R-21- 99

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 520 MIDDLE 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:

A Part of Block 239 of the 1941 Replat of the Prothro Subdivision of Part of the East 1/2 West 1/2 of Spanish Grant No. 2431, now in the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows:

From the Point of Intersection of the South line of Lynch Drive and the line common to the Atkins Home Tracts and the 1941 Replat of Prothro Subdivision, run southeasterly along said South line of Lynch Drive a distance of 20 feet to a

stake set as Point of Beginning of this description; from the Point of Beginning thus established, run in a southeasterly direction parallel with common line 72 feet to a stake set; thence at a right angle to the left a distance of 80 feet to a stake set; thence northeasterly at a distance of 76 feet to a point of the South line of Lynch Drive which is 83.2 feet east of the Point of Beginning; thence run in a westerly direction 83.2 feet to the Point of Beginning. (Parcel No. 23N0770017100 located at 520 Middle Street and owned by Trinity Allen Gustus).

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 her 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 Terry C. Hartwick

SPONSOR:

Terry C Hartwick

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 10:52 A.M. _____ P.M.

By Amy Fields

DATE 12/20/21

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

RECEIVED BY

The City of North Little Rock

FELECIA MCHENRY
INTERIM DIRECTOR

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

CODE ENFORCEMENT DEPARTMENT

June 15, 2021

Mayor Hartwick
City Council Members

Re: 520 Middle Street
Lot 0 Block 239 Sub: Prothro
City of North Little Rock, AR

Owners: Trinity Allen Gustus
North Little Rock, AR

Dear Mayor Hartwick;

February 2021 Officer Cedric Williams conducted an inspection of the property after receiving complaints for neighbors. Mr. Gustus was advised to cleanup the front and back yards, follow-up inspection showed the status was unchanged, Mr. Gustus was issued a citation to appear in court. A few days later we received a report that a fire occurred at the property, Officer Williams conducted another inspection and determined the structure was considered to be unsafe.

Mr. Gustus stated that he was going to rehab the structure but had no source of income. March 29, 2021 Officer Ward Reese conducted an exterior inspection of the above property, the status was unchanged. Officer Reese determined that the structure was unfit for human habitation and posted a Notice of City Council Date.

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 July 26, 2021 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.

Ward Reese
Code Enforcement Officer