



**REQUEST FOR COMMISSION ACTION**  
**CITY OF INDEPENDENCE**  
**March 28, 2019**

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**Department** Safety/Fire-EMS/Code Enforce.      **Director Approval** David Cowan

**AGENDA ITEM**    Public Hearing to consider condemnation of 208 N. 17<sup>th</sup> Street

**SUMMARY RECOMMENDATION**    Staff recommending condemning this property as dangerous and unsafe.

**BACKGROUND**    On December 29<sup>th</sup> 2018 this structure was involved in a fire that did significant damage to a bedroom and the electrical system.

**BUDGET IMPACT**    The budget impact would consist of demolition if the owner does not diligently pursue repair or removal.

**SUGGESTED MOTION**    I move that 208 N. 17<sup>th</sup> Street be condemned as dangerous and unsafe.

**SUPPORTING DOCUMENTS**

1. Resolution
2. Letter
3. Pictures

## RESOLUTION NO. 2019-005

A RESOLUTION FINDING THAT THE STRUCTURE, OR STRUCTURES, LOCATED ON THE FOLLOWING TRACT/PARCEL IN THE CITY OF INDEPENDENCE, MONTGOMERY COUNTY, KANSAS, IS UNSAFE AND DANGEROUS AND ORDERED CONDEMNED AND DIRECTING SAID STRUCTURE, OR STRUCTURES, TO BE REPAIRED OR REMOVED AND THE PREMISES MADE SAFE AND SECURE. SAID REPAIR OR REMOVAL WILL COMMENCE WITHIN **30 DAYS** OF THE PUBLICATION OF THIS RESOLUTION.

### Legal Description

Lot 7, Block 4, Concannons Addition to the City of Independence, Montgomery County, Kansas

### Common Address

208 N 17TH

### Mortgage

None

WHEREAS, the Building Inspector of the City of Independence, Kansas, did on the 24<sup>th</sup> day of January, 2019, file with the Governing body of said City, a statement in writing that the structure, or structures, located on the above described tract/parcel is unsafe and/or dangerous; and

WHEREAS, the Governing body did by **Res. #2019—003**, dated **January 24, 2019**, fix a time and place of hearing at which time the owner, his or her agent, any lien holders of record and any occupant of such structure, or structures, could appear and show cause why such structure, or structures, should not be condemned and ordered repaired and/or demolished and further provided for the giving of notice thereof as provided by law; and

WHEREAS, such resolution was published in the official city newspaper on **February 16, 2019 and February 23, 2019**, a copy of such resolution and notice was mailed to the owner, his or her agent; any lien holders of record and any occupant of the structure, or structures, at his or her last known place of residence, at which hearing the governing body heard all persons and considered all evidence presented by interested parties, including the Building Inspector of the City of Independence, Kansas.

NOW, THEREFORE, be it resolved by the Governing Body of the City of Independence, Kansas:

The said governing body hereby finds that the structure, or structures, located on the following described tract/parcel in the City of Independence, Montgomery County, Kansas:

**RESOLUTION NO. 2019-005**

Legal Description

Lot 7, Block 4, Concannons Addition to the City of Independence, Montgomery County, Kansas

Common Address

208 N 17TH

Mortgage

None

Is unsafe and dangerous and constitutes a blight and therefore should be and is hereby condemned and it is hereby directed that such structure, or structures, be repaired or removed and the premises made safe and secure. The owner of the structure, or structures, is hereby given **30 days** from the publication of this resolution within which to commence such repair or removal and the premises made safe and secure. If the owner of such structure, or structures fails to diligently prosecute the same until the work is completed, said governing body will cause the structure, or structures, to be razed and removed, in order to make the premises safe and secure.

BE IT FURTHER RESOLVED, that the City Clerk shall cause this resolution to be published once in the official city newspaper and a copy mailed to the owner, his or her agent, lien holders and occupants as provided by law and a copy of said resolution shall be filed with the Montgomery County Register of Deeds.

Adopted this 28<sup>th</sup> day of March, 2019.

(SEAL)

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

Michael A. Borovetz  
Director of Finance - City Clerk  
811 W Laurel Street  
Independence, Kansas 67301  
620-332-2500 cityclerk@independencesks.gov

February 19, 2019

Kathleen M. Worthington  
701 N. Penn  
Independence, KS 67301

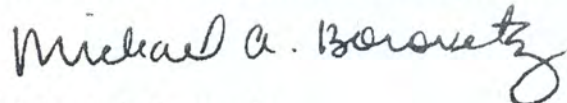
**Re: 208 N 17th, Independence, KS**

To Whom It May Concern:

This letter is to inform you that the City Commission has scheduled a public hearing to consider the above property as dangerous and unsafe at their March 28, 2019 meeting. The Commission meets at 5:30 pm in the Veterans Room at Memorial Hall.

Sincerely,

**THE CITY OF INDEPENDENCE, KANSAS**

A handwritten signature in black ink that reads "Michael A. Borovetz". The signature is written in a cursive style with a large, looping 'z' at the end.

Michael A. Borovetz  
Director of Finance - City Clerk



