

3-20-09
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(First published in the Basehor Sentinel, Thursday, March 12, 2009)

RESOLUTION NO. 2009-04

A RESOLUTION DIRECTING STAFF TO MAKE ARRANGEMENTS FOR AND COMPLETE DEMOLITION OF THE STRUCTURE LOCATED AT BLOCK 1, TOWN OF BASEHOR, CAMA#: 157-35-0-20-05-006.00, IN THE CITY OF BASEHOR, LEAVENWORTH COUNTY, KANSAS, COMMONLY REFERRED TO AS 2805 N. 155TH STREET, BASEHOR, KANSAS, AND TO MAKE THE PREMISES SAFE AND SECURE

WHEREAS, the Enforcing Officer of the City of Basehor, Kansas did on the 3rd day of October, 2007, file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and,

WHEREAS, the governing body did by Resolution No. 2007-07 dated the 6th day of November, 2007, fix the time and place of a hearing at which the owner, his agent, lien holders, 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 repaired or demolished, and provided for giving notice thereof as provided by law; and,

WHEREAS, Resolution No. 2007-07 was published in the official city paper on the 8th day of November, 2007 and on the 15th day of November, 2007, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

WHEREAS, on the 17th day of December, 2007 the governing body did conduct the hearing scheduled in Resolution 2007-07 and took evidence from the following: the enforcing officer on behalf of the city; Jeral Cooper, the owner, and the owner's attorney; and,

WHEREAS, pursuant to Resolution 2007-12, the governing body determined the structure was unsafe and dangerous and gave the owner ninety (90) days within which to commence the repair or removal of said structure; and,

WHEREAS, the owner has failed to diligently commence and complete the repair or removal of the structure, and has repeatedly challenged the City's determination that the structure is unsafe and dangerous; and

WHEREAS, the governing body retained an independent structural engineer who has examined the structure and confirmed that it is unsafe and dangerous; and

WHEREAS, on December 1, 2008, and in the presence of the owner of the property, the Governing Body adopted Resolution 2008-17, which Resolution gave the owner one final opportunity to commence removal or repair of the structure and to make the premises safe and secure, and informed the property owner that if he failed to do so the structure would be razed and removed; and

WHEREAS, the property owner has failed to make the premises safe and secure or otherwise follow the directives given by the Governing Body in Resolution 2008-17; and

WHEREAS, the structure at 2805 N. 155th Street remains unsafe and dangerous due to the owner's failure to commence or complete the repair or removal of the same in order to make the premises safe and secure.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BASEHOR, KANSAS, AS FOLLOWS:

Section 1. City Staff is directed to obtain bids for and complete the demolition of the structure located at 2805 N. 155th Street, and salvage any materials therein, all in accordance with K.S.A. 12-1755, said demolition to occur on or after **April 1, 2009**.

Section 2. Description of Property. The structure to be demolished is located at 2805 N. 155th Street in the City of Basehor, the legal description of which is set forth below:

CAMA#: 157-35-0-20-05-006.00

LOT: BLOCK: 1

TOWN OF BASEHOR

And commonly known and referred to as 2805 N. 155th St, Basehor, Kansas,

SECTION 3. The City Clerk shall cause this Resolution to be published once in the official city paper and mail a copy to the property owners, agents, lien holders, occupants and other parties in interest.

Section 4. Effective Date. This Resolution will become effective upon its adoption by the Governing Body.

ADOPTED March 2, 2009.



ATTEST:

/s/ 
City Clerk, Mary Ann Mogle

CITY OF BASEHOR, KANSAS

/s/ 
Mayor, Chris Garcia

APPROVED AS TO FORM:

/s/ 
Patrick G. Reavey, City Attorney