

RESOLUTION NO. 112320-2

A RESOLUTION FINDING THAT THE STRUCTURES LOCATED AT 1015 N. MULBERRY ST., ABILENE, KANSAS ARE UNSAFE AND DANGEROUS AND DIRECTING THE STRUCTURES 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 structures, hereinafter described, are 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 structures 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 November 23, 2020, 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 structures, 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 and church structures at the property commonly known as 1015 N. Mulberry St. Abilene, Kansas are 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:

Lot 6, Block 3, in Rice and Austin's Addition to Town now City of Abilene, Dickinson County, Kansas.

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

1. Various holes in roof
2. Vegetation growing in roof due to the presence of dampness and rot
3. Front door not secure
4. Several broken windows with a number unsecured
5. Rotten eaves and fascia
6. Evidence of rainwater damage to the ceilings and floors
7. Floor damage so significant safe travel was not achievable
8. Plaster fallen off the walls and ceiling in various locations

9. Large amounts of debris on floor
10. Evidence of water damage to the joists and rafters
11. Cracked or missing siding
12. Chimney in need of repair
13. Heavy vegetative growth along the exterior walls
14. Evidence of mice and cats in the house, although none were observed
15. Roofing in serious disrepair, visible daylight through various sections
16. Added structure to the back in total disrepair and collapsing
17. Plant growth in cushions of church pews

Section 3: The owner is directed to repair or remove the structures, and to make the premises safe and secure (the "Work"), The Work shall be commenced by December 31, 2020 and shall be diligently prosecuted so as to allow for substantial completion of all Work no later than December 31, 2020. 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 structures 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 structures within three (3) days after its publication.

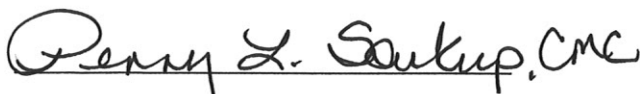
Adopted by the Board of City Commissioners and signed by the Mayor this 23rd day of November 2020.

CITY OF ABILENE, KANSAS



Chris Ostermann, Mayor

ATTEST:



Penny L. Soukup, CMC, City Clerk