

**RESOLUTION NO. 2016-006**

**A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT LOT FIVE (5), BLOCK ONE HUNDRED TWO (102), CITY OF PAOLA, MIAMI COUNTY, KANSAS; COMMONLY KNOWN AS 401 E KASKASKIA STREET, PAOLA, KANSAS 66071 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 8<sup>th</sup> day of March, 2016 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. 2016-004 dated the 8<sup>th</sup> day of March, 2016, 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. 2016-004 was published in the official city paper on the 16<sup>th</sup> day of March, 2016, and on the 23<sup>rd</sup> day of March 2016, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on this 26<sup>th</sup> day of April 2016, the governing body did conduct the hearing scheduled in Resolution No. 2016-004,

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 Five (5), Block One Hundred Two (102), City of Paola, Miami County, Kansas; and commonly known as 401 E Kaskaskia, 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 have repairs completed within 62 days (not later than the 28th day of June, 2016). 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 repairs or removal of the property.
3. If the owner fails to repair the structure and make it safe and secure 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 26<sup>th</sup> day of April, 2016.

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Artie Stuteville, Mayor

ATTEST:

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Daniel G. Droste, City Clerk