R-21- 116

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5124 ALPHA 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 East 40 feet of West 80 feet of North 156 feet of Block 165 in the Rich Acres Subdivision of Lot 5 of Matilda A. Miller's Subdivision of a part of Section 32, Township 2 North, Range 11 West, now in the City of North Little Rock, Pulaski County, Arkansas, more particularly described as follows:

Beginning at a point on the Southwesterly line of First Street, which is 40 feet from the Northwest corner of said Block 165; run thence Southwesterly parallel with Water Street 156 feet to a stake set; thence Southeasterly parallel with First Street

40 feet to a stake set; thence Northeasterly parallel with Water Street 156 feet to a stake set on the Southwesterly line of First Street; thence Northwesterly along said Southwesterly line of First Street 40 feet to the point of beginning. (Parcel No. 23N0670012100 located at 5124 Alpha Street and owned by Wilbur Coleman Jr.).

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 10:10 A.M. _____ P.M.
By A. Fields, City Atty
DATE 8/17/21

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

RECEIVED BY

The City of North Little Rock

FELECIA MCHENRY
DIRECTOR

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NORTH LITTLE ROCK, ARKANSAS 72114
501-791-8581 • Fax 501-791-8584
NLRCodeEnforcement@nlr.ar.gov

CODE ENFORCEMENT DEPARTMENT

July 26, 2021

Mayor Hartwick
City Council Members

Re: 5124 Alpha Street
E 40FT of W 80FT of N 156FT of TR Lot 165 Block 0 Sub: Rich Acres
City of North Little Rock, AR 72117

Owners: Wilbur Coleman Jr.
El Paso, TX 79938

Dear Mayor Hartwick;

Owner of the above named property Wilbur Coleman Sr. died March 2016, the property has been vacant and in probate since that time. The ownership of the property now shows to be Wilbur Coleman Jr. of El Paso, TX.

On May 3, 2021 Officer Ward Reese started an investigation into 5124 Alpha Street due to the conditions of the property. Officer Ward Reese conducted an exterior inspection which show the structure to be unsecured, trash and debris inside and outside of the property and also an inoperable vehicle in the rear yard.

July 2021 Ward Reese conducted and interior inspection of the property along with Mr. Coleman's sister. The interior inspection showed severe termite damage throughout the structure, floors are extremely weak damaged.

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 August 23, 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 Supervisor