

RESOLUTION NO. 2010 – 09

A RESOLUTION REGARDING AN UNSAFE STRUCTURE  
AT 1004 SIXTH STREET IN BALDWIN CITY, KANSAS

WHEREAS, the City Code of the City of Baldwin City, Kansas provides that it shall be the duty and obligation of the owner of property to render the same secure and safe or to cause it to be removed; and

WHEREAS, the City Code of the City of Baldwin City, Kansas provides a procedure for declaring a structure unsafe and unfit for human use or habitation; and

WHEREAS, the Governing Body of the City of Baldwin City, Kansas adopted Resolution No. 2010-05 setting a public hearing for August 2, 2010 regarding an unsafe structure located at 1004 Sixth Street in Baldwin City, Kansas, and such notice was published as required by law; and

WHEREAS, the Governing Body conducted said hearing on August 2, 2010, and the owner, the owner's agent, the lienholder, and the occupant of the property were afforded the opportunity to address the Governing Body regarding reports by the Public Officer that the structure was unsafe; and

WHEREAS, the Governing Body heard from all interested parties in attendance at the hearing, evaluated all information presented, and caused to be issued this Resolution to summarize its findings of fact and issue its order.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Baldwin City, Kansas, that:

- Section 1. Findings of Fact. Upon review of photographs and evidence provided by the Public Officer, the Governing Body finds the following to be true:
- a) The detached garage structure at 1004 Sixth Street is owned by Orville K. Randel of Topeka, Kansas; and no mortgage of record was found.
  - b) The owner was properly notified by certified mail of a hearing to be conducted on August 2, 2010 and public notice of such hearing was published in the official city newspaper as required by law.
  - c) The governing body in fact conducted such hearing on August 2, 2010 and reviewed evidence presented by the Public Officer, the owner, the lienholder and any other interested party.
  - d) The detached garage structure at 1004 Sixth Street was voluntarily removed by the owner on July 17, 2010.
  - e) Upon removal of the structure, the property owner to date has not returned the premises to a safe condition or taken any other action necessary to leave the premises in a safe condition.