

**CITY OF WESTWOOD, KANSAS
RESOLUTION NO. 48-2015**

A RESOLUTION OF THE CITY OF WESTWOOD, KANSAS, ESTABLISHING A TIME AND PLACE FOR A HEARING, PURSUANT TO K.S.A. 12-1750, ET SEQ., AND CHAPTER VII, ARTICLE 11 OF THE CODE OF THE CITY OF WESTWOOD, KANSAS, AND AMENDMENTS THERETO,

REGARDING A STRUCTURE ON THAT CERTAIN REAL PROPERTY, COMMONLY KNOWN AS 4728 BOOTH STREET, AT WHICH TIME, PERSONS HAVING AN INTEREST IN THE NAMED 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 Westwood, Kansas, is granted, as part of its police powers, the authority to cause to be repaired or to be removed, or to repair or to remove, any structure located within the City that is unsafe or dangerous;

WHEREAS, in accordance with K.S.A. 12-1750, et seq., Chapter VIII, Article 11 of the Code of the City of Westwood, Kansas, and amendments thereto, the Enforcing Officer for the City of Westwood, Kansas, has filed with the Governing Body a statement in writing that the structure located on that real property, commonly known as 4728 Booth Street, Westwood, Johnson County, Kansas, the legal description of which is set forth at Section 2, is unsafe or dangerous;

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. 12-1752 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 borne by the City in excess of the salvage value may be assessed against the real property.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WESTWOOD, 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 in the Council Chambers Room, City Hall, 4700 Rainbow Blvd, Westwood, Kansas, on October 8, 2015, at 7:00 p.m., 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 commonly known as 4728 Booth Street, Westwood, Johnson County, Kansas, and bearing the legal description, to-wit:

ALL OF THE NORTH 58 FEET EXCEPT THE WEST 499.84 FEET THEREOF, OF THE WEST 660 FEET OF THE SOUTH 198 FEET OF THE NORTH 528 FEET OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 12, RANGE 25, IN THE CITY OF WESTWOOD, JOHNSON COUNTY, KANSAS, SUBJECT TO ANY PART THEREOF IN STREETS, ROADS, OR PUBLIC RIGHTS OF WAY.

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 may be described as a one-story detached garage.

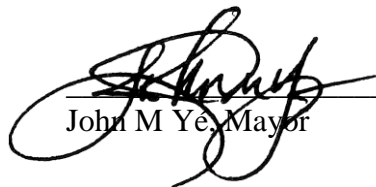
SECTION 3. The City Clerk is hereby directed to publish, once each week for two consecutive weeks, on the same day each week, in the official newspaper of the City, the foregoing Resolution, establishing the time and place of hearing under K.S.A. 12-1752.

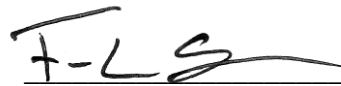
SECTION 4. The City Clerk also is hereby directed to mail by certified mail within three days after this Resolution's first publication a copy of this Resolution to the owner, the owner's agent, any lienholder of record, and any occupant of the structure, to the extent such persons are known, at said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

ADOPTED by the Governing Body of the City of Westwood, Kansas, this 13th day of August, 2015.



ATTEST:


John M. Ye, Mayor



Frederick L. Sherman, City Clerk

APPROVED AS TO FORM AND LEGALITY



Ryan B. Denk, City Attorney