

RESOLUTION NO. 2024-3

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LOT 17 BLOCK 34, A-1 CHETOPA ORIG CITY, IN THE CITY OF CHETOPA, LABETTE COUNTY, KANSAS, COMMONLY KNOWN AND REFERRED TO AS 414 MAPLE STREET, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURES BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Chetopa, Kansas did on the 5th day of December 2023, file with the governing body of said City a statement in writing that certain structures, hereinafter described, were unsafe and dangerous; and,

WHEREAS, the governing body did by Resolution No. 2024-1 dated the 16th day of January 2024, fix the time and place of a hearing at which the owner, his or her agent, and lien holders, any occupants and all other parties of interest 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, Resolution No. 2024-1 was published in the official city paper on the 25th day of January 2024 and 1st day of February 2024, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on this 5th day of March 2024, the governing body did conduct the hearing scheduled in Resolution No. 2024-1 and took evidence from the following: Police Chief Scott Feagan. Owner David Napier did not appear.

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

1. The governing body hereby finds that the structure located at:

Lots 7, Block 34, A-1 Chetopa Orig City

And commonly known and referred to as 414 Maple Street, Chetopa, 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 structures is hereby directed to commence the removal of the property no later than April 1, 2024, and to have the removal completed within 37 days of the commencement (no later than May 7, 2024). 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 removal of the property.

3. If the owner fails to commence the removal of the structures 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 structures to

be razed and removed and the cost of razing and removing, less salvage if any, shall be collected in the manner provided by 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 structures are located or by both, all as provided by law.

BE IT FURTHER RESOLVED that if the owner fails to commence the removal of the structures 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 structures 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, lien holders, occupants, and other parties in interest.

Adopted this 19th day of March 2024.

Mayor

(Seal)
ATTEST:

City Clerk