

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 3324 BURKS AVENUE IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS 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:

A part of the Southeast Quarter, Southwest Quarter, Section 22, Township 2 North, Range 12 West, Pulaski County, Arkansas, described as follows: Beginning 150.0 feet, West of the Northeast corner of said Southeast Quarter, Southwest Quarter, thence West 142.26 feet to a point on the East right of way of Burks Street, thence South 35 degrees 58 minutes East along said East right of way line of Burks Street 61.8 feet, thence East 105.54 feet, thence North 00 degrees 30 minutes East 50.0 feet to the point of beginning, to the City of North Little Rock, Pulaski County,

Arkansas (Parcel No. 33N1410019300 located at 3324 Burks Avenue and owned by Saima Butte).

SECTION 3: That 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:

Joe A. Smith  
Mayor Joe A. Smith *by AF*

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

APPROVED AS TO FORM:

Amy Beckman Fields  
Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/cf

FILED	<u>11:20</u>	A.M.	_____	P.M.
By	<u>A. Fields</u>			
DATE	<u>09-18-2018</u>			
<b>Diane Whitbey, City Clerk and Collector North Little Rock, Arkansas</b>				
RECEIVED BY	<u>Saima Butte</u>			



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@northlitterock.ar.gov

CODE ENFORCEMENT DEPARTMENT

September 11, 2018

Mayor Smith  
City Council Members

Re: 3324 Burks Ave

**A part of the Southeast Quarter, Southwest Quarter, Section 22, Township 2 North, Range 12 West, Pulaski County, Arkansas, described as follows: Beginning 150.0 feet, West of the Northeast corner of said Southeast Quarter, Southwest Quarter, thence West 142.26 feet to a point on the East right of way of Burks Street, thence South 35 degrees 58 minutes East along said East right of way line of Burks Street 61.8 feet, thence East 105.54 feet, thence North 00 degrees 30 minutes East 50.0 feet to the POB Parcel 33N1410019300 North Little Rock, AR 72118**

Owner: Saima Butte  
Chewelah WA 99109

Dear Mayor Smith;

June 14, 2018 we were called to the property along with NLR Police in reference to people illegally occupying the structure. The owner of record was mailed a notice of public nuisance regular and certified mail. The property has also been certified to the Arkansas State Land Commissioners Office due to delinquent taxes This structure has been vacant since 1992 according to North Little Rock utility department

June 15<sup>th</sup> 2018 Mr. Mohammad Butte came into the office and stated he was the Manager of the property. Mr. Butte was issued a citation for Property Maintenance Violations.

June 22<sup>nd</sup> 2018 Notice of City Council scheduled for September 24<sup>th</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.

July 2018 Mr. Jim Miller contacted our office and stated he was Mrs. Saima Butte's husband. Mr. Miller advised he was going to have someone start work on the property first they would be replacing the roof and then taking care of the other violations. Still to-date the status of the structure is unchanged.

R-18-189

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 these structure be considered for condemnation.

Laura Petty  
Code Enforcement Officer