

(PUBLISHED IN *THE DICKINSON COUNTY NEWS TIMES* ON _____)

RESOLUTION NO. 06142023

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 232 EAST FIRST STREET, IN THE CITY OF CHAPMAN, DICKINSON COUNTY, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE DEMOLISHED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the duly authorized Code Enforcement Officer of the City of Chapman, Kansas did on the 4th day of November, 2022, present a report in writing that a certain structure, hereinafter described was unsafe and dangerous; and,

WHEREAS, the Governing Body did by Resolution No. 02082023 dated the 8th day of February, 2023, 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 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. 02082023 was published in the official city paper on the February 22, 2023 and March 1, 2023 and a copy of said resolution was served upon all persons entitled thereto as provided by law: and

WHEREAS, on the 12th day of April, 2023, the Governing Body did conduct the hearing scheduled in Resolution No. 02082023 and took evidence from the following: City staff and the written report of the duly authorized Code Enforcement Officer on behalf of the City. No other parties in interest appeared or presented evidence.

WHEREAS, on this 12th day of April, 2023, the Governing Body, after hearing all offered testimony, continued the hearing to June 14, 2023 to allow time for the owner to provide for and present a plan for remedial measures and undertake necessary repairs. Upon further review on June 14, 2023, the Governing Body finds that no further remedial measures have been undertaken and no further presentation of plans to do so have been provided. The Governing Body does then find the subject property is sufficiently distressed and that the condition of the same warrants a finding that the property is dangerous and unsafe and a dangerous and unsafe structures exist thereon.

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

1. The governing body hereby finds that such structure **described and located as follows:**

Legally described as follows:

Chapman, Neighborhood 314, Block 18, Lot 19, Section 32, Township 12, Range 04, Chapman, Dickinson County, Kansas.

Commonly known by Street Address as:

232 East 1st Street, Chapman, Kansas, 67431

are unsafe and dangerous and directs the dangerous and unsafe structure be demolished and the premises made safe and secure.

2. The owner of such structure is hereby directed to complete the demolition of the property as soon as practicable and to have the demolition completed on or before **August 14th, 2023**. 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 demolition of the property.

3. If the owner fails to complete the demolition of the structure in a timely manner as expressly noted herein, or any additional time granted by the governing body, or fails to diligently prosecute the same until the work is completed by the date approved herein, the governing body may, at any time after the approved deadline noted, 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 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 structure is located or by both, all as provided by law.

BE IT FURTHER RESOLVED, that if the owner fails to commence the removal of the structure in a timely manner, 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 on or after **August 14th, 2023**.

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 by the Governing Body of The City of Chapman, Dickinson County, Kansas this 14th day of June, 2023.


Howard Battishill, Mayor

ATTEST:

Bill Flanery, City Clerk

(SEAL)

