

**RESOLUTION NO. 1282**

A RESOLUTION FINDING THAT THE STRUCTURE LOCATED ON LOT 2 BLOCK 8, OF THE YOUMAN'S ADDITION TO THE CITY OF OSAWATOMIE, MIAMI COUNTY, KANSAS, SECTION 11, TOWNSHIP 18, RANGE 22 AS DESIGNATED ON THE RECORDED PLAT THEREOF; COMMONLY KNOWN AS 223 E. MILL, OSAWATOMIE, KANSAS, IS UNSAFE OR DANGEROUS AND DIRECTING THAT THE STRUCTURE BE REMOVED AND THE PREMISES MADE SAFE AND SECURE.

**WHEREAS**, the Enforcing Officer of the City of Osawatome, Kansas, did on the 23<sup>rd</sup> day of January 2025, file with the Governing Body of said City a statement in writing that a certain structure, hereinafter described was abandoned or unsafe and dangerous; and

**WHEREAS**, the Governing Body did by Resolution No. 1273, dated the 23<sup>rd</sup> day of January, 2025, fix the time and place of a hearing at which the owner, his or her agent, and lienholders, any occupants and all other parties in interest of such structure would appear and show cause why such structure should not be condemned and ordered repaired or demolished and provided notice thereof as provided by law; and,

**WHEREAS**, Resolution No. 1273 was published in the official City newspaper on the 29<sup>th</sup> day of January and the 5<sup>th</sup> day of February, 2025, and a copy of said resolution was served upon all persons entitled thereto as provided by law; and,

**WHEREAS**, on the 13<sup>th</sup> day of March, 2025, the Governing Body did conduct the hearing scheduled in Resolution No. 1273 and took evidence from the following: The Enforcing Officer on behalf of the City. The following parties in interest failed to appear or appeared and did not present evidence compelling enough for the Governing Body to make any finding contrary to the findings found herein: Clayton J. Robinson, Trustee of Clayton J. Robinson Living Trust.

**NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF OSAWATOMIE, KANSAS, THAT:**

1. The Governing Body hereby finds that the structure located at ON LOT 2 BLOCK 8, OF THE YOUMAN'S ADDITION TO THE CITY OF OSAWATOMIE, MIAMI COUNTY, KANSAS, SECTION 11, TOWNSHIP 18, RANGE 22 AS DESIGNATED ON THE RECORDED PLAT THEREOF in the City of Osawatome, Miami County, Kansas, commonly known and referred to as **223 E. Mill**, Osawatome, Kansas, is unsafe and dangerous based on the following findings:

- a. Roof showing signs of sagging in multiple places;
- b. Fence is falling apart on the West side of house;
- c. Siding is showing signs of wear;
- d. Shed is falling in on itself;
- e. Trash is throughout the yard;
- f. Water was turned off 2/3/2023, Electric is on; avg. consumption - 30 kWh/month;

2. The owner of such structure is hereby directed to commence the removal of the property within 14 days from the date of publication of this resolution (not later than the 2<sup>nd</sup> day of April, 2025), and to have the removal completed within 30 days of the commencement of the demolition. Provided, that upon due application by the owner and for good cause shown, the Governing Body, in its sole discretion, may grant the owner additional time to complete the removal of the property.

3. If the owner fails to commence the removal of the structure within the time stated herein, or any additional time granted by the Governing Body, or fails to diligently prosecute the same until the work is completed, the Governing Body will cause the structure to be razed and removed and the costs of razing and removing, less salvage if any, shall be collected in the manner provided by K.S.A. 12-1755, 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 City Clerk shall cause this Resolution to be published once in the official city paper and a copy mailed to the owners, agents, lienholders, occupants and other parties of interest.

**PASSED AND ADOPTED** by the Governing Body of the City of Osawatomie, Kansas this 13<sup>th</sup> day of March, 2025, a majority being in favor thereof.

**APPROVED AND SIGNED** by the Mayor.

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Nick Hampson  
Mayor

(SEAL)

ATTEST:

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Tammy Seamands  
City Clerk