

(Published in the Miami County Republic on October 17, 2012)

RESOLUTION 2012-009

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LOT 7, BLOCK 19, OF THE CITY OF PAOLA, MIAMI COUNTY, KANSAS COMMONLY KNOWN AS 104 E MIAMI, PAOLA, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE

WHEREAS, the Enforcing Officer of the City of Paola, Kansas did on the 14th day of August, 2012, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

WHEREAS, the Governing Body did by Resolution dated the 14th day of August, 2012, fix the time and place of a hearing at which the owner, his or her 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 provided for giving notice thereof as provided by law; and

WHEREAS, such Resolution was published in the official city paper on the 22nd day of August, 2012 and on the 29th day of August, 2012, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 9th day of October, 2012, the Governing Body has heard all evidence submitted by the Enforcing Officer of the City, the owners, agents, lienholders and occupants of such structure.

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

1. That said Governing Body hereby finds that the structure located on Lot 7, Block 19 in the City of Paola, Miami County, Kansas, commonly known as 104 E Miami, Paola, Kansas, is unsafe and dangerous and hereby directs such structure to be repaired and the premises made safe and secure.
 - **Front porch is in a dilapidated and potentially hazardous state due to lack of maintenance. Repair and/or remove the porch.**
2. The owner of such structure is hereby directed to commence the repair of the property within 14 days from the date of publication of this resolution and to have the repairs completed within 30 days of the commencement. 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 the repairs to the property.
3. If the owner fails to commence the repair 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 front porch of said

structure to be razed and removed and the costs of razing and removing, less salvage if any, shall be collected in the manner provided by KSA 12-1755, 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 front porch of the structure without further notice to the owner or other parties of interest.

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

ADOPTED this 9th day of October, 2012.

Artie Stuteville, Mayor

ATTEST: [seal]

Daniel G. Droste, City Clerk