

Resolution 2023 - 37

**A RESOLUTION DECLARING CERTAIN REAL PROPERTY LOCATED AT
906 W. PLEASURE AVENUE IN THE CITY OF 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 906 W. Pleasure Ave. Searcy, and White County, Arkansas, more particularly described, to wit:

The East Fifty (50) feet of the South One Hundred (100) feet of Lot Six (6) Baker's Subdivision of Jones Addition to the City of Searcy, Arkansas.

Subject to all existing easements and right of ways for roads and other purposes.

(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 the Twillie Family Trust C/O David Twillie.

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) Structure has burnt with a high amount of damage that prevents the structure from being lived in. The structures roof is falling in with other damage to major supporting structure of the home. The house is not secure and is open for anybody to enter into the property.

WHEREAS, the Code Enforcement Department of the City of Searcy has made contact with the owner(s) of the said real property just in the last week. The owner has accepted the fact the structure must be torn down and the reason we are asking for a nuisance property. There has been not time frame from the owner of a demo or clean up on the property.

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 July, 2023.

/s/ Mat Faulkner

Mayor of Searcy

ATTEST:

Jerry Morris

Searcy City Clerk