

RESOLUTION NO. 362

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON E ½ OF LOT 13 BLOCK 35, ORIGINAL TOWN OF BURLINGAME, KANSAS, IN THE CITY OF BURLINGAME, OSAGE COUNTY, KANSAS, COMMONLY KNOWN AS 107 E. SANTA FE AVE., BURLINGAME, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THE STRUCTURE TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE.

WHEREAS, the Enforcing Officer of the City of Burlingame, Kansas did on the 21st day of February, 2012, file with the governing body of said City a statement in writing that a certain structure, hereinafter described, was unsafe and dangerous; and

WHEREAS, the governing body did by Resolution dated the 4th day of June, 2012, fix the time and place of a hearing at which the owner, his or her agent, any lienholders of record and any occupant of such structure could appear and show cause why such structure should not be condemned and ordered repaired or demolished, and provided for giving notice thereof as provided by law; and

WHEREAS, such Resolution was published in the official city paper on the 7th day of June, 2012, and on the 14th day of June, 2012, and a copy of such Resolution was served on all persons entitled thereto in all respects as provided by law; and

WHEREAS, on this 6th day of September, 2012, the governing body has heard all evidence submitted by the enforcing officer of the City, the owners, agents, lienholders and occupants of such structure (having appeared or having failed to appear).

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BURLINGAME:

That said governing body hereby finds upon the statements and evidence presented including the City Building Inspector report, the engineer's report dated May 21, 2012, from Professional Engineering Inspections Inc., and the engineer's report dated August 20, 2012, from Certus Architectural Engineering Group that the building is not fit for occupancy, that the building is not safe for occupancy, that

there is significant deterioration of the building due to lack of maintenance including degradation of the mortar and brick, degradation of structural walls including stress cracks and movement, building settlement, floor joists need replaced and deterioration of the roof, that the structure located on E ½ Lot 13 Block 35, Original Town of Burlingame, Kansas, to the City of Burlingame, Osage County, Kansas, commonly known as 107 E. Santa Fe Ave, Burlingame, Kansas, is unsafe and dangerous and hereby directs such structure to be repaired or removed and the premises made safe and secure. The Owner of such structure is hereby given not to exceed 90 days from the date of September 6, 2012, within which to repair or remove such structure, such repair or removal to be completed within the 90 days, and if such owner fails to repair or remove such structure within the time stated or fails to diligently prosecute the same until the work is completed, said governing body will cause the structure to be razed and removed and the costs of such razing and removing, less salvage if any, to be paid by the owner and shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located as provided by law.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this Resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders and occupants as provided by law.

ADOPTED this 6th day of September, 2012.

CITY OF BURLINGAME, KANSAS

By: _____
Mayor

ATTEST:

City Clerk