

RESOLUTION NUMBER 2025- 005
CONDEMNATION AND DEMOLITION OF STRUCTURES

A RESOLUTION SETTING FORTH AND ADOPTING FINDINGS OF FACT, FINDING THAT THE RESIDENCE LOCATED AT 122 WEST ELM STREET, BUCKLIN, KANSAS IS AND CONTINUES TO BE DANGEROUS, UNSAFE, AND UNFIT FOR HUMAN HABITATION; FINDING THAT ANY OWNERS, OWNERS' AGENTS, LIENHOLDERS OF RECORD AND/OR OCCUPANTS HAVE ABANDONED EFFORTS TO REPAIR OR REHABILITATE SUCH STRUCTURE; AND RESOLVING TO DEMOLISH SUCH STRUCTURE AND ASSESSING COSTS

WHEREAS, Article VIII, Section 5 of the Code of the City of Bucklin, and K.S.A. 12-1750ff provide the governing body of the City of Bucklin with the powers to find structures located within the corporate limits of the City to be dangerous and unsafe, to cause such structures to be repaired or removed, following the provision of notice to all owners, owners' agents, lienholders of records, and any occupants of the property and the conducting of a show cause hearing; and

WHEREAS, Article VIII, Section 5, furthermore permits the governing body to direct that barricades be erected, or the property to be vacated or otherwise made safe without delay, whenever any structure is found, in the opinion of the governing body, to be in such a condition as to constitute an immediate hazard requiring immediate action to protect the public.

NOW THEREFORE, the Governing Body of the City of Bucklin sets and adopts the following findings of fact:

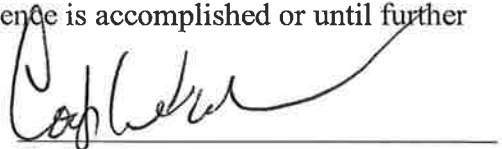
1. Physical inspection of 122 West Elm Street, Bucklin, Kansas, by city officials revealed that such property and structures thereon are in a continuing state of disrepair in that, by way of example, windows are shattered, broken glass is seen around windows and entryways, and there is a continuing lack of general upkeep and maintenance necessary to make such property and structures thereon fit for human habitation; and
2. The previous owner/occupant of 122 West Elm Street, Bucklin, Kansas, has passed, and no new interested party has come forward and expressed any interest in rehabilitating the property or restoring it to a safe and livable condition; and
3. Resolution 2025- 005 provided for notice of the Resolution to be published in the official city newspaper and to be mailed via certified mail to all owners, owners' agents, lienholders, and/or occupants, and such service was timely accomplished.
4. Resolution 2025- 005 also ordered that the Residence be immediately vacated and barricaded.
5. A show cause hearing was scheduled for the regularly scheduled meeting of the City Council on August 18, 2025, at 7:00 p.m.

6. On August 18, 2025, the City Council of the City of Bucklin met in open meeting at 7:00 p.m. at City Hall. No interested persons appeared on behalf of the property.
7. No additional evidence or arguments were presented in favor of or against finding the Residence to be dangerous, unsafe, and unfit for human habitation other than the information previously given and considered by the Council.
8. To date there has been no repair, cleaning, or upkeep completed on the property, nor has there been any further communication from any person or counsel regarding repairing the property.
9. The above and foregoing findings of fact do not represent all facts and occurrences, but merely the relevant factual history regarding this matter.

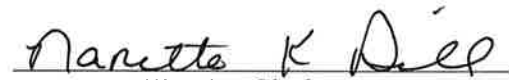
NOW, THEREFORE, it is resolved by the Governing Body of the City of Bucklin this 15th day of September, 2025:

1. At all relevant times, from June 16, 2025 and continuing to the present, the property of 122 West Elm Street, Bucklin, Kansas, and structures thereon, have been and continue to be dangerous, unsafe, and unfit for human habitation, and such finding is supported by the record.
2. No interested party appeared on August 18, 2025, at 7:00 p.m., despite notice being given according to statute.
3. No interested party has undertaken any repair or rehabilitation of the property, and the City Council is left to conclude that any such intent to make repairs or to rehabilitate the property have been abandoned.
4. The conditions found on the property on June 16, 2025, continue to persist and have not been alleviated.
5. Any structures on the property should be demolished without further delay, with the costs of such action to be assessed against any owners, owners' agents, lienholders of record, and/or occupants, in accordance with Kansas law and City Code.
6. Due to the continuing dangerous and unsafe nature of the property, the property presents an immediate hazard to public safety and therefore no further entry into the Residence shall be permitted except with the expressed permission of the Council.
7. This Resolution shall be published once per week for two consecutive weeks on the same day of each week in the official city newspaper, and a copy thereof shall be mailed by certified mail within three days after its first publication to each owner, owner's agent, lienholder of record, and/or occupant at such person's or entity's last known place of residence and shall be marked "Deliver to Addressee Only."

8. Furthermore, a copy of this Resolution shall be affixed to the entry door of the Residence and remain so affixed until demolition of the Residence is accomplished or until further Resolution of the Council.


Cody Warden, Mayor

ATTEST:


Nanette Dill, City Clerk