

**RESOLUTION NO. 2010-10**

**RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A NUISANCE  
ON THE PROPERTY LOT 10, BLOCK 1, OSAGE 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 10, Block 1, Osage Addition to Cherokee Village Subdivision, (physical address of 20 Osage Drive, Cherokee Village, AR 72529), Sharp County, Arkansas, owned by Kevin Huth, 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 behalf, and

WHEREAS, the owner of the property has caused and allowed the premises to deteriorate to the extent that the premises now endangers the life, health, safety and/or welfare of the public and any occupant on the premises; 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 maintain the property so that there now exists on the property accumulations of trash and rubbish and garbage that endanger the health, safety and welfare of the public and any occupant on the premises; 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 owner of the property is storing two abandoned and unlicensed automobiles on the property; 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 Ten (10), Block One (1), Osage Addition to Cherokee Village Subdivision, Sharp County, Arkansas, also known as 20 Osage Drive, Cherokee Village, AR 72529, and the removal of all trash, rubbish and automobiles on the property.

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 removing all trash, rubbish and other unsanitary articles and things 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 Healey  
Lloyd Healey, Mayor

ATTEST: Phyllis Endrihs  
Phyllis Endrihs, Clerk/Treasurer