

RESOLUTION NO. 6973

A RESOLUTION OF THE CITY OF LAWRENCE, KANSAS, DECLARING THAT ON THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS 1106 RHODE ISLAND STREET, LAWRENCE, DOUGLAS COUNTY, KANSAS, THERE EXIST CONDITIONS THAT ARE INJURIOUS TO THE HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY, DIRECTING THAT THE OWNER OF SAID REAL PROPERTY SHALL ALLEVIATE SUCH CONDITIONS BY JULY 17, 2012, AUTHORIZING THE PUBLIC OFFICER TO ABATE SUCH CONDITIONS IN THE EVENT THAT THE OWNER FAILS TO DO SO, AND PROVIDING THAT THE COSTS AND EXPENSES OF ANY SUCH ABATEMENT BE ASSESSED AGAINST THE OWNER IN THE MANNER PROVIDED BY LAW, ALL IN ACCORDANCE WITH CHAPTER IX, ARTICLE 6 OF THE CODE OF THE CITY OF LAWRENCE, 2011 EDITION, AND AMENDMENTS THERETO.

WHEREAS, pursuant to the provisions of the City's Environmental Code, Chapter IX, Article 6 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the public officer has determined that certain conditions, injurious to the health, safety, and welfare of the community, exist upon that certain real property ("the subject property"), commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, the legal description of which is set forth at Section 2, *infra*;

WHEREAS, in accordance with Chapter IX, Article 6, Section 9-607 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto, the public officer served the owner of record of the subject property with a Notice of Violation, detailing the existence of conditions, injurious to the health, safety, and welfare of the community, and granting the owner of record a reasonable time within which to alleviate the alleged conditions;

WHEREAS, the owner of record of the subject property has neither alleviated the alleged violations in a timely manner nor requested a hearing before the Community Development Advisory Committee within the time allotted by Chapter IX, Article 6, Section 9-607 of the Code of the City of Lawrence, Kansas, 2011 Edition; and

WHEREAS, at its May 15, 2012, public meeting, in accordance with Chapter IX, Article 6, Section 9-609 of the Code of the City of Lawrence, Kansas, 2011 Edition, the Governing Body considered the abatement of those conditions, injurious to the health, safety, and welfare of the community, existing on the subject property.

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

SECTION 1. The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

SECTION 2. The Governing Body finds that conditions, injurious to the health, safety, and welfare of the community, exist on that real property, commonly known as 1106 Rhode Island Street, Lawrence, Douglas County, Kansas, and bearing the following legal description, to-wit:

LOTS 118 & 120 ON RHODE ISLAND STREET IN THE ORIGINAL TOWNSITE OF THE CITY OF LAWRENCE, DOUGLAS COUNTY, KANSAS, commonly known as 1106 Rhode Island Street.

SECTION 3. The Governing Body finds that the following conditions, injurious to the health, safety, and welfare of the community, exist on the subject property:

Miscellaneous items including but not limited to tools, brush/yard waste, scrap metal, wood products, car parts, debris, and abandoned motor vehicles scattered throughout the front, side, and rear yards of the property.

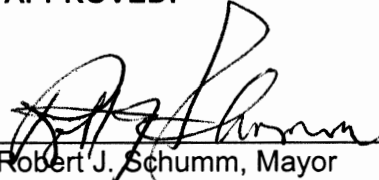
SECTION 4. The Governing Body hereby orders the owner of the subject property, or his or her agent, to alleviate the conditions described in Section 3, *supra*, no later than July 17, 2012, by removing all items stored in the front, side, and rear yards of the subject property and by properly disposing of such items.

SECTION 5. If the owner of the subject property or his or her agent fails to alleviate the above-described conditions by July 17, 2012, then the Governing Body hereby directs the public officer to abate said conditions and to assess the costs and expenses incurred by such abatement to the owner of the subject property, all in accordance with Chapter IX, Article 6, Section 9-613 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto.

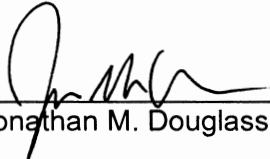
SECTION 6. The public officer shall serve a copy of this Resolution on the owner of the subject property in accordance with by Chapter IX, Article 6, Section 9-609 of the Code of the City of Lawrence, Kansas, 2011 Edition, and amendments thereto.

PASSED by the Governing Body of the City of Lawrence, Kansas, this 22nd day of May, 2012.

APPROVED:


Robert J. Schumm, Mayor

ATTEST:


Jonathan M. Douglass, City Clerk

APPROVED AS TO FORM AND LEGALITY:


Toni R. Wheeler, City Attorney