

**RESOLUTION NO. 2021-04-**

**A RESOLUTION FINDING THAT THE STRUCTURE(S) LEGALLY DESCRIBED HEREIN AND LOCATED WITHIN THE CITY LIMITS OF THE CITY OF ARKANSAS CITY, KANSAS, ARE UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE(S) BE REPAIRED, SHORED OR OTHERWISE MADE SAFE, OR, IN THE ALTERNATIVE, DEMOLISH THE STRUCTURE(S), MAKING THE PREMISES SAFE AND SECURE.**

**WHEREAS**, the Enforcing Officer of the City of Arkansas City, Kansas, did, on or about the 2nd day of March, 2021, file with the Governing Body of the City of Arkansas City a statement in writing that the structures hereinafter described constitute an unsafe or dangerous structure.

**WHEREAS**, the Governing Body did by Resolution No. 2021-03-3389 establish the 20th day of April, 2021 at 5:30 p.m., as the date of public hearing at which time the owners, their agents, any lienholders of record and occupants of the structure(s) could appear and show cause why said structure(s) should not be condemned and ordered repaired, shored or otherwise made safe, or, in the alternative, demolished as unsafe or dangerous structure(s), and did duly publish and serve said Resolution in the manner provided by law; and

**WHEREAS**, on this date the Governing Body held a public hearing to determine whether the structure(s) at issue is a dangerous structure.

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

**SECTION ONE:** That the Governing Body hereby finds the following described structure(s) located in Arkansas City, Kansas, to-wit:

Parcel 1:

Dilapidated Structure, including any Accessory structures located at 212 N. 3<sup>rd</sup> St., Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 20 and 21, Block 132, Original Town Arkansas City, Cowley County, Kansas

Record Owner(s): Jerald E. Jennings and Leila Ann Jennings  
Attn: Jason Jennings  
PO Box 105  
Cedar Vale, KS 67024

Record Lienholder(s): Cowley County Treasurer, Unpaid Taxes  
311 E. 9<sup>th</sup> Avenue  
Winfield, KS 67156

Parcel 2:

Dilapidated Structure, including any Accessory structures located at 312 N. 3<sup>rd</sup> ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

The North 12 feet of Lot 19 and all Lot 20, Block 131, Original Town of Arkansas City, Cowley County, Kansas

Record Owner(s): Benjamin Vega and Maria Amparo Vega  
RR 1 Box 810  
Goodwell, OK 73939

Record Lienholder(s): Cowley County Treasurer, Unpaid Taxes  
311 E. 9<sup>th</sup> Avenue  
Winfield, KS 67156

Parcel 3:

Dilapidated Structure, including any Accessory structures located at 615 S. A St., Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

The North Half of Lot 8 and the South 20 feet of Lot 9, Block 165, M.R. Leonard's Addition, Arkansas City, Cowley County, Kansas

Record Owner(s): David Barron and Amalia Barron  
701 N 2<sup>nd</sup> ST  
Arkansas City, KS 67005

Record Lienholder(s): Cowley County Treasurer, Unpaid Taxes  
311 E. 9<sup>th</sup> Avenue  
Winfield, KS 67156

Parcel 4:

Dilapidated Structure, including any Accessory structures located at 318 N. D St., Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 5 and 6, Block 17, Original Town Arkansas City, Cowley County, Kansas

Record Owner(s): Justin Paul Hatfield and Amy D. Hatfield  
324 N D ST  
Arkansas City, KS 67005

Record Lienholder(s): Cowley County Treasurer, Unpaid Taxes  
311 E. 9<sup>th</sup> Avenue  
Winfield, KS 67156

Parcel 5:

Dilapidated Structure, including any Accessory structures located at 818 N. D St., Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 11 and 12, Block 4, Maple Park Addition to the City of Arkansas City, Cowley County, Kansas

Record Owner(s): Kacie's Kloset, LLC  
106 N Washington  
Wellington, KS 67152

Scott and Janelle Ellsworth  
388 W 175<sup>th</sup> ST South  
Caldwell, KS 67022

Record Lienholder(s): Cowley County Treasurer, Unpaid Taxes  
311 E. 9<sup>th</sup> Avenue  
Winfield, KS 67156

Parcel 6:

Dilapidated Structure, including any Accessory structures located at 1313 W Oklahoma Ave., Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 48, 49 and 50, Ghent Subdivision, Arkansas City, Cowley County, Kansas

Record Owner(s): Norman G. Johnson JR.  
1313 W Oklahoma Ave  
Arkansas City, KS 67005

Record Lienholder(s): Cowley County Treasurer, Unpaid Taxes  
311 E. 9<sup>th</sup> Avenue  
Winfield, KS 67156

to be UNSAFE and DANGEROUS and hereby directs that the structure(s) be repaired, shored or otherwise made safe, or, if economically unfeasible, then, in the alternative, that the structure(s) be demolished and the premises made safe and secure. The owner(s) of said structure(s) are hereby given:

\_ For **REPAIR** and **RENOVATION**, thirty (30) days from the date of publication of this Resolution within which to commence repair and/or renovation of the same, and an additional ninety (90) days to complete such, or during a timeframe extended by the Building Official in the Neighborhood Services Division, or his designee, in his sole discretion; and

\_ For **DEMOLITION**, thirty (30) days from the date of publication of this Resolution within which to obtain the necessary demolition permit and commence demolition of the same and an additional fifteen (15) days to complete such, including removal of all materials from the demolished structure, or during a timeframe extended by the Building Official in the Neighborhood Services Division, or his designee, in his sole discretion;

\_ If the owners fail to commence such repair and renovation or demolition within the time allotted above, the Building Official in the Neighborhood Services Division, or his designee, is hereby authorized to cause the structure(s) to be either repaired and renovated and thereby made safe, or, in the alternative, demolished, and the premises made safe and secure and the costs incurred thereby, less salvage, if any, shall be assessed as a special assessment against the lot or parcel of land upon which the structure(s) are located, and the City may also pursue collection in the manner provided by K.S.A. § 12-1,115 and all acts amendatory thereof or supplemental thereto and through any other available means.

**SECTION TWO:** The City Clerk shall cause this Resolution to be published once in the official City newspaper and a copy mailed by certified mail within three (3) days after publication to each such owner, agent, lienholder or occupant at his/her/their/its last known place of residence, all as contemplated under Kansas law. Further, this Resolution shall be filed with the Cowley County Register of Deeds, and indexed to the property(ies) described herein.

**PASSED AND RESOLVED** by the Governing Body of the City of Arkansas City, Kansas this 20th day

of April, 2021 with City Officials being authorized and directed to execute any and all documents necessary to consummate the purposes and intents as expressed in this Resolution and if executed by the Mayor (or other person authorized by law to act in the event of the absence or inability of the Mayor to act) and the City Clerk is directed to attest to and affix the official seal of the City thereon.

(Seal)

\_\_\_\_\_  
Scott Rogers, Mayor

ATTEST:

\_\_\_\_\_  
Lesley Shook, City Clerk

APPROVED AS TO FORM.

\_\_\_\_\_  
Larry R. Schwartz, City Attorney

**CERTIFICATE**

I, hereby certify that the above and foregoing is a true and correct copy of the Resolution No. 2021-04-\_\_\_\_ of the City of Arkansas City, Kansas adopted by the governing body on April 20, 2021 as the same appears of record in my office.

DATED: \_\_\_\_\_.

\_\_\_\_\_  
Lesley Shook, City Clerk