

ORDINANCE NO. 1816

AN ORDINANCE AUTHORIZING AND DIRECTING THE ABATEMENT OF THE PROPERTY LOCATED AT 1010 Carolina Street (Legal Description: The East Seventy-five (75) feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Three (3), Shutt's Second Addition to the City of Neodesha) AUTHORIZING THE FINANCING OF THE COSTS OF SUCH REMOVAL BY THE SALE OF SALVAGE FROM SUCH PROPERTY, IF ANY, AND/OR FROM THE GENERAL FUND OF THE CITY, AND THE LEVYING OF SPECIAL ASSESSMENTS AGAINST THE LOTS ON WHICH SUCH PROPERTY IS LOCATED.

WHEREAS, the governing body did after proper notice and hearing as provided by law make findings by Resolution 24-31 and Resolution 24-32, dated December 11, 2024, that the property hereinafter described as a blighting influence and did direct the owner of such property to repair or remove the same and make the premises safe and secure, together with the statement that if the owner failed to commence the repair or removal within the time fixed by such resolution or failed to diligently prosecute the same until the work was completed, the city would cause the property to be abated, and

WHEREAS, such resolution was published in the official city newspaper and copies of such resolution were mailed to each owner, agent, lienholder of record and occupants of such property and were otherwise served as required by law, and

WHEREAS, the owner has wholly failed to commence the repair or removal of such property; now therefore

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF NEODESHA, KANSAS:

Section 1: The enforcing officer is hereby authorized and directed to cause the dwelling located **1010 Carolina Street (Legal Description: The East Seventy-five (75) feet of Lots Twenty-one (21), Twenty-two (22), Twenty-three (23) and Twenty-four (24), Block Three (3), Shutt's Second Addition to the City of Neodesha** to be abated and the premises be made safe and secure and for this purpose is authorized to invite bids, negotiate a contract, or cause the work to be done by city employees.

Section 2: The enforcing officer shall keep an account of the cost of the work and may sell the salvage from such property and shall keep an account of the receipts therefrom as provided by law.

Section 3: All costs incurred by the city in the razing and removal of such property and the making of the premises safe and secure shall be paid from moneys received from the sale of salvage there from and all moneys in excess of that necessary to pay such costs shall, after the payment of all costs, be paid to the owner of the premises: **PROVIDED**, that if there is no salvageable material or if moneys received from the sale of salvage is insufficient to pay the cost of such work, such costs or any portion thereof in excess of the amount received from the sale of salvage shall be assessed as a special assessment against the lots on which the property was located and may be financed until the assessment is paid out of the general fund of the city.

Section 4: **EFFECTIVE DATE.** This ordinance shall be in full force and effect upon its publication in the official city newspaper.

Passed by the Governing Body of the City of Neodesha, Kansas and signed by the Mayor this 22nd day of January, 2025.

ATTEST:

/s/ Duane Banzet

Duane Banzet, Vice-Mayor

/s/ Stephanie Fyfe

Stephanie Fyfe, City Clerk