

RESOLUTION NO. 46-2025

A RESOLUTION PURSUANT TO K.S.A. 12-1750, *ET SEQ.*, DECLARING A CERTAIN STRUCTURE WITHIN THE CITY OF LEON, KANSAS TO BE UNSAFE AND DANGEROUS, DIRECTING THAT SAID STRUCTURE BE REPAIRED OR REMOVED, AND ESTABLISHING A REASONABLE TIME WITHIN WHICH SUCH ACTION MUST BE COMMENCED, ALL IN ACCORDANCE WITH K.S.A. 12-1750, *ET SEQ.*, AS AMENDED.

WHEREAS, pursuant to K.S.A. 12-1752, the Enforcing Officer filed a written statement with the Governing Body on June 3, 2024, describing the unsightly, unsafe or dangerous conditions of the structure and the property located at the property described below;

WHEREAS, at its June 3, 2024, regular meeting, the Governing Body of the City of Leon, Kansas received a letter requesting a public hearing for the property of George Worrell (deceased) per son Ryan Worrell, of the date of August 19, 2024 at 6:30 for a Public Hearing, per Ryan Worrell's request. A hearing for August 19, 2024, before the Governing Body of the City at 6:00 p.m., in the City Council Chamber of Leon City Hall, at which time the owner, his agent, any lienholders of record, and any occupants of the structure located at the real property commonly known as 502 N. East St. Leon, Butler County, Kansas, the legal description of which is set forth in Section Two of this Resolution, may appear and show cause why such structure should not be condemned as unsafe or dangerous and ordered repaired or removed;

WHEREAS, in accordance with K.S.A. 12-1752, Resolution No. 03-2024 and 04-2004 were published in the official newspaper on August 6, 2024, with a second publication date of August 13, 2024;

WHEREAS, in accordance with K.S.A. 12-1752, a copy of Resolution No. 03-2024 and 04-2004 was mailed certified to the owner of record of the subject property, the owner's agent, lienholders of record, and other known stakeholders within three (3) days of its first publication in the official newspaper;

WHEREAS, in accordance with K.S.A. 12-1752, at least thirty (30) days have elapsed between the publication of Resolution No. 03-2024 and 04-2004 and the date of the August 19, 2024, hearing; and

WHEREAS, at its June 3, 2024, regular meeting, in accordance with K.S.A. 12-1750 *et seq.*, as amended, the Governing Body considered the structure and additionally the buildings, debris, and other non-compliant items at 502 N. East St..

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF LEON, KANSAS:

SECTION ONE: The above-stated recitals are incorporated herein by reference as if fully stated in this section.

SECTION TWO: The structure in question is a single-family detached house/mobile home, additionally the buildings, debris, and other non-compliant items are located on the real property commonly known as 502 N East St. Leon, Butler County, Kansas, with the legal description:

S21 , T27 , R06E , ACRES 1.4 , BEG SW/C LT 1 MCALLISTER'S ADD
E138 S36 E160 S190 W154 S2 W144 N228 TO POB CITY OF LEON,
BUTLER COUNTY, KANSAS.

SECTION THREE: In accordance with K.S.A. 12-1750 *et seq.*, as amended, the Governing Body, having heard all evidence submitted by the owner of record, the owner's agent, any lienholder of record, any occupants having an interest in the structure, as well as evidence submitted by the Enforcing Officer, who filed the written statement as required by statute, hereby finds that the structure in question is unsafe and dangerous and the property is a blight to the neighborhood and hereby orders that said structure and property be repaired or removed and that the owner of record shall commence the repair by obtaining all required building permits or removal of said structure on or before May 16, 2025.

SECTION FOUR: Accordingly, pursuant to K.S.A. 12-1750 *et seq.*, as amended, the Governing Body hereby orders the owner of record of 502 N East St. either to repair the structure or to raze and remove said structure and property until the premises are made safe and secure and further orders that the owner of record must commence the repair or removal of said structure on or before May 16, 2025.

SECTION FIVE: If the owner of record fails to comply with Sections Three and Four of this Resolution or fails thereafter to diligently prosecute the same until the work is completed and the premises are made safe and secure, the Governing Body hereby directs the Enforcing Officer to raze and remove the structure.

SECTION SIX: If the owner of record fails to comply with Sections Three and Four of this Resolution, or fails thereafter to diligently prosecute the same until the work is completed and the premises are made safe and secure and if such work subsequently is undertaken by the Enforcing Officer, then the Governing Body directs the Enforcing Officer, in accordance with K.S.A. 12-1750 *et seq.*, as amended, to keep an account of the costs of such work, to sell any salvage from the structure in question, and to apply any proceeds from those sales to the costs of razing and removing said structure and making the premises safe and secure. Any moneys that may be received from salvage that are in excess of the costs of razing and removing the structure to make the premises safe and secure, including the costs of publication and the costs of postage for mailing notices, shall, after the payment of those costs, be paid to the owner of the subject property.

SECTION SEVEN: If the owner of record fails to comply with Sections Three and Four of this Resolution, or fails thereafter to diligently prosecute the same until the work is completed and the premises are made safe and secure and if such work subsequently is undertaken by the Enforcing Officer and the costs of doing such exceed the moneys realized by any sale of salvage, then the Governing Body directs the Enforcing Officer to give notice to the owner of record of the total costs incurred by the City, less any receipts for the sale of salvage. If those costs, if any, are not paid within thirty (30) days of the service of the notice, then the Governing Body directs City staff to collect such costs in the manner provided by K.S.A. 12-1,115 or to assess such costs as a special assessment against the real property, all in accordance with K.S.A. 12-1750 *et seq.*, as amended.

SECTION EIGHT: The City Clerk is directed to cause a copy of this Resolution to be published one (1) time in the official newspaper and to mail, by certified mail, copies of the Resolution to the owners, agents, lienholders of record, and any occupants of said structure within three (3) days after the publication of this Resolution, all in the manner provided by law.

ADOPTED by the Governing Body this 5th day of May, 2025.

SIGNED by the Mayor this 5th day of May, 2025.

Kristina Semisch
Mayor

ATTEST:

Jodi Hedler
City Clerk

(SEAL)

