

**RESOLUTION NO. 2023-11-\_\_\_\_\_**

**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 19<sup>th</sup> day of September 2023 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. 2023-09-3570 establish the 7<sup>th</sup> day of November, 2023 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 820 S. 3<sup>rd</sup> ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 11 and 12, Block 6, Gooch's Addition to Arkansas City, Cowley County, Kansas

Record Owner(s): Heather Prince and James Brookshire  
820 S. 3<sup>rd</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 2:**

Dilapidated Structure, including any Accessory structures located at 610 N. 5<sup>th</sup> ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lot 17, 18, 19, and 20, Block 137, Original Town Arkansas City, Cowley County, Kansas.

Record Owner(s): Marcial Gutierrez Amaya  
610 N. 5<sup>th</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 3:**

Dilapidated Structure, including any Accessory structures located at 126 S. 8<sup>th</sup> ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 15 and 16, Block 122, Original Town, Arkansas City, Cowley County, Kansas.

Record Owner(s): Miguel Jose Jimenez  
126 S. 8<sup>th</sup> ST  
Arkansas City, KS 67005

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

State of Kansas  
Department of Revenue  
PO Box 3506  
Topeka, KS 66625-3506

**Parcel 4:**

Dilapidated Structure, including any Accessory structures located at 120 S. 9<sup>th</sup> ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 19 and 20, Block 2, Love's First Addition to Arkansas City, Cowley County, Kansas.

Record Owner(s): Charles Edward Towles  
120 S. 9<sup>th</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 5:**

Dilapidated Structure, including any Accessory structures located at 122 S. 9<sup>th</sup> ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 17 and 18, Block 2, Love's First Addition to Arkansas City, Cowley County, Kansas.

Record Owner(s): Anna Martin Reed and Aubrey C. Lolar  
122 S. 9<sup>th</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 6:**

Dilapidated Structure, including any Accessory structures located at 1504 S. G ST, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 27 and 28, Block 17, Sleeth Addition to the City of Arkansas City, Cowley County, Kansas

Record Owner(s): Michael Lambert  
1504 S. G ST  
Arkansas City, KS 67005

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

**Parcel 7:**

Dilapidated Structure, including any Accessory structures located at 514 E. Cedar Ave, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 15, 16, 17 and 18, Block 14, Original Town Arkansas City, Cowley County, Kansas.

Record Owner(s): Tamara L. Morris  
514 E. Cedar Ave.  
Arkansas City, KS 67005

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

**Parcel 8:**

Dilapidated Structure, including any Accessory structures located at 525 E. Cedar Ave, Arkansas City, Cowley County, Kansas, and legally described as, to-wit:

Lots 27 and 28, Block 15, Original Town Arkansas City, Cowley County, Kansas.

Record Owner(s): Alice Major and Edward Major  
525 E. Cedar 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 7<sup>th</sup> day of November 2023 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)

\_\_\_\_\_  
Diana L. Spielman, Mayor

ATTEST:

\_\_\_\_\_  
Tiffany Parsons, 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 Resolution No. 2023-11-\_\_\_\_ of the City of Arkansas City, Kansas adopted by the governing body on November 7, 2023 as the same appears of record in my office.

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

\_\_\_\_\_  
Tiffany Parsons, City Clerk