



## REQUEST FOR COMMISSION ACTION CITY OF INDEPENDENCE

July 11, 2019

Department Finance

Director Approval Lacey Lies

**AGENDA ITEM** Consider authorizing the release of lien of nuisance taxes for 1033 N. 11<sup>th</sup> Street.

**SUMMARY RECOMMENDATION** The City Manager and Director of Finance recommend the City furnishes a Lien Release on Nuisance Abatement for the property listed below. Once signed, the lien release will be recorded with the Register of Deeds.

Lot 3, Block 6, Matthew's Addition, City of Independence, Montgomery County, Kansas  
(commonly known as 1033 N 11<sup>th</sup>, Independence, Kansas)

**BACKGROUND** A local title insurance company has requested the City furnish a lien release document certifying that all Nuisance violations have been paid on this property. City staff has coordinated with the County to confirm that fees established in Ordinance 4243 have been paid.

**BUDGET IMPACT** None.

**SUGGESTED MOTION** I move for the Mayor to sign the release of lien for nuisance abatement at 1033 N. 11<sup>th</sup>.

### SUPPORTING DOCUMENTS

1. Release of Lien
2. County Payment Confirmation
3. City Attorney Memo

**RELEASE OF LIEN FOR NUISANCE ABATEMENT**

COMES NOW, the City of Independence, Kansas, a municipal Corporation, and hereby releases its lien for recovery of costs relating to nuisance abatement as assessed pursuant to City Ordinance No. 4243 as it pertains to the following property.

Lot 3, Block 6, Matthew's Addition, City of Independence,  
Montgomery County, Kansas (commonly known as 1033 North 11<sup>th</sup>,  
Independence, Kansas)

CITY OF INDEPENDENCE, KANSAS

By: \_\_\_\_\_  
LOUIS YSUSI, Mayor

ATTEST:

\_\_\_\_\_  
DAVID W. SCHWENKER, City Clerk

STATE OF KANSAS    )

) SS:

MONTGOMERY COUNTY )

BE IT REMEMBERED, That on this 11th day of July, 2019, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared LOUIS YSUSI, Mayor, and DAVID W. SCHWENKER, City Clerk, of the CITY OF INDEPENDENCE, KANSAS, a municipal corporation duly organized, incorporated and existing under and by virtue of the laws of the State of Kansas, and who are personally

known to me to be the same persons who executed, the above and foregoing instrument of writing on behalf of said corporation, and such persons acknowledged the execution of the same to be the act and deed of said CITY OF INDEPENDENCE, KANSAS.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year last above written.

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NOTARY PUBLIC

My commission expires:



## View Tax Payments

TPEN0206



Taxpayer

EASL0011

EASLEY, ELAINE L

508 E HICKORY ST

ELK CITY, KS 67344-9104

Tax Unit #

108

Tax Year

2017

Statement #

1706822

Statement Line#

2

Tax Type

RL

Taxpayer Type

MG

Pending Abatements

Abatement History

Receipts/Reprints

Support Data Location for THIS Tax Record =

STANDARD

Levy:

196.55600

## Taxes: First Half

First Half

50.00

Abated (Y/N)

Amount Paid

50.00

Homestead No

CO. #

0

Date Paid

2017/12/19

Penalty.

.00

Receipt #

478235

-

2

Paid by

CORELOGIC

Comment

Hm. Claim

.00

Paid.

.00

## Taxes: Second Half

Second Half

50.00

Abated (Y/N)

Amount Paid

50.00

Date Paid

2018/04/30

Penalty.

.00

Receipt #

485982

-

2

Paid by

CORELOGIC

Comment

OK: Display Screen 2

# *Informational Memorandum*

**FROM THE DESK OF:**

JEFF CHUBB  
ATTORNEY AT LAW  
EMERT CHUBB REYNOLDS, LLC  
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(620) 331-1800  
FAX: (620) 331-1807

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**TO:** Lacy Lies  
**FROM:** Jeff Chubb  
**DATE:** June 4, 2019  
**RE:** Lien Release on Nuisance Abatement

Lacy:

From time to time, there may be a need to release a lien that was put in place for recovery of the costs of nuisance abatement (mowing tall grass and weeds). I have prepared such a release for the property at 1033 North 11th for the 2017 lien as you indicate it has been paid. Release is necessary because the Ordinance establishing the lien was recorded with the Register of Deeds and something needs to be done to release it consistent with it having been paid. My understanding is that this request is coming from a local title insurance company.

I am sending this to you in word so that it can be used in the future and modified to include the pertinent Ordinance number and/or pertinent legal description.

JAC