R-22-43

RESOLUTION NO. _____

A RESOLUTION APPROVING AND CERTIFYING AMOUNTS OF LIENS TO BE FILED WITH THE PULASKI COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES IN THE CITY OF NORTH LITTLE ROCK, ARKANSAS AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES; AND FOR OTHER PURPOSES.

WHEREAS, Section 8.3.1 of North Little Rock Municipal Code (NLRMC) Chapter 8 (Nuisance Abatement and Property Maintenance), requires all property owners and occupants within the municipal boundaries of the City of North Little Rock (the City) to cut weeds, grass and abate other nuisances and unsanitary conditions on their property; and

WHEREAS, pursuant to Ark. Code Ann. § 14-54-901, the City has the authority to do whatever is necessary to correct the unsightly and unsanitary conditions and to charge the costs thereof to the owners of lots or properties who neglect or refuse to remove, abate or eliminate any weed or grass conditions after having been given seven (7) days written notice to do so; and

WHEREAS, in accordance with Ark. Code Ann. § 14-54-901, the City of North Little Rock has corrected conditions existing on certain lots or other real properties within the City of North Little Rock and is entitled to compensation pursuant to Ark. Code Ann. § 14-54-904; and

WHEREAS, the City has demanded payment in the amount allowed by law from the property owners where work was performed and notified said owners of the City's intent to file a lien against their properties; and

WHEREAS, said property owners have failed to make payment, no part of the debt has been paid, and the City claims a lien on the herein referenced properties (listed on Exhibit A attached hereto) pursuant to Ark. Code Ann. §§ 14-54-901 and 14-54-903; and

WHEREAS, state law also provides for a lien against the subject properties, with the amount of liens to be determined by the City Council at a hearing held after notice to the owner(s) thereof by certified mail or publication (see Exhibit A attached hereto), with said amounts (plus a ten percent collection penalty) to be thereafter certified to the Pulaski County Tax Collector; and

WHEREAS, a hearing for the purpose of determining such liens has been set for 6:05 p.m., February 14, 2022, in order to allow for service of the attached notice of same upon the listed property owners, by certified mail or publication as is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That after notice to property owners, a public hearing was held at 6:05 p.m. on February 14, 2022, for the purpose of determining the amount of liens, if any, to be filed against

certain real properties as the result of grass cutting and abatement of other nuisances by the City of North Little Rock.

SECTION 2: That after said public hearing, and upon the verification of the Director of the North Little Rock Code Enforcement Department, the amounts listed on Exhibit A are hereby certified as an obligation that is owed to the City and proper to be filed with the Pulaski County Treasurer and Assessor as a lien against the real properties associated therewith.

SECTION 3: That the Director of the Code Enforcement is hereby ordered to file liens as provided in this resolution; *except that*, prior to submission, she will update the list to remove any lien amounts that have been paid in full prior to forwarding the list to the County.

SECTION 4: That the Director of the Code Enforcement is authorized to execute and file such documents as are necessary to release any liens that are paid in full.

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:

ATTEST:

Mayor Terry C. Hartwick

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:40 A.M. _____ P.M.

By M Miller

DATE 2/8/22

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

RECEIVED BY

CITY COUNCIL 02/14/2022

PARCEL 33N1880011400
MERLE Milam
421 W 35TH ST
LOT 5 BLOCK 6 Moores Glendale
AMOUNT $185

PARCEL 33N0180408900
Ryan Matthew Schwarz
221 W F ST
LOT 11 BLOCK 25 PARK HILL 4N
AMOUNT $185

PARCEL 23N0710015500
XZAR Cigars LLC
203 Glenview Ln
LOT 2 BLOCK 24 Poe's Sub
AMOUNT $185

PARCEL 23N0160007900
Wanda F Kloss
6505 Medford Ln
LOT 2 BLOCK 4 Lansbrook
AMOUNT $185

PARCEL 33N0041500200
Bank of New York Mellon
Perin Dr
LOT 2 BLOCK Wilkinson Place Addn PH II
AMOUNT $185

PARCEL 23N0610029300
George & Deborah Brainard
4829 School St
LOT 0 BLOCK 84 John L Atkins School Sub
AMOUNT $185

PARCEL 23N0710005300
Choice Equity Investment
308 Short St
LOT 4 BLOCK 14 Poe's Sub
AMOUNT $185

PARCEL 23N0770002500
Mark / Patricia Melton
604 Water St
LOT 0 BLOCK 141 Prothro Sub
AMOUNT $185

PARCEL 23N0760003300
Whitney Christine Hicks
4736 Alpha St
LOT 44 BLOCK 0 Parkdale
AMOUNT $185

PARCEL 23N0770003400
Saint Johns / Rehab & Rentals LLC
606 Gardenia Ave
LOT 0 BLOCK 193 Prothro Sub
AMOUNT $185

PARCEL 23N0270400200
J & P Flash INC
2541 Highway 161
LOT 2 BLOCK 0 Strawns Sub
AMOUNT $185

PARCEL 23N0420008000
Fairgreen Fields Trust
2108 Muldrow Dr
LOT 11 BLOCK 6 Glenview Sub
AMOUNT $185

PARCEL 33N0041500100
Bank of New York Mellon
Perin Dr
LOT 1 BLOCK Wilkinson Place Addn PH II
AMOUNT $185

PARCEL 23N0710005000
Damian O Mitchell
306 Short St
LOT 4 BLOCK 13 Poe's Sub
AMOUNT $185

PARCEL 23N0710001200
Professional Housing & Land LLC
319 Short St
LOT 1 BLOCK 5 Poe's Sub
AMOUNT $185

PARCEL 24N0050013600
Newcastle Properties LLC
6504 Whippoorwill Ln
LOT 2 BLOCK 6 Delta Lawn
AMOUNT $185

PARCEL 23N0270004500
Nathaniel Williams Jr
5502 Chiquito Rd
LOT BLOCK PT N1/2 S1/2 N1/2 SE SE COM NE COR TH S330' TH W409' TO POB TH S58' TH W160' N58' TH E160' TO POB AKA BLK 2 LT 1

PARCEL 23N0770003000
Corey Applewhite
616 Gardenia Ave
LOT 0 BLOCK 192 Prothro Sub
AMOUNT $185

PARCEL 33N3180040900
Dennis Alexander / Jameel Williams- Broadway
2614 Lincoln Ave
LOT 0 BLOCK 60 Choctaw
AMOUNT $185

PARCEL 23N0420005200
Lee Richards
2109 Muldrow Dr
LOT 6 BLOCK 5 Glenview Sub
AMOUNT $185

PARCEL 23N0650009400
VM Equities LLC
921 Roseclaire Dr
LOT 34 BLOCK 4 Greenlea
AMOUNT $185

PARCEL 23N0710002600
Professional Housing & Land LLC
307 Short St
LOT 1 BLOCK 8 Poe's Sub
AMOUNT $185

PARCEL 23N0710005900
Currency Formula LLC
322 Short St
LOT 3 BLOCK 16 Poe's Sub
AMOUNT $185

EXHIBIT
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A

ıe City of North Little Rock

FELECIA MCHENRY
DIRECTOR

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

CODE ENFORCEMENT DEPARTMENT

January 19, 2022

Mayor Hartwick
City Council Members

Re: 1724 N. Poplar Street
N Argenta W 90" of Lot: 1 Block: 25 Sub: North Argenta
City of North Little Rock, AR

Owners: Tracy T Bailey
Little Rock

Dear Mayor Hartwick;

On September 24th, 2021, NLR Code Officer Cedric Williams started an investigation into 1724 Poplar St. due to a residential fire at that address. Officer Cedric Williams conducted an exterior inspection and it was determined that the structure is unsafe for human habitation. Officer Williams has made contact, via telephone, with the owner(s), but has met with negative results in resolving the issue concerning this residence. Officer Williams forwarded this investigations to the NLR Code Condemnation Department for further review

On November 18th, 2021, NLR Code Officer Timothy McEuen conducted an exterior inspection of the above property and posted a *Notice of City Council* hearing notification on the residence. To-date the property remains and has been in the same condition. Property has now been transferred to a family member in the same household. New City Council date was issued for new owner of record.

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 February 28th, 2022 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.

Timothy McEuen
Code Enforcement Officer