

**RESOLUTION NO. \_\_\_\_\_**

Date Adopted: \_\_\_\_\_

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 20<sup>th</sup> 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 5<sup>th</sup> 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 24<sup>th</sup> day of October, 2018. The second publication shall be on Monday, the 31<sup>st</sup> day of October, 2018.

Commissioners present and voting were:

DAVID M. UNRUH \_\_\_\_\_  
MICHAEL B. O'DONNELL, II \_\_\_\_\_  
DAVID T. DENNIS \_\_\_\_\_  
RICHARD RANZAU \_\_\_\_\_  
JAMES M. HOWELL \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS


ATTEST:

\_\_\_\_\_  
KELLY B. ARNOLD, County Clerk

\_\_\_\_\_  
DAVID T. DENNIS, Chairman  
Commissioner, Third District

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JUSTIN M. WAGGONER  
Assistant County Counselor

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

\_\_\_\_\_  
RICHARD RANZAU  
Commissioner, Fourth District

\_\_\_\_\_  
JAMES M. HOWELL  
Commissioner, Fifth District