R-20- 153

RESOLUTION NO. ____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 4929 ATKINS STREET 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:

The South 140 feet of Block 70 of the John L. Atkins School Subdivision of part of Spanish Grant No. 2431 and part of Section 32, Township 2 North, Range 11 West, except the East 130 feet thereof, the said tract being more particularly described as beginning on the North line of Atkins Street at a point which is 130 feet West of the Southeast corner of said Block 70, run North parallel with Water Street 140 feet, thence West parallel with Atkins Street to the line common to Block 69 of said Subdivision and said Block 70, thence Southwest along said common line to the

North line of Atkins Street, thence East along said North line 135 feet, to a point of beginning, now in the City of North Little Rock, Pulaski County, Arkansas (Parcel No. 23N0610024600 located at 4929 Atkins Street and owned by Carlos A. Neal.).

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:

Joe A Smith

Mayor Joe A. Smith

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:15 A.M. _____ P.M.

By Amy Fields GA

DATE 10-20-20

Diane Whitbey, City Clerk and Collector
North Little Rock, Arkansas

RECEIVED BY _____

The City of North Little Rock

TOM WADLEY
DIRECTOR

CODE ENFORCEMENT DEPARTMENT

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

September 24, 2020

Mayor Smith
City Council Members

Re: 4929 Atkins Street
Lot 0 Block 70 Atkins John L School Sub
North Little Rock, AR 72117

Owners: Carlos A. Neal
North Little Rock, AR 72117

Dear Mayor Smith;

On March 31. 2020 officer Cedric Williams notice a dilapidated structure at 4929 Atkins. He red tagged the house and sent a letter of public nuisance to the reported owner. The letter came back indicating the owners did not live at that mailing address anymore. Officer Cedric Williams conducted an interior and exterior inspection and after noting and taking pictures of the structure determined that it is unsafe for human habitation.

On August 28, 2020 Officer Ward Reese researched ownership information on 4929 Atkins Street. He found a Carlos A. Neal of Little Rock, AR, and a Neil Reed of North Little Rock, AR having ownership interest in the property. Letters of Notice of City Council Hearing was sent to all known addresses for Carlos A. Neal of Little Rock, AR, and a Neil Reed of North Little Rock, AR. To date, one letter from Carlos A. Neal has been signed for. To-date the property remains in the same condition.

The condemnation procedures were started due to the condition of the house. Owners and/or heirs and all interested parties were given notice of City Council for the October 26, 2020 Hearing date. Notices were mailed by certified and regular mail, legal notice ran in the newspaper, and were also posted on the property. This structure is considered to be unfit for human habitation.

This property constitutes a public nuisance; it is the recommendation of the North Little Rock Code Enforcement Department that this structure be considered for condemnation.

Felecia McHenry
Code Enforcement Supervisor