

## Resolution 2022 - 05

### **A RESOLUTION DECLARING CERTAIN REAL PROPERTY LOCATED AT 207 E. CENTER AVE., SEARCY WHITE COUNTY, ARKANSAS, A NUISANCE; DIRECTING THE REMOVAL OF THE IMPROVEMENTS CONSTITUTING THE NUISANCE; AND FOR OTHER PURPOSES**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEARCY, TO-WIT

WHEREAS, The Searcy City Council has been made aware of the conditions certain real property located at 207 E. Center Ave., Searcy, White County, Arkansas, more particularly described, to wit:

The East 42.00 feet of Lots 1,2 and 3, less the South 6.70 feet of the East 27.16 feet of the East 28.16 feet of said Lot 3, and the West 50.00 feet of Lots 10,11 and 12 less the South 6.7 feet of said Lot 10, all in Block 19 of the Original Town of Searcy.

(the "Nuisance Property"); and

WHEREAS, the Code Enforcement Department of the City of Searcy has advised the Searcy City Council that the record title owner of the Nuisance Property is Thelma Lee Coffman Jones.

WHEREAS, the Code Enforcement Department of the City of Searcy has advised the Searcy City Council that the Nuisance Property comprises a nuisance on the following bases:

- 1) Vacant Structure & Land: Ordinance 2016-14 Chapter 9 Section 9-3-1-3. The structure has become severely dilapidated and has started falling in on itself. There are holes in the roof, windows are broken out, the eaves around the structure are rotted out, Rubbish piled around the structure that creates a places for pest and vermin to live and breed, Vegetation has grown into the attic area and is possible causing damage to the structure, Foundation of the structure has partly fallen in, the outside walls have holes in them and wood and siding missing from the structure. This has become a safety hazard for the neighboring businesses and to the public.

WHEREAS, the Code Enforcement Department of the City of Searcy has made contact with the owners of the said real property on a number of occasions seeking to have these conditions remedied, with no success as of the date of the adoption of this resolution.

Now, therefore, be it resolved the City Council of the City of Searcy, Arkansas, to-wit:

Section 1. That the Nuisance Property is declared by the Searcy City Council to be a nuisance pursuant to Chapter 9 Section 9-2-7-1 of the Code of Ordinances of the City of Searcy, Arkansas, for the reasons set forth herein.

Section 2. The Mayor and/or City Clerk, or their designee, are directed to forward a certified copy of this Resolution to the owners of the said real property described herein, and to all persons having an interest in the said real property as reflected in a review of the real property records of the Recorder or, if unable to be located, to cause to be posted a copy of the Resolution upon the Nuisance Property.

Section 3. If, after thirty (30) days from the date of such notice, the bases for finding that the Nuisance Property is a nuisance pursuant to Chapter 9 of the Searcy Code of Ordinances have not been corrected or otherwise abated to the satisfaction of the Mayor of the City of Searcy, the Mayor may

direct that the improvements or other conditions constituting the nuisance may be torn down, razed or removed by the City and any saleable material be liquidated as provided in Chapter 9 Section 9-2-7-9 of the Searcy Code of Ordinances, with any such proceeds to be applied pursuant to Chapter 9 Section 9-2-7-10 of the Searcy Code of Ordinances.

Section 4. Upon the removal of any improvements, or other conditions constituting a nuisance upon the Nuisance Property, the costs, fees and expenses of such remediation or abatement may constitute a lien upon the Nuisance Property as provided in Chapter 9 Section 9-2-7-11 of the Searcy Code of Ordinances.

PASSED AND ADOPTED on this 8<sup>th</sup> day of February, 2022.

/s/ Kyle Osborne

Mayor of Searcy

ATTEST:

/s/ Jerry Morris

Searcy City Clerk