

## RESOLUTION NO. 072522-2

### **A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 413 W 1<sup>ST</sup> ST., 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 of 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 July 25, 2022, the Governing Body heard all evidence submitted by the property owners, the owner's 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 structure at the property commonly known as 413 W 1<sup>st</sup> St. 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 half (E1/2) of Lot Six (6), Block Four (4), 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. Sheathing and wall studs missing rear side of house
2. Front door not secured
3. Several broken windows with a number unsecured
4. Rotten eaves and fascia
5. Many areas of building envelope not sealed
6. Floor damage due to building envelope not weather tight
7. Large amount of debris inside the dwelling
8. Evidence of water damage to the joists
9. No siding installed east side of dwelling

- 10. Siding missing paint and in need of repair
- 11. Witnessed multiple cats using the structure with live traps inside

**Section 3:** 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 August 31, 2022 and shall be diligently prosecuted so as to allow for substantial completion of all Work no later than August 31, 2022. 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 City of Abilene for, and obtained, the required permit(s) for the Work; or (2) commenced the physical 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 Work, or to diligently prosecute 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 Governing Body of the City of Abilene, Kansas and signed by the Mayor this 25<sup>th</sup> day of July, 2022.



**CITY OF ABILENE, KANSAS**

  
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Dee Marshall, Mayor

**ATTEST:**

  
Shayla Mohr, City Clerk