

**RESOLUTION NO. 2010-11**

**RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A NUISANCE  
ON THE PROPERTY LOT 60, BLOCK 14, CHICKASAW 3<sup>RD</sup> ADDITION TO  
CHEROKEE VILLAGE SUBDIVISION, SHARP COUNTY, ARKANSAS**

**BY THE CITY OF CHEROKEE VILLAGE,  
SHARP AND FULTON COUNTIES, ARKANSAS**

WHEREAS, the City Council of the City of Cherokee Village, Arkansas, having met in session on the 18<sup>TH</sup> day of NOVEMBER 2010, to hear the testimony and evidence presented on the issue of the VACANT AND ABANDONED HOUSE on the property Lot 60, Block 14, Chickasaw 3<sup>rd</sup> Addition to Cherokee Village Subdivision, (physical address of 65 Kiowa Drive, Cherokee Village, AR 72529), Sharp County, Arkansas, owned by James Lehn and Ivy Lehn, husband and wife, and

WHEREAS, the owner of the property has been duly notified of the hearing and had an opportunity to be heard and offer evidence on his or her behalf, and

WHEREAS, the owner of the property has caused and allowed the structure on the premises to become dilapidated so as to cause a diminution of the enjoyment, use and property values of neighboring properties; and

WHEREAS, the owner of the property has caused and allowed the condition of the property to deteriorate to the extent that the property is a detriment to the public health, safety and general welfare because the property is vacant and unsecured; and

WHEREAS, the owner has failed to repair the property so that there now exists on the property dilapidated roof coverings and exterior wall coverings; and

WHEREAS, the owner has failed to maintain the outside premises of the property by not cutting the weeds and grass growing thereon and by allowing trash, rubbish and other unsanitary and unsightly article to remain on the premises; and

WHEREAS, the existence of the aforementioned conditions on property within the corporate limits of the City of Cherokee Village, Arkansas, constitutes a nuisance as defined in Ordinance No. 2008-05;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Cherokee Village, Arkansas, with the approval of the Mayor, that the City of Cherokee Village, Arkansas, shall order the razing and removal of the structure located on the property Lot Sixty (60), Block Fourteen (14), Chickasaw Third (3rd) Addition to Cherokee Village Subdivision, Sharp County, Arkansas, also known as 65 Kiowa Drive, Cherokee Village, AR 72529, and

Such order shall be transmitted to the owner of the property giving the owner thirty (30) days to comply with the raze and remove order, and

In the event the owner of the property fails to raze and remove the property or otherwise correct all violations on the property within thirty (30) days of the date of this resolution, the City shall enforce the order by razing and removing the structure and asserting a lien against the property for the costs of such razing and removal, plus the costs of collection and fees, and the allowable statutory penalty amount, such lien to be enforced as the law permits.

PASSED AND APPROVED BY THE CITY COUNCIL OF CHEROKEE VILLAGE,  
ARKANSAS

DATED: 11-19-10

APPROVED: \_\_\_\_\_

*Lloyd Hefley*  
Lloyd Hefley, Mayor

ATTEST: \_\_\_\_\_

*Phyllis Endrihs*  
Phyllis Endrihs, Clerk/Treasurer