

**CITY OF HIGHLAND
RESOLUTION NUMBER 15-04**

A RESOLUTION OF THE CITY OF HIGHLAND, KANSAS, PURSUANT TO K.S.A. 12-1750 et. seq., FINDING THAT THE STRUCTURES LOCATED UPON LOTS 1-3, BLOCK 29, CITY OF HIGHLAND, ARE UNSAFE AND DANGEROUS AND DIRECTING SAID STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the enforcing officer of the City of Highland, Kansas, prior to the 9th day of September, 2015, filed with the governing body of said city a statement in writing that the structures hereinafter described were unsafe and dangerous; and

WHEREAS, the governing body did by Resolution Number 15-03 passed September 9, 2105, fix the time and place of a hearing at which the owner, his or her agent, any lien holders of record, any occupant of such structures, or any other party in interest, could appear and show cause why such structures should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, Resolution No. 15-03 was published in the official city paper on the 17th day of September, 2015 and the 24th day of September, 2015, and a copy of said resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on the 26th day of October, 2015, the governing body heard all evidence submitted by the enforcing officer of the city and no owner, agent, lien holder of record, occupant or any other party in interest appeared or otherwise submitted evidence;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND, KANSAS:

That said governing body hereby finds that the buildings and structures located at 507 W Missouri St, and situated upon real estate legally described as Lots 1-3, Block 29, City of Highland, Doniphan County, Kansas, are unsafe and dangerous for any or all of the following listed reasons:

- Said residential structure has damaged electrical service and exposed wiring, shows evidence that said structure has been damaged by fire, and constitutes a fire hazard which is dangerous to human life and property in the immediate vicinity of said structures.
- The south wall of said structure has exposed joists, sheeting and insulation and appears to be damaged to the point where it may be structurally unsound.
- The south wall of said structure has large holes where animals are accessing the interior and, by reason thereof, is dangerous to human health.

- Said structure has suffered from extreme lack of maintenance and neglect for a period of many years.
- Said structure is inadequately secured and could be accessed by the public at large, including children, with minimal effort.
- The outbuildings are dilapidated and structurally unsound.

That said governing body hereby directs such structures to be repaired or removed and the premises be made safe and secure, and that in so doing all applicable building codes and zoning regulations should be complied with. The owner of such structures is hereby given ten (10) days from the date of publication of this resolution within which to commence the reasonable repair or removal of the same; and if such owner fails to commence such repair or removal within the time stated herein, or fails to diligently prosecute and continue the same until the work is completed, said governing body will cause the structures to be razed and removed, and the costs of such razing and removing, less salvage, if any, will be assessed as a special assessment against the lots or parcels of land upon which the structures are located as provided by law. In any event, the work must be completed prior to the expiration of sixty (60) days from the date of publication of this resolution.

That the City Clerk shall cause this resolution to be published once in the official city paper and a copy thereof mailed to the owners, agents, lien holders and occupants, or served personally, as provided by law.

Adopted this 26th day of October, 2015.

Jerry Twombly, Acting Mayor

ATTESTED TO:

Joann Karn, City Clerk