

RESOLUTION NO. \_\_\_\_

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED 616 GARDENIA AVENUE IN THE CITY OF NORTH LITTLE ROCK TO CONSTITUTE A PUBLIC NUISANCE AND CONDEMNING SAID STRUCTURES; PROVIDING A PERIOD OF TIME FOR PROPERTY OWNER TO ABATE SAID NUISANCE; AND FOR OTHER PURPOSES.**

WHEREAS, the buildings and structures whose location is set forth herein are vacant and have become run down, dilapidated, unsightly, dangerous, obnoxious, unsafe, not fit for human habitation and detrimental to the public welfare of North Little Rock citizens and residents; and

WHEREAS, the condition of such property constitutes a serious fire and health hazard to the City of North Little Rock, and unless immediate actions are taken to remedy this situation by removing, razing and abating said nuisance, there is a great likelihood that the surrounding property may be destroyed by fire originating from such unsafe and hazardous structures, and also that since structures are without proper sanitary facilities and as such are unsafe and hazardous and a breeding place for rats, rodents and other dangerous germ carriers of diseases, such buildings constitute a serious hazard to the health and safety of the citizens of North Little Rock, and they should be moved or razed for the purpose of eliminating such hazards.

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

SECTION 1: That the City Council hereby declares the buildings, houses and other structures located at the property identified in Section 2 below to be vacant and run down, dilapidated, unsafe, unsightly, dangerous, obnoxious, unsanitary, a fire hazard, a menace to abutting properties, with the current condition of said structures not being fit for human habitation; and because of such conditions, the City Council declares the same to be condemned as a public nuisance and is ordered abated, removed or razed by the owner thereof.

SECTION 2: That the owner of record of the following described property is hereby directed to raze the same or otherwise abate the said nuisance within thirty (30) days after the posting of a true copy of this Resolution at a conspicuous place upon the structure constituting the nuisance described herein, to-wit:

Lot 0, Block 192, Prothro Subdivision to the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows:

Prothro's Subdivision, Part of Block 192, 1941 Replat, Beginning at the Northwest corner of Block 192, thence Southwesternly along the West line of said block, which is also the East line of Cherry Street, 50 feet thence Southeasterly parallel with the North line of said Block, 120 feet thence Northeasterly parallel to the West line of said block, 50 feet to the North Line of said block, thence Northwesterly along the North line of said block 120 feet to the beginning (Parcel No. 23N0770003000 located at 616 Gardenia Avenue and owned by Corey Applewhite.)

SECTION 3: If the aforementioned structures have not been razed and/or removed within thirty (30) days after posting a true copy of this Resolution at a conspicuous place upon the structures constituting the nuisance, or the nuisance otherwise abated, the structures shall be torn down and/or removed by the Director of Code Enforcement or his duly designated representative. Each day after the aforesaid thirty (30) days in which said nuisance is not abated shall constitute a separate and distinct offense punishable by a fine of \$250.00 for each such separate and distinct offense.

SECTION 4: That the provisions of this Resolution are hereby declared to be severable and if any section, phrase or provision shall be declared or held invalid, such invalidity shall not affect the remainder of the sections, phrases or provisions.

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:



\_\_\_\_\_  
Mayor Joe A. Smith

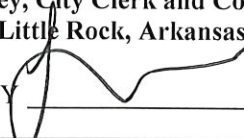
\_\_\_\_\_  
Diane Whitbey, City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kh

FILED	<u>11:30</u>	A.M.	_____	P.M.
By	<u>Amy Fields CA office</u>			
DATE	<u>7-17-18</u>			
Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas				
RECEIVED BY				



The City of North Little Rock



TOM WADLEY  
DIRECTOR

701 WEST 29TH STREET  
NORTH LITTLE ROCK, ARKANSAS 72114  
501-791-8581 • Fax 501-791-8584  
NLRCodeEnforcement@northlittlerock.ar.gov

CODE ENFORCEMENT DEPARTMENT

May 4<sup>th</sup>, 2018

Mayor Smith  
City Council Members

Re: 616 Gardenia Ave  
Lot 0 Block 192 Protho Sub  
Parcel 33N0770003000  
North Little Rock, AR 72117

Owner: Corey Applewhite  
Teaneck NJ, 07666

Dear Mayor Smith;

July 2016 the property was bought by Corey Applewhite for back taxes from the State Land Commissioner. January 2018 Officer Williams noticed the structure to be structurally unsound and unsecure. Officer Williams issued a Public Nuisance notice to the new owner of record.

This structure has been vacant since September 2012 according to North Little Rock utility department.

February 2018 Officer Williams mailed a letter certified and regular mail advising the property had been Red Tagged. The notification was signed for on February 6<sup>th</sup>, 2018. There has been no contact from the new owner with this office. There has been no improvements made to the property.

Notice of City Council scheduled for July 23<sup>rd</sup>, 2018 hearing date was mailed by certified and regular mail and posted to the premises. Notice of hearing was also ran in local newspaper.

The structure is considered to be unfit for human habitation and also a public nuisance, it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Laura Petty  
Code Enforcement Officer