

RESOLUTION 09-2023

WHEREAS, the City of Leon, Kansas, has determined that this property has an exterior condition (yard), (fence) and (structure) that is deteriorated, dilapidated, and unsightly that exist upon the following described real estate as defined in the Code of the City, Section 8-101, Section 8-203 and Section 8-608: 423 W. High Street.

WHEREAS the owner, Tanner Young was notified of such by the City in writing numerous times in the years of 2021, 2022 and 2023 and failed to fully abate the conditions as requested;

WHEREAS the owner, Tanner Young has been cited for some of the conditions that are presently in non-compliance with the city codes on the property.

WHEREAS the Designated Code Enforcement/Public Officer, Geri Ebersohl, determined the property to be deteriorated, dilapidated, and unsightly on November 29, 2022.

WHEREAS the City of Leon sent notification by 1st class mail on January 19, 2023. of the city's designation of the property as an exterior condition (yard), that is deteriorated, dilapidated, and unsightly, that upon same said property numerous motor vehicle nuisances persist and upon same said property the owner, Tanner Young, allows, maintains, or permits a nuisance within the city by allowing on the property not limited to lumber, rocks, dirt, trash, stagnant ponds or pools of water, and articles which cause annoyance or inconvenience of the neighborhood and public.

WHEREAS the owner, Tanner Young failed to accept receipt of certified mail and it was returned to the City of Leon on January 19, 2023.

WHEREAS the owner, Tanner Young was sent notification by certified mail on December 28, 2022, of the city's designation of allowing and maintaining numerous nuisances on the property not limited to lumber, rocks, dirt, trash, stagnant ponds or pools of water, and articles which cause annoyance or inconvenience of the neighborhood and public.

WHEREAS the owner, Tanner Young failed to accept receipt of certified mail and it was returned to the City of Leon on January 19, 2023.

WHEREAS the owner, Tanner Young was sent notification by certified mail on December 28, 2022, of the city's designation of the property as a motor vehicle nuisance with numerous vehicles having the absence of current registration plates upon the vehicle, placement of vehicle and parts upon jacks and other supports, and the absence of one or more parts of the vehicle necessary for the lawful operation of the vehicle upon any street or highway.

WHEREAS the owner, Tanner Young failed to accept receipt of certified mail and it was returned to the City of Leon on January 19, 2023.

WHEREAS the owner, Tanner Young will be attempted to notified by personal service giving him twenty (20) days after being served, if able to serve personally, or placed upon the property and being published on the website to alleviate the conditions or the City of Leon will.

WHEREAS the City will also publish this Resolution, due to personal service is not being successful in the past, in the Butler County Times Gazette for two (2) consecutive weeks since the owner Tanner Young has been difficult to serve in the past.

WHEREAS the City will also publish the Resolution on the City website (www.cityofleon.org) as it is designated the official paper of the City of Leon.

WHEREAS the City will also post this Resolution on the premises where the conditions exist.

WHEREAS if the owner, Tanner Young has failed to abate the deteriorated, dilapidated, and unsightly conditions within the twenty (20) days after service or publication as allotted the City will proceed as stated in the City Code.

WHEREAS the City of Leon Code allows in addition to or as an alternative to prosecution, the Code enforcement officer/Public officer to pursue abatement of the violation by adoption of a resolution authorizing the City to abate the conditions at the end of ten (10) days after the personal service of the owner and/or at the end of ten (10) business days after passage of the resolution, but as an alternative the City of Leon is allowing twenty (20) calendar days from personal service or posting on the property to alleviate the conditions .

THEREFORE, be it resolved by the Governing Body of the City of Leon, Kansas, that the City remove the property in non-compliance and improve the premises to eliminate the conditions, place a lien upon the property for the costs of the demolition and/or removal of items and that the city clerk certify such costs to the county clerk for assessment to the property taxes of the described property if the conditions are not alleviated within the thirty (30) calendar days as stated in this Resolution and allowed pursuant to K.S.A. 12-1, 115 and amendments thereto.

ADOPTED by the Governing Body of the City of Leon, Kansas, this 3rd day of April 2023.

ATTEST:



Jodie Laidler, City Clerk



Kristina Semisch, Mayor