

RESOLUTION NO. 142-2018

Date Adopted: 10-10-2018

First Publication: October 24, 2018

Second Publication: October 31, 2018

A RESOLUTION SCHEDULING A HEARING AS REQUIRED BY K.S.A. 40-3903 AND K.S.A. 12-1752 FOR STRUCTURE CLAIMED TO BE DANGEROUS OR UNSAFE LOCATED AT 4224 SOUTH GREENHAVE, WICHITA, KANSAS.

WHEREAS, a residence (“Structure”) located at 4224 South Greenhaven, Wichita, Kansas (“Premises”), a property in the unincorporated area of Sedgwick County, suffered fire damage on or about the 20th day of July, 2018; and

WHEREAS, the Director of the Metropolitan Area Building and Construction Department (“MABCD”) has preliminarily determined that the Structure is dangerous and unsafe; and

WHEREAS, the County has received insurance proceeds and, pursuant to K.S.A. 40-3901 et seq. and Sec. 2.6.010 et seq. of the Wichita-Sedgwick County Unified Building and Trade Code, the County may utilize insurance proceeds to repair or remove a dangerous structure and make the premises safe and secure, by instituting legal proceedings pursuant to K.S.A. 12-1752 et seq.; and

WHEREAS, pursuant to K.S.A. 12-1752, the Board of County Commissioners shall fix a time and place at which the owner, the owner’s agent, any lienholders of record and any occupant of the Structure may appear and show cause as to why the structure shall not be condemned and ordered repaired or demolished.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS, AS FOLLOWS:

SECTION 1. ESTABLISHMENT OF HEARING TIME AND LOCATION. The Board of County Commissioners shall hold a hearing to consider all evidence submitted by the Structure’s owner, the owner’s agent, lienholders of record, occupants of the Structure, and County staff regarding whether the structure is dangerous or unsafe. The hearing will occur during the regular meeting of the Board of County Commissioners at 9:00 A.M., on Wednesday, the 5th day of December, 2018, within Room 320 (the Board of County Commissioners Meeting Room) at 525 N. Main St., Wichita, Kansas. During said hearing, the Structure’s owner, said owner’s agent, any lienholders of record for the Structure and any occupant of the Structure may appear and show cause as to why the Structure shall not be condemned and ordered repaired or demolished.

SECTION 2. PUBLICATION. The Sedgwick County Clerk is directed to publish this Resolution on two (2) separate instances in the official county newspaper. The first publication shall be on Monday, the 24th day of October, 2018. The second publication shall be on Monday, the 31st day of October, 2018.

Commissioners present and voting were:

DAVID M. UNRUH	<u>aye</u>
MICHAEL B. O'DONNELL, II	<u>aye</u>
DAVID T. DENNIS	<u>aye</u>
RICHARD RANZAU	<u>aye</u>
JAMES M. HOWELL	<u>aye</u>

Dated this 10 day of October, 2018.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

Kelly B. Arnold
KELLY B. ARNOLD, County Clerk



David T. Dennis

DAVID T. DENNIS, Chairman
Commissioner, Third District

David M. Unruh

DAVID M. UNRUH, Chair Pro Tem
Commissioner, First District

Michael B. O'Donnell, II

MICHAEL B. O'DONNELL, II
Commissioner, Second District

Richard Ranzau

RICHARD RANZAU
Commissioner, Fourth District

James M. Howell

JAMES M. HOWELL
Commissioner, Fifth District

APPROVED AS TO FORM:

Justin M. Waggoner
JUSTIN M. WAGGONER
Assistant County Counselor