

RESOLUTION NO. 26-2018

**A RESOLUTION FINDING THAT THE STRUCTURES LOCATED AT 6444 SE 70<sup>th</sup> STREET, RIVERTON, CHEROKEE COUNTY, KANSAS, COMMENCING AT A POINT 363 FEET NORTH OF THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18 IN TOWNSHIP 34 SOUTH OF RANGE 25 EAST OF THE 6<sup>TH</sup> PRINCIPAL MERIDIAN, CHEROKEE COUNTY, KANSAS, THEN NORTH 100 FEET, WEST 208 FEET, SOUTH 100 FEET, EAST 208 TO PLACE OF BEGINNING; EXCEPT THE HIGHWAY RIGHT-OF-WAY AND THE REAL ESTATE DESCRIBED IN THAT RIGHT-OF-WAY DEED DATED OCTOBER 19, 1967, RECORDED JANUARY 3, 1968, TO WIT:**

**A TRACT OF LAND IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 34 SOUTH, RANGE 25 EAST OF THE 6<sup>TH</sup> P.M., DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE EAST LINE, 363.0 FEET NORTH OF THE SOUTHEAST CORNER OF SAID QUARTER SECTION; THENCE SOUTH 81 DEGREES 12 MINUTES WEST, 50.6 FEET; THENCE NORTH 100.0 FEET TO A POINT 50.3 FEET WEST OF SAID EAST LINE; THENCE EAST, 50.3 FEET TO SAID EAST LINE; THENCE SOUTH 08 DEGREES 47 MINUTES EAST, 100.0 FEET ALONG SAID EAST LINE TO THE PLACE OF BEGINNING. THE ABOVE CONTAINS 1,045 SQUARE FEET, MORE OR LESS, EXCLUSIVE OF THE EXISTING HIGHWAY,**

**IS UNSAFE AND DANGEROUS, AND DIRECTING THAT THE STRUCTURES AND DEBRIS BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.**

**WHEREAS, the Enforcing Officer of Cherokee County, Kansas, did on the 24<sup>th</sup> day of September, 2018, file with the Governing Body, the Board of County Commissioners of Cherokee County, Kansas, a statement in writing that a certain blue, single-story residential structure, deck, carport and surrounding buildings described above, are dilapidated, unsafe and dangerous and, with the surrounding brush and debris, create a blight upon the neighborhood and the County; and,**

**WHEREAS, by its Resolution No. 21-2018, the Governing Body established the time and place of a hearing at which the owners, his or her agent, and lienholders, any occupants and all other parties of interest of such structure could appear and show cause why such structure should not be condemned and ordered demolished, and provided for giving notice thereof as provided by law; said hearing was scheduled for November 5, 2018, 10:00 a.m., and,**

**WHEREAS, Resolution No. 21-2018 was published in the official County newspaper on the 28<sup>th</sup> day of September, 2018, and on the 5<sup>th</sup> day of October, 2018, and a copy of said Resolution was served upon all persons entitled thereto as provided by law; and,**

**WHEREAS, on the 5<sup>th</sup> day of November, 2018, the Governing Body did conduct the hearing and took evidence from the enforcement officer. There were no other appearances.**

**NOW, THEREFORE, ON THIS 5<sup>th</sup> DAY OF NOVEMBER, 2018, BE IT RESOLVED BY THE GOVERNING BODY OF CHEROKEE COUNTY, KANSAS, THAT:**

**1. The Governing Body hereby finds that the structures located at: at a point 363 feet North of the Southeast Corner of the Southeast Quarter of the Northeast quarter of Section 18 in Township 34 South of Range 25 East of the 6<sup>th</sup> Principal Meridian, Cherokee County, Kansas, then North 100 feet, West 208 feet, South 100 feet, East 208 to place of beginning; EXCEPT the highway right-of-way and the real estate described in that right-of-way deed dated October 19, 1967, recorded January 3, 1968, to wit:**

**A tract of land in the Southeast Quarter of the Northeast Quarter of Section 18, Township 34 South, Range 25 East of the 6<sup>th</sup> P.M., described as follows: BEGINNING at a point on the East line, 363.0 feet North of the Southeast corner of said Quarter Section; thence South 81 degrees 12 minutes West, 50.6 feet; thence North 100.0 feet to a point 50.3 feet West of said East line; thence East, 50.3 feet to said East line; thence South 08 degrees 47 minutes East, 100.0 feet along said East line to the place of beginning. The above contains 1,045 square feet, more or less, exclusive of the existing highway, are unsafe and dangerous and directs that such structures and debris are to be removed and the premises made safe and secure.**

**2. The owner of such structure is hereby directed to commence the removal of her property and materials from the structure within fourteen days (14) days from the date of this hearing, not later than November 19, 2018, and to complete the removal of her property and materials from the structure not later than December 5, 2018.**

**3. The Governing Body will cause the structure to be razed and removed and the property made safe and secure after October 24, 2018, without further notice to the owner. The costs of razing and removing, less salvage, if any, shall be collected in the manner provided by K.S.A. 12-1,115, and amendments thereto, or shall be assessed as a special assessment against the lot or parcel of land upon which the structure is located or by both, all as provided by law.**

**BE IT FURTHER RESOLVED, that the County Clerk shall cause this Resolution to be published once in the official County newspaper and mail a copy to the owners, agents, lienholders, occupants and other parties in interest.**

Adopted this 14 day of November, 2018.

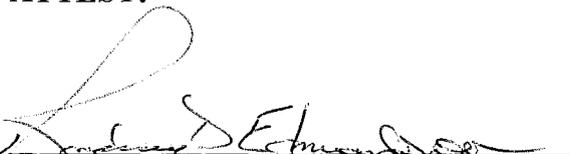
**APPROVED:**

  
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**Cory Moates, Chair**  
**Cherokee County Commissioner**

  
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**Patrick Collins**  
**Cherokee County Commissioner**

  
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**Neal Anderson**  
**Cherokee County Commissioner**

**ATTEST:**

  
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**Rodney Edmondson**  
**Cherokee County Clerk**  
Executed: November, 14, 2018,  
by the Board of County Commissioners