

RESOLUTION NO. 2015-06

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 808 SOUTH SILVER IN THE CITY OF PAOLA, MIAMI COUNTY, KANSAS IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE REMOVED AND THE PREMISES MADE SAFE AND SECURE

WHEREAS, the Building Official of the City of Paola, Kansas, did on the 14th day of July, 2015 file with the Governing Body of said city a statement in writing stating that a certain structure, hereinafter described, was unsafe and dangerous; and,

WHEREAS, the governing body did by Resolution No. 2015-05 dated the 14th day of July 2015, fix the time and place of a hearing at which the owner, his or her agent, and lienholders, any occupants and all other parties of interest of such structures could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and providing for giving notice thereof as provided by law; and,

WHEREAS, Resolution No. 2015-05 was published in the official city paper on the 22nd day of July, 2015, and on the 29th day of July 2015, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on this 8th day of September 2015, the governing body did conduct the hearing scheduled in Resolution No. 2015-05,

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

1. The Governing Body finds that the structure located at:

Lot Three (3) in Block 4 of Angier's Addition to the City of Paola, Miami County, Kansas, except that part taken therefrom for highway purpose and also excepting therefrom the following tract Beginning at the Southeast corner of Lot 3, running thence North, along the East line of lot 3 to a point 18 feet and 6 inches South of the Northeast corner of said Lot, thence in a Southwesterly direction along the center of an ornamental fence to a point on the South line of said Lot 3, thence East 44.7 feet to the point of beginning, all in Block 4, Angier's Addition to the City of Paola, Miami County, Kansas; and commonly known as 808 South Silver, Paola, Kansas, is unsafe and dangerous and directs that such structure is to be removed and the premises made safe and secure.

2. The owner of such structure is hereby directed to commence the repair of the property within 10 days from the date of this resolution and to have repairs completed within 30 days (not later than the 28th day of October, 2015). Provided, that upon due application by the owner and for good cause shown, the governing body, in its sole discretion, may grant the owner additional time to complete removal of the property.

3. If the owner fails to commence the removal of the structure within the time stated herein, or any additional time granted by the governing body, or fails to diligently prosecute the same until the work is completed, the governing body will cause the structure to be razed and removed and the costs of razing and removing, less salvage if any, shall be collected in the manner provided in K.S.A.

12-1, 1115, and amendments thereto or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located or by both, all as provided by law.

BE IT FURTHER RESOLVED, that if the owner fails to commence the repair or removal of the structure within the time provided herein or fails to diligently prosecute the same, the governing body may take such further action as it deems necessary to raze and remove the structure without further notice to the owner or other parties in interest.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official city paper and mail a copy to the owners, agents, lienholders occupants, and other parties in interest.

Adopted and approved this 8TH day of September, 2015.

Artie Stuteville, Mayor

ATTEST:

Daniel G. Droste, City Clerk