 617 W. 4th Street, Lawrence, Kansas 66044 and legally described as follows:

West Lawrence Block 39 Lot 18, an addition to the City of Lawrence, Kansas.

Section 3. Pursuant to K.S.A. 12-1753, the Governing Body of the City of Lawrence, Kansas, has heard all evidence submitted by the owner, the owner's agent, lienholders of record and occupants having an interest in such structure, as well as evidence submitted by the enforcing officer who filed the written statement provided for by K.S.A. 12-1750 et seq., as amended and further pursuant to Chapter 5, Article 11 of the Code of the City of Lawrence, Kansas, 2008, edition,

and finds that the structure is unsafe and dangerous and orders the repair or removal to be commenced on or before December 12, 2008.

- Section 4. Pursuant to K.S.A. 12-1753, the Governing Body orders the property owner of such structure to initiate commencement of the repair or removal of such structure and orders that the premises be made safe and secure within the time period stated in Section 3 herein.
- Section 5. Pursuant to K.S.A. 12-1753 and K.S.A. 12-1755, if the property owner fails to comply with Section 3 or Section 4 herein or fails to diligently prosecute the same until the work is completed, the Governing Body shall cause the structure to be razed and removed as an unsafe and dangerous structure.
- Section 6. Pursuant to K.S.A. 12-1755, the City shall keep an account of the cost of such work and may sell salvage from the structure and apply the proceeds or any necessary portion thereof to pay the cost of removing such structure and making the premises safe and secure. All moneys from the salvage in excess of that necessary to pay demolition and removal costs and the cost of publications of notice and any postage for mailing of notice, shall, after payment of all costs, be paid to the owner of the premises upon which the structure is located.
- Section 7. Pursuant to K.S.A. 12-1755, the City shall give notice to the owner of the structure of the total cost incurred by the City in removing such structure and making the premises safe and secure and the cost of providing notice. If the cost is not paid within 30 days following receipt of notice, the cost shall be collected in the manner provided by K.S.A. 12-1,115 or shall be assessed as a special assessment against the property, all pursuant to K.S.A. 12-1750 et seq. and amendments thereto.
- Section 8. The City Clerk is hereby authorized to provide for the publication (1) one time, of this Resolution in the official newspaper of the City and shall mail a copy to the owners, agents, and lienholders of record and occupants of said structure.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this 11th day of November, 2008.

APPROVED:



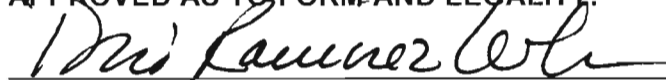
Michael Dever, Mayor

ATTEST:



Frank Reeb, City Clerk

APPROVED AS TO FORM AND LEGALITY:



Toni Ramirez Wheeler
Director of Legal Services

Date