

(Published on cityofmulberryks.com the official paper on August 13th 2025)

The City of Mulberry, Kansas
Resolution No. 2025-09

A RESOLUTION FINDING CERTAIN STRUCTURES TO BE DANGEROUS, UNSAFE
AND UNFIT FOR HUMAN HABITATION AND PROVIDING FOR THE DEMOLITION
AND REMOVAL THEREOF.

WHEREAS, Robert Reno, Marlene McAfee, and Charles Reno are the Owners of the Property and improvements located at 107 E 4th Street, Mulberry, Kansas in Mulberry, Crawford County, Kansas;

WHEREAS, the residence has been without water and electricity for an extended period of time, consequentially leading to the existence of dilapidated structures or dangerous, unsafe and unsanitary conditions not fit for human habitation on the property and the need to remove such items and clean up the property.

WHEREAS, the continuing existence of dilapidated structures or dangerous, unsafe and unsanitary conditions not fit for human habitation on the property was discussed by the Mayor and City Council at on the following occasions: May 13th & June 10th 2025.

WHEREAS, at its regular meeting held on Tuesday, June 10th, 2025, the Mayor and City Council unanimously adopted Resolution No. 2025-06, which set a public hearing to determine if structures on the property should be condemned and ordered repaired or demolished for August 12th, 2025 at 6:30 p.m.

WHEREAS, Resolution No. 2025-06 was published in the official City newspaper for two (2) consecutive weeks, on June 11th, 2025 and June 18th 2025, at least thirty (30) days prior to the public hearing, and a copy was mailed to Robert Reno, Marlene McAfee, and Charles Reno on June 12th 2025 by certified mail.

WHEREAS, as previously announced, the Mayor and City Council held a public hearing on Tuesday, August 12th, 2025 to review the condition of the property and determine if the structures on the property, namely the residence and outbuildings, should be condemned and ordered repaired or demolished. The Owners did not attend the hearing.

WHEREUPON, at the conclusion of the public hearing, the Mayor and City Council made the following findings of fact:

1. That the overgrown vegetation on the Property constitutes a health hazard and public nuisance and should be removed;
2. That the trash, debris, tires and scrap metal on the property constitute a health hazard and public nuisance and should be removed;

3. That the structures on the property, namely the residence and the outbuildings are dangerous, unsafe and unfit for human habitation, constitute a health hazard and public nuisance, and the cost to repair or renovate such structures exceeds fifty percent (50%) of the value of such structures;
4. That the Owner of the Property should be granted a reasonable time, not to exceed thirty (30) days, in which to remove such overgrown vegetation, trash, debris, tires and scrap metal, and to demolish and remove such structures and the contents thereof; and
5. That if the Owner of the Property fails to remove such overgrown vegetation, trash, debris, tires and scrap metal, and to demolish and remove such structures and the contents thereof within thirty (30) days from the date of this Resolution or within fourteen (14) days of the date of publication of this Resolution or a summary hereof, whichever comes later, the City shall take bids for such work and proceed to remove such overgrown vegetation, trash, debris, tires and scrap metal, and to demolish and remove such structures and the contents thereof.

NOW THEREFORE, be it resolved by the Mayor and City Council of the City of Mulberry, Kansas:

Section 1. The overgrown vegetation, trash and debris on the property located at 107 East 4th Street in Mulberry, Kansas constitute a health hazard and a public nuisance and shall be removed.

Section 2. That the structures on the property located at 107 E 4th Street, Mulberry, Kansas, namely the residence and the outbuildings, are dangerous, unsafe and unfit for human habitation, constitute a health hazard and public nuisance, the cost to repair or renovate such structures exceeds fifty percent (50%) of the value of such structures, and such structures and their contents shall be demolished and removed.

Section 3. The Owner shall have and hereby is granted a reasonable time, not to exceed thirty (30) days from the date of this Resolution or fourteen (14) days from the date of publication of this Resolution or a summary hereof in the official City newspaper, whichever comes later, in which to remove such overgrown vegetation, trash, debris, tires and scrap metal, and to demolish and remove such structures and the contents thereof.

Section 4. If the Owner shall fail to commence the removal of such overgrown vegetation, trash, debris, tires and scrap metal, and the demolition and removal of such structures and the contents thereof and diligently prosecute the same until the work is completed within thirty (30) days from the date of this Resolution or fourteen (14) days from the date of publication of this Resolution or a summary hereof in the official City newspaper, whichever comes later, the City will cause such items to be removed and such structures and the contents thereof to be razed and removed, and the Mayor of the City of Mulberry shall be and hereby is authorized and directed to take bids for the removal of such overgrown vegetation, trash, debris,

tires and scrap metal, and the demolition and removal of such structures and the contents thereof and to engage a contractor or contractors to proceed with such work.

Section 5. Any costs of such work and other expenses incurred by the City in connection therewith, including reasonable attorneys' fees, shall be billed to the Owner and if not paid within ninety (90) days shall be certified to the County Clerk and assessed against the Property.

Section 6. This Resolution shall be in full force and effect from and after its adoption and approval.

Section 7. The City Clerk is directed to publish this Resolution or a summary hereof one (1) time in the official City newspaper and to mail a copy to the property owner.

UNANIMOUSLY ADOPTED, APPROVED AND GIVEN by the Mayor and City Council of the City of Mulberry, under our hands at City Hall in Mulberry, Crawford County, Kansas on August 12th, 2025.

(SEAL)

CITY OF MULBERRY

By: Patrick Walden
Patrick Walden, Mayor

Attest:

Amy Tucker
Amy Tucker, City Clerk