

## Resolution No.: 23-1109

### **A RESOLUTION TO CONDEMN THE STRUCTURE LOCATED AT 300 N. MONTGOMERY STREET, CLARKSVILLE, ARKANSAS AND FOR CODE ENFORCEMENT TO RAZE SAID STRUCTURE IN ACCORDANCE WITH ARKANSAS STATE LAW AND CITY ORDINANCE**

WHEREAS, the structure located at 300 N. Montgomery Street, Clarksville Arkansas 72830, has been deemed a nuisance and unfit for human habitation, unsafe, unsanitary, presents a fire hazard and is detrimental to the public safety, health, and welfare by the Code Enforcement official for the City of Clarksville, Arkansas;

WHEREAS, the structure appears to be a one story residential structure with stucco facade; and

WHEREAS, the structure has been inspected and issues thoroughly documented by Clarksville Code Enforcement; and

WHEREAS, on March 9, 2023, after a hearing in the presence of the Clarksville City Council with all parties given the opportunity to be heard, Joseph Kraus appeared for said hearing after being notified of the hearing and having been given the opportunity to be heard; and

WHEREAS, the owners of the structure located at 300 N. Montgomery Street, Clarksville, Arkansas were provided no less than ten (10) days' notice of the City Council meeting do consider this condemnation action; and

WHEREAS, after a public meeting of the Clarksville City Council, the City Council has determined this structure shall be condemned.

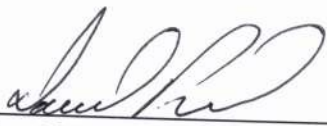
**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of Clarksville, Arkansas that:

Section 1. After a public hearing before the Clarksville City Council on March 9, 2023, and a meeting of the entire Clarksville City Council on April 10, 2023, the structure located at 300 N. Montgomery Street, Clarksville, Arkansas is hereby declared by the Clarksville City Council to be a nuisance and shall be condemned.

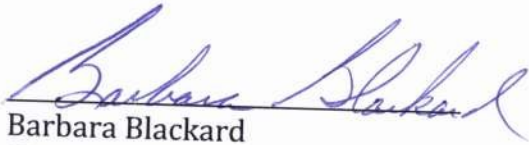
Section 2. The decision to condemn said structure is in the best interest of the public health, safety, and welfare because the structure is a nuisance and is unfit for human habitation, unsafe, unsanitary, presents a fire hazard.

Section 3. The Clarksville City Council hereby resolves that the structure located at 300 N. Montgomery Street, Clarksville Arkansas be razed thirty (30) days from April 10, 2023, if it is still standing, as per the authority granted by Arkansas state law and City Ordinance, and that any costs of the demolition and cleanup be assessed to the property owner(s) and be a lien on said real property.

Passed this 10th day of April 2023

**APPROVED:**   
David Rieder, Mayor of Clarksville

**ATTEST:**

  
Barbara Blackard  
City Clerk/Treasurer