

Resolution 2022 - 37

**A RESOLUTION DECLARING CERTAIN REAL PROPERTY LOCATED AT
1111 W PLEASURE 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 1111 W. Pleasure Ave., Searcy, White County, Arkansas, more particularly described, to wit:

A part of the B.T. Bakers Subdivision of Blocks 33, 34, 39 and 40 of Jones Addition to the City of Searcy, more particularly described as follows: Commencing at the intersection of the South line of Pleasure Street and the Section line between the Section 5, 9 and 10, T-7-N, R-7-W, thence East along the South line of Pleasure Street for 30 feet for the POINT OF BEGINNING, thence continuing East along said South line 96.41 feet; thence South parallel with the Section line between said Section 5, 9 and 10, 150 feet; thence West parallel with said South line of Pleasure Street 96.41 feet; thence North parallel with said Section line 150 feet to the point of beginning.

(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 Droptine Properties, LLC.

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 after year of being vacant. There are several broken windows on the structure. The sub flooring support has started collapsing and causing the structure to become very weak. The structure has been boarded up for over 10 years with no signs of being repaired or remodeled. There has been issues with High Grass on the property and trash build up. There have been no utilities on the property for over 10 years. This may become a place for pest and vermin to live and breed. The safety of the City of Searcy and the Citizens that live around this property are our biggest worry with this structure being left standing.

WHEREAS, the Code Enforcement Department of the City of Searcy has made contact with the owners of the said real property seeking to have these conditions remedied, with some success as of the date of the adoption of this resolution, with talk of having the structure taken down. We just want to make sure the structure has the notification of a nuisance property to back the City of Searcy up to make sure the property is taken care of.

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 11th day of October, 2022.

/s/ Kyle Osborne

Mayor of Searcy

ATTEST:

/s/ Jerry Morris

Searcy City Clerk