

RESOLUTION NO. 3811

A RESOLUTION SETTING A PUBLIC HEARING PURSUANT TO K.S.A. 12-1752 AND OVERLAND PARK MUNICIPAL CODE SECTION 16.190.110.1.1., CONCERNING THE STRUCTURE AT 7800 WEST 60TH STREET.

WHEREAS, pursuant to K.S.A. 12-1752 and OPMC 16.190.110.1.1, a report dated April 5, 2010, has been submitted to the Governing Body by the duly and lawfully designated Building Official of the City; and

WHEREAS, said report shows that the property and structure commonly known as 7800 West 60th Street, located within the corporate limits of the City of Overland Park, Kansas, legally described as QUAKER RIDGE, LOT 53 OPC-9079, contains a dangerous, unsafe structure as defined at Section 108.1.1 of the 2006 International Property Maintenance Code, by reason of severe roof damage caused by a fallen tree and years of decay; and

WHEREAS, the Owner of Record is deceased and therefore no action has been taken to abate said condition.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OVERLAND PARK, KANSAS:

SECTION 1. That a hearing be set on June 7, 2010, in the Council Chambers of Overland Park City Hall, 8500 Santa Fe Drive, to be scheduled during normal Council proceedings which commence at 7:30 p.m. The hearing is to address the question of whether the property and structure at 7800 West 60th Street is unsafe and dangerous within the definition of Section 108.1.1 of the 2006 International Property Maintenance Code. At that time, persons, including but not limited to the owners, owners' representatives or agents, tenants, lien holders of record, and occupants of said property, shall be given the opportunity to demonstrate their reasons such structure should not be condemned and ordered repaired or demolished by the City.

SECTION 2. That this resolution shall be published in an official City newspaper once each week for two consecutive weeks.

SECTION 3. That the Building Official shall make a reasonable attempt to determine the names and addresses of the owners of said property and such owners' representatives or agents, tenants, lien holders of record, and occupants and shall provide notice of said hearing to them by depositing a copy of the resolution in the United States mail, postage paid, marked "Certified Mail," "Return Receipt Requested," and "Deliver to Addressee Only," addressed to each of them at their last known place of residence within three days of the first publication.

SECTION 4. That a copy of the report dated April 5, 2010, that was submitted to the Governing Body shall be maintained by the Office of the City Clerk and be made available to interested parties and the general public upon request. (Copies are to be provided pursuant to customary City policies on open records).

SECTION 5. That the Governing Body intends hereby to be instituting legal proceedings under the provisions of K.S.A. 12-1752 and OPMC 16.190.110.1.1.

ADOPTED by the Governing Body of the City of Overland Park, Kansas, this 5th day of April, 2010.

CITY OF OVERLAND PARK, KANSAS

Carl Gerlach, Mayor

ATTEST:

Marian Cook, City Clerk

APPROVED AS TO FORM:

J. Bart Budetti
Senior Assistant City Attorney