

RESOLUTION NO. 7189

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, ESTABLISHING A TIME AND PLACE FOR A HEARING, PURSUANT TO CHAPTER IX, ARTICLE 2 OF THE CODE OF THE CITY OF LAWRENCE, KANSAS, 2015 EDITION, AND AMENDMENTS THERETO, REGARDING A DECLARED NUISANCE LOCATED ON THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS 1501 LEARNARD AVENUE, AT WHICH TIME, PERSONS HAVING AN INTEREST IN SAID REAL PROPERTY MAY APPEAR AND SHOW CAUSE WHY THE CITY SHOULD NOT DECLARE SAID REAL PROPERTY TO BE A NUISANCE AND ORDER THE NUISANCE BE REMOVED OR ABATED.

WHEREAS, pursuant to Chapter IX, Article 2, Section 9-203(A) of the Code of the City of Lawrence, Kansas 2015 Edition and amendments thereto, the Governing Body of the City of Lawrence, Kansas, is granted, as part of its police powers, the authority to cause to be removed or abated any from any lot or parcel of ground within the City any and all nuisances;

WHEREAS, in accordance with , Chapter IX, Article 2, Section 9-203(B) of the Code of the City of Lawrence, Kansas, 2015 Edition, and amendments thereto, the Enforcing Officer for the City of Lawrence, Kansas, has filed with the Governing Body a statement in writing that the wood-fired exterior furnace located on that real property, commonly known as 1501 Learnard Avenue, Lawrence, Douglas County, Kansas, the legal description of which is set forth at Section 2, *infra*, is a nuisance, as defined in Chapter IX, Article 2, Section 9-201 of the Code of the City of Lawrence, Kansas 2015 Edition and amendments thereto;

WHEREAS, upon the filing of such written statement, the Governing Body must, in accordance with Chapter IX, Article 2, Section 9-203(B), establish a time and place for a public hearing, at which time, the owner, or the agent of the owner of the property may appear and show cause why said wood-fired exterior furnace should not be declared a nuisance as defined by Chapter IX, Article 2, Section 9-201 of the Code of the City of Lawrence and ordered removed or abated from the property; and

WHEREAS, the City gives notice that, pursuant to Chapter IX, Article 2, Section 9-203(A) of the Code of the City of Lawrence, 2015 Edition, and amendments thereto, , the City may ultimately have the nuisance removed or abated, that, in such event, the City will give notice to the owner or the agent of the owner of the property by certified mail, return receipt requested, of the total cost of the such abatement or removal incurred by the City.

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

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

SECTION 2. Pursuant to Chapter IX, Article 2, Section 9-203(B), a hearing will be held in the City Commission Room, First Floor, 6 East 6th Street, Lawrence, Kansas, on **February 21, 2017, at 5:45 p.m.**, or as soon thereafter as practicable, at which time, the owner or the agent of the owner of the property located on that real property, commonly known as 1501 Learnard Avenue, Lawrence, Douglas County, Kansas and bearing the following legal description, to-wit:

A TRACT OF LAND IN THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 13 SOUTH, RANGE 20 EAST OF THE 6TH PRINCIPAL MERIDIAN IN THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:


COMMENCING AT A POINT 231 FEET EAST FROM THE NORTHWEST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 6; THENCE SOUTH 442 FEET, 2 INCHES; THENCE EAST 146 FEET; THENCE NORTH 125.1 FEET; THENCE EAST 250 FEET; THENCE NORTH 317 FEET; THENCE WEST 396 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT ANY PORTION THEREOF LYING IN LOT 1, PENCE ADDITION, AN ADDITION TO THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS.

may appear and show cause why said wood-fired exterior furnace should not be declared a nuisance and ordered removed and abated as a nuisance in accordance with Chapter IX, Article 2, Section 9-201 of the Code of the City of Lawrence, Kansas 2015 Edition and amendments thereto.

SECTION 3. The City Clerk also is hereby directed to mail a copy of this Resolution to the owner or the agent of the owner of the property to the extent such persons are known, at said person's last known address by certified mail.

ADOPTED by the Governing Body of the City of Lawrence, Kansas, this 7th day of February, 2017.

APPROVED:



Leslie Soden, Mayor

ATTEST:



Sherri Riedemann, City Clerk

APPROVED AS TO FORM:



Toni R. Wheeler, City Attorney