

RESOLUTION NO. 060820-4

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 206 SW 2ND AVE., 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 inspector 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 any owner, any 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 June 8, 2020, the Governing Body heard all evidence submitted by the property owners, the owners' agents, lienholders of record and occupants having an interest in such structure, as applicable, as well as evidence submitted by the building inspector.

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

Section 1. The Governing Body finds that the dwelling structure at the property commonly known as 206 SW 2nd Ave., Abilene, Kansas is unsafe and dangerous and that such conditions endanger the life, health, property or safety of the public or the occupants. The legal description of the subject property is as follows:

The East 43.0 feet of the South 80.0 feet of Lot Thirteen (13), Block Two (2), and the North Sixty feet (N 60.0') of the East Forty-three feet (E 43') of Lot Thirteen (13), Block Two (2), all in the Original Town of Abilene, Dickinson County, Kansas.

Section 2. The Governing Body further finds that the following conditions render the structure unsafe and dangerous:

- (1) Fire damage to back room from fire in 1999
- (2) Fire damage to front bedroom from fire December 2018
- (3) Roof underlayment fire damaged
- (4) Rafters fire damaged in both front bedroom and back bedroom
- (5) Insulation smoke and water damage
- (6) Adjacent rooms heavy smoke damage
- (7) Some areas windows missing and boarded up
- (8) Plaster removed in various areas
- (9) Electrical wiring insufficient and in need of repair
- (10) Kitchen area unfinished
- (11) Siding is missing and melted in rear and sides of home

Section 3. The owner is directed to repair or remove the structure, and to make the premises safe and secure (the “Work”). The items of Work on the exterior of the structure (“Exterior Work”) shall be commenced by July 31, 2020 and shall be diligently prosecuted so as to allow for substantial completion of all Exterior Work no later than September 30, 2020. All remaining items of Work (“Interior Work”) shall be diligently prosecuted so as to allow for substantial completion of all Interior Work no later than December 31, 2021. For purposes of this Resolution, the owner shall be deemed to have commenced the Exterior Work only if the owner has: (1) caused application to be made to the City of Abilene for, and obtained, the required permit(s) for the Exterior Work; or (2) commenced the physical Exterior Work on the premises after providing the building inspector with satisfactory evidence that no permits are required for the proposed Work under applicable law.

Section 4. If the owner fails to commence the Exterior Work, or to diligently prosecute any of the Work until the Work is substantially completed, all within the times stated, the Governing Body will cause the structure to be repaired or razed and removed.

Section 5. 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.

Adopted by the Board of City Commissioners and signed by the Mayor this 8th day of June 2020.



ATTEST:

CITY OF ABILENE, KANSAS


Chris Ostermann, Mayor


Penny L. Soukup, CMC, City Clerk