

## **RESOLUTION 11-2023**

WHEREAS, the City of Leon, Kansas, has determined that this property has an exterior condition (yard) and (structure) (accessory), that is deteriorated, dilapidated, and unsightly that exist upon the following described real estate as defined in the Code of the City, Section 8-608: 302 E. Charles

WHEREAS the owner, Clay Hardenbrook was notified of such by the City in writing numerous times since 2017 and finally on September 26, 2022 and failed to fully abate the conditions as requested;

WHEREAS the owner, Clay Hardenbrook has been cited has failed to appear in the Municipal Court of Leon, Ks. and has been charged fines.

WHEREAS the Designated Code Enforcement/Public Officer, Geri Ebersohl, determined the property to be deteriorated, dilapidated, and unsightly on April 26, 2022.

WHEREAS the owner, Clay Hardenbrook was sent notification by certified mail on September 29, 2022, of the city's designation of the property as an exterior condition (yard) and (structure) (accessory), that is deteriorated, dilapidated, and unsightly.

WHEREAS the owner, Clay Hardenbrook failed to accept receipt of certified mail and it was returned to the City of Leon on October 20, 2022.

WHEREAS the City of Leon sent notification by 1<sup>st</sup> class mail on October 21, 2022. of the city's designation of the property as an exterior condition (yard) and (structure) (accessory), that is deteriorated, dilapidated, and unsightly.

WHEREAS the owner, Clay Hardenbrook will be attempted to notified by personal service giving him twenty (20) days after being served, if able to serve personally, to alleviate the conditions or the City of Leon will.

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

WHEREAS the City will also publish the Resolution on the City website ([www.cityofleon.org](http://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 of both the house for the exterior yard conditions and on the exterior accessory structure where the conditions exist.

WHEREAS if the owner, Clay Hardenbrook, 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 to alleviate the conditions.

THEREFORE, be it resolved by the Governing Body of the City of Leon, Kansas, that the City abate the exterior conditions of the yard by cleaning all the debris and waste of items, even personal items, abandoned vehicles by definition in the city code, and demolish the accessory structure on the property, improve the

premises to eliminate the conditions, place a lien upon the property for the costs of the demolition 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 twenty (20) calendar days as stated in this Resolution.

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

  
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Kristina Semisch, Mayor

ATTEST:

  
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Jodie Laidler, City Clerk