

RESOLUTION NO. _____

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS OF LIENS TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES; AND FOR OTHER PURPOSES.

WHEREAS, Section 8.3.1 of North Little Rock Municipal Code (“NLRMC”) Chapter 8 (Nuisance Abatement and Property Maintenance), requires all property owners and occupants within the municipal boundaries of the City of North Little Rock (“the City”) to cut weeds, grass and abate other nuisances and unsanitary conditions on their property; and

WHEREAS, pursuant to Ark. Code Ann. § 14-54-901, the City has the authority to do whatever is necessary to correct the unsightly and unsanitary conditions and to charge the costs thereof to the owners of lots or property who neglect or refuse to remove, abate or eliminate any weed or grass conditions after having been given seven (7) days written notice to do so; and

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of North Little Rock has corrected conditions existing on certain lots or other real property within the City of North Little Rock and is entitled to compensation pursuant to Ark. Code Ann. § 14-54-904; and

WHEREAS, the City has demanded payment in the amount allowed by law from the property owners where work was performed and notified said owners of the City’s intent to file a lien against their properties; and

WHEREAS, said property owners have failed to make payment, no part of the debt has been paid, and the City claims a lien on the herein referenced properties (listed on Exhibit “A” attached hereto) pursuant to Ark. Code Ann. §§ 14-54-901 and 14-54-903; and

WHEREAS, state law also provides for a lien against the subject properties, with the amount of lien to be determined by the City Council at a hearing held after notice to the owner(s) thereof by certified mail or publication (see Exhibit “A” attached hereto), with said amount (plus a ten percent collection penalty) to be thereafter certified to the Pulaski County Tax Collector; and

WHEREAS, a hearing for the purpose of determining such liens has been set for 6:05 p.m. May 8, 2017, in order to allow for service of the attached notice of same upon the listed property owners, by certified mail or publication as is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That after notice to property owners, a public hearing was held at 6:05 p.m. on May 8, 2017, for the purpose of determining the amount of liens, if any, to be filed against certain real property as the result of grass cutting and abatement of other nuisances by the City of North Little Rock.

SECTION 2: That after said public hearing, and upon the verification of the Director of the North Little Rock Code Enforcement Department, the amounts listed on Exhibit "A" are hereby certified as obligations that are owed to the City and proper to be filed with the Pulaski County Treasurer and Assessor as liens against the real property associated therewith.

SECTION 3: That the Director of the Code Enforcement is hereby ordered to file liens as provided in this resolution; *except that*, prior to submission, he will update the list to remove any lien amounts that have been paid in full prior to forwarding the list to the County.

SECTION 4: That the Director of the Code Enforcement is authorized to execute and file such documents as are necessary to release any lien that is paid in full.

SECTION 5: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Joe A. Smith

SPONSOR:

ATTEST:

Joe A. Smith
Mayor Joe A. Smith *by AA*

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter
C. Jason Carter, City Attorney *by AA*

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b

FILED	<u>10:35</u>	A.M.	_____	P.M.
By	<u>Diane Whitbey, City Clerk</u>			
DATE	<u>5/2/17</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY	<u>Diane Whitbey</u>			

EXHIBIT "A"

LEGAL NOTICE OF PUBLIC HEARING

Notice is hereby given that lien amounts upon the following described lands will be considered by the North Little Rock City Council at their meeting on May 8, 2017, in the North Little Rock Council Chambers. The owner(s) has the right to contest the lien amount before the City Council at the public hearing.

33N2240200100
900 E. 16th, NLR
Susie/Frank Anderson
Lot 01 Block 04
Wright's Sub of Haney's
Amt. 185.00

33N2640014400
2212 W. 16th, NLR
David G Butchart
Lot 3 Block 39
Laskers 2nd
Amt. 185.00

33N2450001800
1101 W. 23rd, NLR
Danny Jones
Lot 1 Block 3
Coor's Add.
Amt. 185.00

33N2520014300
1515 W. 16th, NLR
William Ivory
Lot 9 Block 13
Laskers
Amt. 185.00

33N2640014300
2216 W. 16th, NLR
Frank R Carrico
Lot 2 Block 39
Laskers 2nd
Amt. 185.00

33N2430001200
2505 Franklin, NLR
Johnny Williams, Jr.
Lot 12 Block 0
Carman
Lot 185.00

33N2520020800
1620 W. 16th, NLR
Gregg Greer
Lot 5 Block 19
Laskers
Amt. 185.00

33N2520005300
1801 W. Long 17th, NLR
Timothy Smith
Lot 12 Block 5
Laskers
Amt. 185.00

33N2110049300
1906 N. Magnolia, NLR
Hi-Five Properties
Lot 8 Block 59
N. Argenta
Amt. 185.00

33N2520020900
1624 W. 16th, NLR
Keith/Debbie Waggoner
Lot 6 Block 19
Laskers
Amt. 185.00

33N2110052000
211 E. 18th, NLR
J.F. Nolen
Lot 10 Block 61
N. Argenta
Amt. 185.00

33N2110049500
1912 N. Magnolia, NLR
Hi-Five Properties
Lot 10 Block 59
N. Argenta
Amt. 185.00

33N2640017500
2008 W. 16th, NLR
Ameriland USA LLC
Lot 10 Block 41
Laskers 2nd
Amt. 185.00

33N2110049200
301 E. 19th, NLR
Hi-Five Properties
Lot 7 Block 59
N. Argenta
Amt. 185.00

33N2220000600
1600 N. Olive, NLR
Sandra Canas McElrath
Lot 6 Block 2
Baums Resub
Amt. 185.00

33N2340003100
2308 Railroad, NLR
Benjamin H. Murray
Lot 4 Block 3
Machins
Amt. 185.00

33N2560007900
1901 Schaer, NLR
Brian Patrick Johnston
Lot 12 Block 9
Schaers
Amt. 185.00

33N2340003000
2310 Railroad, NLR
Clark Ladisky
Lot 3 Block 3
Machins
Amt. 185.00

33N2850002800
1404 ½ N. Vine, NLR
Vera Jenkins
Lot 2 Block 5
East Central
Amt. 185.00

33N2340002900
2316 Railroad, NLR
Jerry Ebsen
Lot 2 Block 3
Machins
Amt. 185.00

33N2240104500
1605 N. Vine, NLR
Jeffery Allen Garding
Lot 12 Block 7
Fulk's Sub of Haney's
Amt. 185.00

33N2340002800
2320 Railroad, NLR
Clark Ladisky
Lot 1 Block 3
Machins
Amt. 185.00

33N2240104400
1607 N. Vine, NLR
Judy/Elton Morgan
Lot 12 Block 7
Fulk's Sub of Haney's
Amt. 185.00

33N2430000400
2518 Railroad, NLR
Jearlean McFadden
Wade
Lot 4 Block 0
Carman
Amt. 185.00

33N2570006700
Schaer St., NLR
Melvin Thomas Ewart
Lot 6 Block 5
Holts Industrial
Amt. 185.00