

RESOLUTION NO. 23-2018

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED AT 704 SE HIGHWAY ALTERNATE 69, CRESTLINE, CHEROKEE COUNTY, KANSAS, CONSISTING OF ORIGINAL PLAT CRESTLINE, SHAWNEE TWP, BLOCK 4, LOT 4, S/2 LOT 3 AND VAC 4TH ST BETWEEN BLKS 4 & 5 IS UNSAFE AND DANGEROUS, AND DIRECTING THAT THE STRUCTURE AND DEBRIS BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of Cherokee County, Kansas, did on the 30th day of July, 2018, file with the Governing Body, the Board of County Commissioners of Cherokee County, Kansas, a statement in writing that a certain single-story residential structure, described above, was dilapidated, unsafe and dangerous and, with the surrounding brush and debris, create a blight upon the neighborhood; and,

WHEREAS, by its Resolution No. 18-2018, the Governing Body established the time and place of a hearing at which the owners, 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 demolished, and provided for giving notice thereof as provided by law; said hearing was scheduled for September 24, 2018, 10:00 a.m., and,

WHEREAS, Resolution No. 18-2018 was published in the official County newspaper on the 17th day of August, 2018, and on the 24th day of August, 2018, and a copy of said Resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on the 24th day of September, 2018, the Governing Body did conduct the hearing and took evidence from the following: the property owners, Paul Cupp and Mary Cupp. The property owners stipulated to the demolition of the structure and removal of brush and debris. The property owners further stipulated that they would remove certain property or materials from the structure within thirty (30) days, and no later than October 24, 2018.

NOW, THEREFORE, ON THIS 24th DAY OF SEPTEMBER, 2018, BE IT RESOLVED BY THE GOVERNING BODY OF CHEROKEE COUNTY, KANSAS, THAT:

1. The Governing Body hereby finds that the structure located at: 704 SE Highway Alternate 69, Crestline, Cherokee County, Kansas, Consisting Of Original Plat Crestline, Shawnee Twp Block 4, Lot 4, S/2 Lot 3 And Vac 4th St Between Blks 4 & 5, is unsafe and dangerous and directs that such structure is to be removed and the premises made safe and secure.


2. The owners of such structure are hereby directed to commence the removal of their property and materials from the structure within fourteen days (14) days from the date of this hearing, not later than October 8, 2018, and to complete the removal of their property and materials from the structure not later than October 24, 2018.

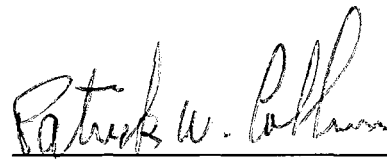
3. The Governing Body will cause the structure to be razed and removed and the property made safe and secure after October 24, 2018, without further notice to the owners. The costs of razing and removing, less salvage, if any, shall be collected in the manner provided by K.S.A. 12-1,115, and amendments 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 the County Clerk shall cause this Resolution to be published once in the official County newspaper and mail a copy to the owners, agents, lienholders, occupants and other parties in interest.

Adopted this 5 day of October, 2018.

APPROVED:


Cory Moates, Chair
Cherokee County Commissioner


Patrick Collins
Cherokee County Commissioner


Neal Anderson
Cherokee County Commissioner

ATTEST:



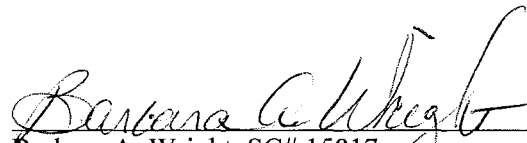
Rodney Edmondson
Cherokee County Clerk

Executed: October 5, 2018,
by the Board of County Commissioners

CERTIFICATE OF MAILING

I hereby certify that on the 25th day of September, 2018, a copy of the proposed condemnation Resolution was sent by U.S. Mail, first class, postage prepaid, to the property owners, Paul Cupp and Mary Cupp, addressed as follows:

Paul Cupp and Mary Cupp
P.O. Box 77
Crestline, Kansas 66728



Barbara A. Wright, SC# 15817
Cherokee County Counselor
P.O. Box 476
Columbus, Kansas 66725
620-704-2232
wrightbarb@outlook.com