

RESOLUTION NO. 2005-9

BEFORE THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS.

IN THE MATTER OF A DANGEROUS STRUCTURE LOCATED AT 107
FREMONT, WATHENA, KANSAS.

RELATING TO AN ALLEGED DANGEROUS STRUCTURE AT 107 FREMONT,
WATHENA, KANSAS.

WHEREAS, the Enforcing Officer of the City of Wathena, Kansas, pursuant to Ordinance No. 544 of the said City, has filed a complaint with the Governing Body of the City of Wathena (hereinafter Governing Body) alleging that a certain structure located at 107 Fremont in the City of Wathena, Kansas, upon real estate legally described as:

The West 10 feet of Lot 2 and all of Lot 3, in Block 18,
in North Wathena, an addition to the Original Town, now
City of Wathena, Doniphan County, Kansas;

is dangerous and unsafe and should be condemned and ordered demolished; and,

WHEREAS, the Governing Body pursuant to said Ordinance No. 544 adopted Resolution No. 2005-07 on August 1, 2005, providing for a hearing on the aforesaid complaint on September 19, 2005, at 7:00 o'clock P.M.

WHEREAS, the owner(s) of the above described real estate, any lienholders of record and occupants were advised of such hearing by mailing and by publication of the aforesaid Resolution in the official city newspaper for two (2) consecutive weeks; and,

WHEREAS, the Governing Body did proceed to conduct a hearing on the aforementioned complaint on September 19, 2005, at 7:00 o'clock P.M., at which time evidence was submitted on behalf of the Enforcing Officer and Christopher J. Gage; and,

WHEREAS, the Governing Body after hearing all evidence submitted found the structure to be unsafe and dangerous; and,

WHEREAS, the Governing Body further found that such structure consisting of a wood frame house should be: either repaired to a safe condition or razed

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and removed within Thirty Days (30) days from September 19, 2005, otherwise the City should cause said structure to be razed and removed.

BE IT THEREFORE RESOLVED BY THE GOVERNING BODY OF THE CITY OF WATHENA, KANSAS:

1. The structure consisting of a wood frame house situate on the following described real estate, to wit:

The West 10 feet of Lot 2 and all of Lot 3, in Block 18, in North Wathena, an addition to the Original Town, now City of Wathena, Doniphan County, Kansas;

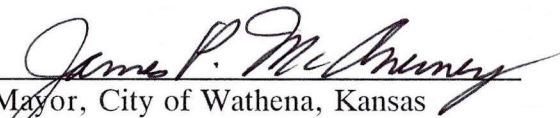
is dangerous, unsafe and abandoned. The structure: (a) Has defects therein increasing the hazards of fire, accidents and other calamities; (b) Is dilapidated and in a state of disrepair; (c) Has open doors and windows and is otherwise not enclosed or secure; and (d) Is injurious to the health and safety of the residents of the City of Wathena.

2. The structure described at paragraph 1 above is dangerous and unsafe and should be condemned and ordered demolished.

3. That the owner(s) of the above described real estate shall have a period of Thirty Days (30) days from September 19, 2005, in order to repair said wood frame house to a safe condition or raze and remove said wood frame house from the above described real estate otherwise the City of Wathena should cause such wood frame house to be razed and removed.


4. This Resolution shall be published in the official City newspaper for one (1) week and a copy hereof shall be served upon the owners, lienholders of record and occupant of the above described property in the manner provided in Ordinance No. 544 and K.S.A. 12-1753.

APPROVED and ADOPTED on the 19th day of September, 2005.


Mayor, City of Wathena, Kansas

ATTEST:

(CITY SEAL)



City Clerk