

**RESOLUTION NO. 672**

**A RESOLUTION OF THE CITY OF ROSE HILL, KANSAS, ESTABLISHING A TIME AND PLACE FOR A HEARING, PURSUANT TO K.S.A. 12-1750, *ET. SEQ.*, AND CHAPTER IV, ARTICLE 2 OF THE CODE OF THE CITY OF ROSE HILL, KANSAS, AT WHICH TIME, THE OWNER, OWNER'S AGENT, ANY LIENHOLDERS OF RECORD AND ANY OCCUPANT OF THE STRUCTURE MAY APPEAR AND SHOW CAUSE WHY SUCH STRUCTURE SHOULD NOT BE CONDEMNED AND ORDERED REPAIRED OR DEMOLISHED AS AN UNSAFE OR DANGEROUS STRUCTURE.**

**WHEREAS**, pursuant to K.S.A. 12-1751, the Governing Body of the City of Rose Hill, Kansas, is granted, as part of its police powers, the authority to cause the repair or removal of, or to remove any structure located within the city, which may have become unsafe or dangerous;

**WHEREAS**, in accordance with K.S.A. 12-1750, *et seq.*, and Chapter IV, Article 2 of the Code of the City of Rose Hill, Kansas, the Enforcing Officer for the City of Rose Hill, Kansas, has filed with the Governing Body a statement in writing regarding an unsafe structure located on the real property commonly known as 1714 N. Main, Rose Hill, Kansas 67133, and bearing the legal description, to-wit:

**Lot 4, in Block D, Fox Brier First Addition to the City of Rose Hill, in Butler County, Kansas.**

**WHEREAS**, upon the filing of such written statement, the Governing Body must, in accordance with K.S.A. 12-1752, establish a time and place for a public hearing, at which time, the owner, the owner's agent, any lienholders of record, and any occupant of such structure may appear and show cause why such structure should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure; and

**WHEREAS**, the City gives notice that, under K.S.A. 12-1750 *et seq.*, the City may ultimately repair or demolish such structure, that, in such event, the owner may lose any interest in the salvage proceeds of such structure, and that any costs, in excess of the salvage value, that are borne by the City may be assessed against the real property.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF ROSE HILL, KANSAS:**

**SECTION 1.** The above-stated recitals are incorporated herein by reference and shall be as effective as if set forth in full.

**SECTION 2.** Pursuant to K.S.A. 12-1752, a hearing will be held on **Tuesday, January 2, 2024**, not before 7:00 p.m., in the City Council Chambers at 125 W. Rosewood, Rose Hill, Kansas., or

as soon thereafter as practicable, at which time, the owner's agent, any lienholders of record, and any occupant of the structure located on the real property hereinabove referenced may appear and show cause why such structure should not be condemned and ordered repaired or demolished as an unsafe or dangerous structure. The structure in question is a duplex.


**SECTION 3.** The City Clerk is hereby directed to publish, once each week for two consecutive weeks, on the same day each week, in the official newspaper of the City, the foregoing Resolution, establishing the time and place of hearing under K.S.A. 12-1752. At least 30 days shall elapse between the last publication and the date set for the hearing.

**SECTION 4.** The City Clerk is hereby directed to mail a copy of this Resolution to the owner, the owner's agent, any lienholder of record, and any occupant of the structure, to the extent such persons are known, at said person's last known address and the envelope shall be marked "Deliver to Addressee Only."


**PASSED** by the Governing Body of the City of Rose Hill, Kansas, this 6<sup>th</sup> day of November 2023.

APPROVED:

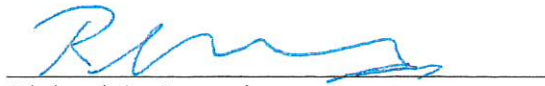


  
Gary Weaver, Mayor

Attest:

  
Kelly Mendoza, City Clerk

**APPROVED AS TO FORM:**

  
Richard A. Samaniego  
City Attorney