

RESOLUTION NO. 121117-3

A RESOLUTION FINDING THAT THE GARAGE/BARN STRUCTURE LOCATED AT 911 N. MULBERRY STREET, ABILENE, KANSAS, MORE PARTICULARLY DESCRIBED AS LOT 6 AND THE SOUTH 30' OF LOT 5, BLOCK 2, RICE AND AUSTIN'S ADDITION TO THE CITY OF ABILENE, DICKINSON COUNTY, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the building official of the City of Abilene, Kansas, did on the 29th day of September, 2017, file with the governing body of said city a statement in writing that the structures, hereinafter described, were unsafe and dangerous, and

WHEREAS, the governing body did by Resolution No. 102317-1 fix the time and place of a hearing at which the owner, his agent, any lienholders or record and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and did duly publish and serve said resolution in the manner provided by law, and

WHEREAS, on the 11th day of December, 2017, the governing body heard all evidence submitted by the property owner, as well as evidence submitted by the building official.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Abilene:

That said governing body hereby finds that the garage/barn structure located at 911 N. Mulberry Street, more particularly described above, within the City of Abilene, Kansas, is unsafe and dangerous and hereby directs such structure to be repaired or removed and the premises made safe and secure. The owner of such structure is hereby given thirty (30) days from the date of publication of this resolution within which to commence the repair or removal of the same and if such owner fails to commence such repair or removal within the time stated or fails to diligently prosecute the same until the work is completed, said governing body will cause the structure to be razed and removed and the costs of such razing and removing, less salvage, if any, will be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

The Governing Body further finds that the roof is concaving inward and is missing roofing materials; the second floor has water damage; the stairs are rotten and deteriorated; the structural supports are rotten and termite damaged; it leans to the south; and there is rotten wood on structural members. All work must be performed in conformance with building code requirements. Any building permits must be obtained prior to beginning work.

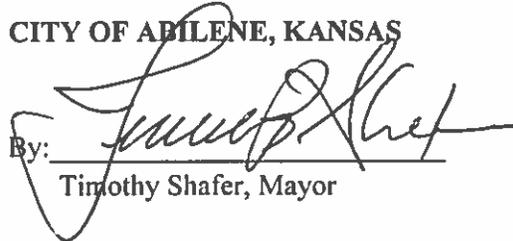
Be It Further Resolved, that the city clerk shall cause this resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders and occupants as provided by law.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 11th day of December, 2017.

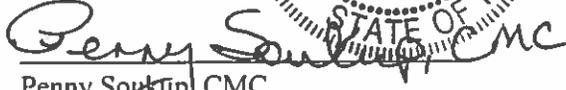


CITY OF ABILENE, KANSAS

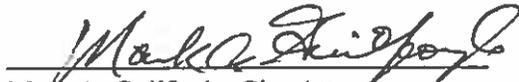
By:


Timothy Shafer, Mayor

ATTEST:


Penny Soukup, CMC
City Clerk

APPROVED AS TO FORM:


Mark A. Guilfoyle, City Attorney