

RESOLUTION NO. 23-23-10

**A RESOLUTION FINDING AND DECLARING IMPROVEMENTS  
SITUATED ON CERTAIN REAL PROPERTY AT 938 East College Street IN THE  
CITY OF MONTICELLO TO BE  
A NUISANCE, ORDERING THE NUISANCE TO BE ABATED  
WITHIN THIRTY DAYS, AUTHORIZING ABATEMENT BY THE  
CITY AND IMPOSITION OF A LIEN FOR EXPENSES INCURRED  
BY THE CITY, AND FOR OTHER PURPOSES**

WHEREAS, it is found that the structures situated on real property located at 938 East College Street in the City of Monticello and owned by Troy & Mildred Williams, constitutes a nuisance and should be condemned pursuant to the ordinances enacted by the City of Monticello;

WHEREAS, the property constitutes a nuisance in that the structures on the premises have fire damage and/or are dilapidated and cannot be inhabited and are unsafe, further, that the vegetation in the yard is unsightly and that there is significant trash and refuse in the yard, constituting a health and safety concern;

WHEREAS, the City of Monticello has sent letters and notices to the owner of record pursuant to City Ordinance prior to the consideration of this resolution and sufficient action has not been taken by the owner to abate the nuisance as requested within such letters and notices, and

WHEREAS, the aforesaid findings have been made after due and timely notice was given to the owner that this resolution would be considered at this time and place, and said owner failed to show just cause why this resolution should not be adopted:

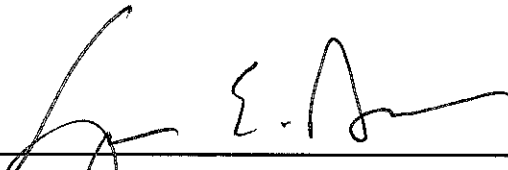
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTICELLO, as follows:

Section 1. That the aforesaid structures situated on the real property located at 938 East College Street of this City are hereby found and declared to be a nuisance, that the said structures are a hazard to the health and safety of the public in general and are hereby condemned.

Section 2. That the owner is ordered to remove the said structures from the property or to otherwise repair the structures to inhabitable condition within thirty (30) days of the posting of a true copy of this Resolution on the structures.

Section 3. That should the owner refuse or fail to so remove or repair the structures within thirty (30) days, the City of Monticello shall remove the structures by demolition, or other corrective action. And shall file lien against the owner's title to this property for the costs incurred by the City for such demolition or other corrective actions.

Section 4. Should asbestos testing be required before demolition by the City of Monticello, The City Council of the City of Monticello authorizes entry upon and into the property by an ADEQ (Arkansas Department of Environmental Quality) licensed asbestos tester for the purpose of asbestos testing. The samples taken shall be sent to a certified laboratory for the testing for the presence of asbestos. The asbestos tester shall make available to ADEQ and the City of Monticello the laboratory test results before demolition occurs. Extra time shall be allowed for this purpose.

  
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(END OF RESOLUTION)

ADOPTED on this 28<sup>th</sup> day of February, 2023.

CITY CLERK/TREASURER

