R-22-126

RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN BUILDINGS, HOUSES AND OTHER STRUCTURES LOCATED AT 5818 CRYSTAL HILL ROAD 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, noxious, 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 removed 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, noxious, 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 owners of record of the following described property are 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 the Southwest 1/4 Southeast 1/4, Section 7, Township 2 North, Range 12 West, and more particularly described as:

Starting at the Northeast corner of said Southwest 1/4 Southeast 1/4; thence West along the North line of said Southeast 1/4 a distance of 150 feet to a point of beginning; thence continuing West along the said North line for a distance of 180 feet to an iron pin; thence south for a distance of 26.4 feet to the North right of way line of the Crystal Hill Road; thence South 58 1/4 degrees east along the North right

of way line of Crystal Hill Road for a distance of 167.4 feet to an iron pin; thence North 26 degrees and 30 minutes east along a fence line for a distance of 58.5 feet to an iron pin; thence North 10 degrees and 30 minutes east along said fence line for a distance of 62 feet to an iron pin which is the point of beginning. (Parcel No. 33N0029020900 located at 5818 Crystal Hill Road and owned by Harrell Tolbert).

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:

/s/ Terry C. Hartwick

Mayor Terry C. Hartwick

ATTEST:

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

Amy Beckman Fields MRM

Amy Beckman Fields, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/kt

FILED 11:35 A.M. _____ P.M.

By M Miller, City Atty Jr

DATE 6/2/22

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

RECEIVED BY B Tomp

The 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

April 13th, 2022

Mayor Hartwick
City Council Members

Re: 5818 Crystal Hill Road
Legal Description:
PT SW SE BEG150' W OF NE COR W 180 FT S26 4' S58*
E167 4' N26*30' 58 5' N10*30' E62 TO BEG 7 2N 12W
Parcel: 33N0029020900
North Little Rock, AR 72118

Owners: Harrell Tolbert
North Little Rock, AR

Dear Mayor Hartwick;

On February 8th, 2022, NLR Code Officer Timothy McEuen began an investigation into 5818 Crystal Hill Road due to the condition of the structure. The property is overgrown with saplings, bushes, and other vegetation. The structure is vacant, is partially collapsed/falling in, and is in a dilapidated state. This structure is unfit for human habitation. There is a secondary structure on the property, located behind the main structure, which is in the same condition as well. These structures sit on the same parcel, and are owned by the same owner.

On February 18th, 2022, a *Notice of City Council* hearing was posted on the property and mailed to all know owners, and heirs.

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 June 27th, 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