

RESOLUTION NO. 2008-14

**RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A NUISANCE
ON THE PROPERTY LOT 1B, BLOCK 2, OMAHA CENTER ADDITION,
CHEROKEE VILLAGE SUBDIVISION, FULTON 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 18th day of December 2008, to hear the testimony and evidence presented on the issue of the unfinished building on the property Lot 1B, Block 2, Omaha Center Add. Cherokee Village, Fulton County, Arkansas, owned by the Trustees of the Jeffery Catanzarite Family Trust, 2331 Tustin Ave., Newport Beach, CA 92660, 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 to be constructed on the property a foundation, and

WHEREAS, the owner of the property has failed to construct a building on the property using the foundation constructed on the property, and

WHEREAS, all applicable building permits on the property have expired and not been renewed, and

WHEREAS, the existence of an unfinished structure 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 foundation on the property,
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 foundation
within thirty (30) days, the City shall enforce the order by razing and removing the
foundation and asserting a lien against the property for the costs of such razing and
removal, such lien to be enforced as the law permits.

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

DATED: 12 - 18 - 08

APPROVED:

Lloyd Hefley
Lloyd Hefley, Mayor

ATTEST:

Phyllis Ondrihs
Phyllis Ondrihs, Clerk/Treasurer

ORDER TO RAZE AND REMOVE

From the City of Cherokee Village, Sharp and Fulton Counties, Arkansas

To: The Trustees of the Jeffrey Catanzarite Family Trust
2331 Tustin Ave.
Newport Beach, CA 92660

Date: December 18, 2008

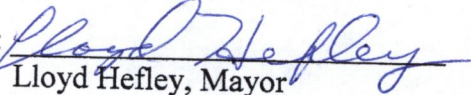
Re: Lot 1B, Block 2, Omaha Center Add., Cherokee Village, Fulton Co., Arkansas

Dear Sirs:

Pursuant to resolution of the City Council of the City of Cherokee Village, Arkansas, dated December 18, 2008, and their statutory authority, you are hereby ordered to raze and remove the foundation on your property, Lot 1B, Block 2, Omaha Center Add., Cherokee Village, Fulton Co., Arkansas, within thirty (30) days of the date above.

If you fail to remove the foundation and return the property to its natural contour and vegetation within the time allowed, the city shall cause the foundation to be removed, the property returned to its natural state, and assert a lien against the property to recover the costs incurred. The lien will then be collected as provided for by law.

City of Cherokee Village, Arkansas

By: 
Lloyd Hefley, Mayor