

## **RESOLUTION NO. 1119**

### **A RESOLUTION OF THE GOVERNING BODY OF THE CITY OF COLBY, KANSAS, ORDERING THE REPAIR, DEMOLITION OR REMOVAL OF AN UNSAFE OR DANGEROUS STRUCTURE WITHIN SAID CITY.**

**WHEREAS**, the Enforcing Officer of the City of Colby, Kansas, did on the 1st day of May, 2018, file with the Governing Body of said City, a statement in writing that the structure on certain property located within said City is unsafe, dangerous, or unfit for human habitation; and

**WHEREAS**, the Governing Body of said City, in Resolution No. 1118, fixed a time and place for a hearing before the Governing Body for the owner of such property, his or her agent, lienholders of record, occupants, and other interested parties, to appear and show cause why such structure should not be condemned and ordered repaired or removed; and

**WHEREAS**, the Governing Body of said City caused the Resolution fixing such time and place for such hearing to be published in accordance with applicable ordinances duly enacted by the Governing Body of said City:

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

That, following a public hearing on this matter on this 19th day of June, 2018, the structure located upon the following described real estate is hereby determined to be dangerous, unsafe, and unfit for human habitation:

**A Tract of land located in the Original Town of Colby, Thomas County, Kansas, Lot Ten (10), Block Thirty-One (31) of the platted Original Town, more commonly described as 130 N. Mission Ridge Avenue, Colby, Kansas.**

This determination is based upon the following facts found by the Governing Body, following said hearing (4-607):

(1) The structure is in a severely dilapidated state, with loose boards, siding, and roofing tin hanging from the structure and surrounding it as pieces fall from the structure.

(2) More than half of the structure has collapsed and is laying on the ground in various states of disintegration.

(3) The structure and surrounding area are not fenced or otherwise secured. This renders the structure open and accessible to children, animals, or other trespassers.

(4) The structure is open to animals, vermin, and other pests, rendering it a ready source of infestation and a health risk to this area of the City.

(5) Representatives of the City have made many attempts to contact the owners of the property to resolve these conditions, but the conditions persist.

(6) The structure is currently dangerous, unsafe, and unfit for human habitation.

**THEREFORE, THE GOVERNING BODY OF THE CITY OF COLBY HEREBY ORDERS** the owner of such property to commence the repair or removal of the structure described above. The repair or removal shall be commenced no later than July 30, 2018. (4-607)

**BE IT FURTHER RESOLVED**, that if the owner of such structure fails to commence the repair or removal of such structure within the time stated or fails to diligently prosecute the same until the work is completed, the Governing Body will cause the structure to be razed and removed. (4-607)

**BE IT FURTHER RESOLVED** that the City Clerk shall cause this Resolution to be published and shall give notice of this Resolution as required by law.

Adopted this 19th day of June, 2018.

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Gary L. Adrian, Mayor

ATTEST:

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Joni L. Ketchum, City Clerk

Seal