

RESOLUTION NO. 111318-2

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 514 NE 6th STREET, ABILENE, KANSAS, IS UNSAFE AND 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 filed with the Governing Body a statement in writing that the structure, hereinafter described, is unsafe and dangerous;

WHEREAS, the Governing Body did by resolution fix the time and place of a hearing at which the owner, the owner's 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;

WHEREAS, on November 13, 2018, the Governing Body heard all evidence submitted by the property owner, the owner's agent, lienholders of record and occupants having an interest in such structure, as applicable, as well as evidence submitted by the building official.

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

Section 1. The Governing Body finds that the structure located at 514 NE 6th Street, Abilene, Kansas, is unsafe and dangerous and that such conditions endanger the life, health, property or safety of the public or the occupants. The Governing Body further finds that the following conditions render the structure unsafe and dangerous:

- Porch decking and ceiling with missing, loose and deteriorated planks; various holes in the roof of house and porch;
- Several broken windows with a number unsecured;
- Rotten eaves and fascia;
- Evidence of rain water damage to the first and second floor ceilings;
- Holes in sub floor on first floor;
- Ceiling insulation falling out of ceiling on first floor;
- Ceiling rafters rotten and loose;
- Plaster fallen off the walls and ceiling in various locations;
- Inoperable restroom facilities;
- Clutter and debris on first floor;
- Cracked or missing siding;
- Vegetative over growth along the exterior walls; and
- Evidence of mice, birds and cats in the house.

Section 2. The owner is directed to repair or remove the structure, and to make the premises safe and secure (the "Work"). The Work shall be commenced by December 13, 2018 and shall be diligently prosecuted so as to allow for substantial completion of all Work no later than February 1, 2019. For purposes of this Resolution, the owner shall be deemed to have commenced

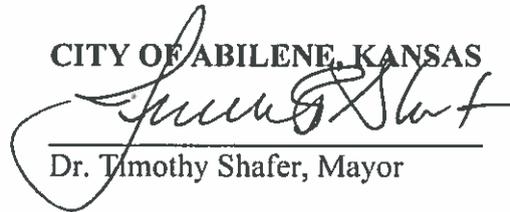
the Work only if the owner has: (1) caused application to be made to the building official for, and obtained, the required permit(s) for the Work; or (2) commenced the physical Work on the premises after providing the building official with satisfactory evidence that no permits are required for the proposed Work under applicable law.

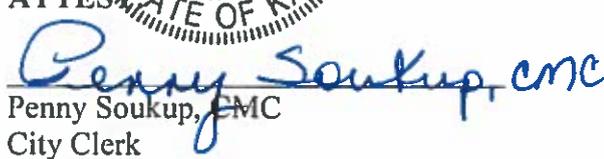
Section 3. If the owner fails to commence the Work, or to diligently prosecute the Work until the Work is substantially completed, all within the times stated, the Governing Body will cause the Structures to be repaired or razed and removed.

Section 4. The City Clerk shall publish this resolution one (1) time in the official city newspaper and shall mail, by certified mail, copies of the resolution to each owner, agent, lienholder of record and any occupant of the Structure within three (3) days after its publication.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 13th day of November, 2018.



CITY OF ABILENE, KANSAS

Dr. Timothy Shafer, Mayor

ATTEST

Penny Soukup, EMC
City Clerk

APPROVED AS TO FORM:


Aaron O. Martin, City Attorney