

OCA: 230200

PUBLISHED IN THE WICHITA EAGLE ON APRIL 18, 2014

RESOLUTION NO. 14-111

A RESOLUTION FINDING THAT THE STRUCTURE/S LOCATED ON LOTS 9 AND 11, COX'S ADDITION TO WICHITA, SEDGWICK COUNTY, KANSAS, COMMONLY KNOWN AS **1547 N BURNS**, IS/ARE UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE/S TO BE MADE SAFE AND SECURE OR REMOVED.

WHEREAS, the enforcing officer of the City of Wichita, Kansas, did on the 27th day of August, 2013, file with the governing body of said City a statement in writing that a certain structure/s, hereinafter described, was/were unsafe and dangerous; and

WHEREAS, the governing body did by Resolution dated the 27th day of August, 2013, fix the time and place of a hearing at which the owner, his agent, any lien holders of record and any occupant of such structure/s could appear and show cause why such structure/s should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, such Resolutions were published in the official City paper on the 30th day of August, 2013 and 6th day of September, 2013.

WHEREAS, on the 8th day of October, 2013, and the 15th day of April, 2014, this matter came back before the governing body for a hearing to determine whether the structure/s that is/are on the premises described herein is/are a dangerous building/s within the terms of Chapter 18.16 of the Code of the City of Wichita, Kansas, and/or K.S.A. 12-1750, et seq.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS AS FOLLOWS:

1. The governing body, after hearing testimony submitted by the Director of Metropolitan Area Building and Construction Department and by other interested parties, reviewing the file, and after being otherwise duly and fully informed, finds as follows:

(a) Proper notice was served upon all interested parties entitled thereto in all respects as provided for at K.S.A. 12-1750 et. Seq. and by Chapter 18.16 of the Code of the City of Wichita.

(b) The primary structure/s at issue is/are: A one and one-half story frame dwelling about 30 x 26 feet in size. Vacant for 9 months, this structure has cracking and shifting basement walls; rotted and missing hardboard and wood shingle siding; badly worn, composition roof, with missing shingles; badly deteriorated front porch; badly deteriorated wood carport; and the 12x18 foot accessory garage and 15x7 foot shed are deteriorated. Photographs of the structure/s and testimony of the Director of Metropolitan Area Building and Construction Department are incorporated by reference herein as though fully set forth herein or attached hereto.

(c) The owner (owners) of record of the property is (are):

Christian Lee Ketcham
7313 E 30th Cir N
Wichita Ks 67226

(d) There is nobody occupying the property and the lien holder(s) of record is (are):

Mortgage Holders:

Mellon Mortgage Company
3100 Travis St
Houston Tx 77006

Agent:

Vendor Resource Management
4100 International Parkway Suite 1000
Carrollton TX 75007

Interested Parties:

U.S. Department of Veterans Affairs
1810 Vermont Avenue
NW Washington DC 20420

Christopher D and Kathleen M Hecox
3110 N Brush Creek St
Wichita KS 67205

II. The structure/s on the property is/are found to be dangerous and unsafe and is/are found to constitute a public nuisance because of the following conditions:

Based upon the findings set out above, the structure/s is/are declared to constitute a public nuisance.

III. The governing body, based on the findings set forth herein orders that the structure/s is/are hereby condemned:

(a) The governing body hereby directs that the structure/s is/are to be repaired or removed and the premises made safe and secure. Any extension of time granted to repair the structure should be conditioned on the following: (1) the costs incurred by MABCD, associated with the condemnation of this structure, be paid in full, as of April 15, 2014, or shortly thereafter; (2) the structure is maintained secure as of April 15, 2014 and is kept secured during renovation; (3) the premise is kept clean and free of debris as of April 15, 2014, and is so maintained during renovation; and (4) obtain clean title in ninety (90) days and begin work on the structure, if not, bring back to City Council for review.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official City paper and a copy shall be mailed by certified mail to the owners, agents, lien holders and occupants within three (3) days after the first publication of the Resolution.

ADOPTED this 15th day of April, 2014.

Carl Brewer, Mayor

ATTEST: (SEAL)

Karen Sublett, City Clerk