

City of Fayetteville Item Review Form

2013-0186

Legistar File Number

12/17/13

City Council Meeting Date - Agenda Item Only

N/A for Non-Agenda Item

Yolanda Fields

Submitted By

Development Services

Department

Action Required:

A Resolution certifying to the Tax Collector of Washington County, Arkansas the costs of Razing and Removal of a dilapidated and unsafe structure upon the property owned by Marshall Aaron Mahan located at 515 E. Township Street in the city of Fayetteville, Arkansas.

Does this item have a cost? No

Cost of this request	Category or Project Budget	Program or Project Name
Account Number	Funds Used to Date \$0.00	Program or Project Category
Project Number	Remaining Balance	Fund Name
Budgeted Item? <input type="checkbox"/>	Budget Adjustment Attached? <input type="checkbox"/>	

V20130812

Previous Ordinance or Resolution # _____

Original Contract Number: _____

Comments:

Staff recommends approval of the Resolution.

11-27-13 A09:27 RCVD

dmw




[Signature] - 11-27-13
-log CPA

Paul A. Behm 11-27-2013
[Signature] 11-27-13

[Signature] 12/2/13

CITY COUNCIL AGENDA MEMO

To: Mayor and City Council

Thru: Jeremy Pate, Development Services Department Director 

From: Yolanda Fields, Community Services Director

Date: November 8, 2013

Subject: A Resolution certifying to the Tax Collector of Washington County the costs of the Razing and Removal of a dilapidated and unsafe structure located at 515 E. Township Street (WC Parcel # 765-13391-000)

RECOMMENDATION

Staff recommends imposing a lien against real property for the amount of \$4,398.50, plus a 10% penalty for collection.

BACKGROUND

On August 6, 2013, the City Council of the City of Fayetteville passed Resolution No. 175-13. The resolution ordered the razing and removal of a dilapidated and unsafe structure owned by Marshall Aaron Mahan at 515 E. Township Street, Fayetteville, AR.

On August 21, 2013, the property was posted with a letter stating Resolution 175-13 was passed. The letter also stated that our office would begin the Raze and Removal process on September 16, 2013. On October 25, 2013, the raze and removal process was completed.

On November 7, 2013, the property owners were notified of the Public Hearing to consider this resolution.

DISCUSSION

The total costs incurred include the bid awarded to raze and remove in the amount of \$4,200.00 and administrative/filing costs in the amount of \$198.45.

BUDGET IMPACT

If passed, a lien will be placed on the parcel for the incurred costs, plus a 10% penalty for collection. Once paid, the monies will return to the General Fund.

RESOLUTION NO. _____

A RESOLUTION CERTIFYING TO THE TAX COLLECTOR OF WASHINGTON COUNTY, ARKANSAS THE COSTS OF RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE UPON THE PROPERTY OWNED BY MARSHALL AARON MAHAN LOCATED AT 515 E. TOWNSHIP STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS

WHEREAS, pursuant to the provisions of §§ 95.03 and 173.08 of the Code of Fayetteville, as authorized by Arkansas Code § 14-56-203, the City Council of the City of Fayetteville directed the owners of the property located at 515 E. Township Street (Washington County Parcel No. 765-13391-000) to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property; and

WHEREAS, Marshall Aaron Mahan, record owner of the property, failed to raze and remove the dilapidated, unsightly, and unsafe structure on their property; and

WHEREAS, the City of Fayetteville, in accordance with the above-cited ordinances and statute, entered upon the property and razed and removed the dilapidated, unsightly, and unsafe structure; and

WHEREAS, the City Council of the City of Fayetteville, Arkansas is required to determine the appropriate amount of the lien, and certify this amount to the Tax Collector of Washington County, Arkansas to be placed upon the tax books as delinquent taxes,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1. That, by the authority granted pursuant to Arkansas Code §§ 14-56-203 & 14-54-901 *et seq.*, and in accordance with the provision of § 173.08 of the Code of Fayetteville, the City Council of the City of Fayetteville, Arkansas hereby determines the appropriate amount of the lien against the property located at 515 E. Township Street (Washington County Parcel No. 765-13391-000) to be \$4,398.50.

Section 2. That the City Council of the City of Fayetteville, Arkansas hereby certifies this amount to the Tax Collector of Washington County, Arkansas so that this amount, plus ten percent (10%) penalty for collection, be placed on the tax books as delinquent taxes against the property located at 515 E. Township Street (Washington County Parcel No. 765-13391-000).

PASSED and APPROVED this 17th day of December, 2013.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
SONDRA E. SMITH, City Clerk/Treasurer





www.accessfayetteville.org

November 7, 2013

Marshall Aaron Mahan
517 E. Township St.
Fayetteville, AR 72703

RE: Resolution No. 175-13
Enforcement of Fayetteville Code 173.09, and 95.03
Arkansas Code Ann. 14-56-203 , 14-54-901

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A. § 14-56-203, § 14-54-901, et seq. and § 173.09 and § 95.03 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a Public Hearing to consider a Resolution certifying to the Tax Collector of Washington County the costs of the Razing and Removal of a dilapidated and unsafe structure located at **515 E. Township Street (Parcel #765-13391-000)**. The amount of the asserted lien is \$4,398.45, plus a 10% penalty for collection.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-8260.

The hearing will be part of a regular City Council meeting on December 17, 2013 beginning at 6:00 p.m. at the City Administration Building, 113 W. Mountain St, Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,

Chad Ball
Code Compliance Administrator

Cc: file

RESOLUTION NO. 175-13

A RESOLUTION ORDERING THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY MARSHALL AARON MAHAN LOCATED AT 515 E. TOWNSHIP STREET IN THE CITY OF FAYETTEVILLE, ARKANSAS

WHEREAS, Marshall Aaron Mahan is the record owner of the real-property situated at 515 E. Township Street, City of Fayetteville, Washington County, Arkansas, more particularly described as follows:

WC Parcel Number 765-13391-000; and,

WHEREAS, the City Council has determined that the structure located on said property is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and,

WHEREAS, the property owner, having been properly served with a Violation Notice by personal hand-delivery, and given thirty (30) days to correct said violation, has refused to repair, or raze and remove said dilapidated, unsightly, and unsafe structure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Ordinance No. 3948 of 1996, Marshall Aaron Mahan is hereby ordered to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property. The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.


Section 2: That, if Marshall Aaron Mahan does not comply with this order, the Mayor is hereby directed to cause the dilapidated, unsightly, and unsafe structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. §14-54-904, for the costs associated therewith.


PASSED and APPROVED this 6th day of August, 2013.

APPROVED:

By: 
LIONELD JORDAN, Mayor

ATTEST:

By: 
SONDRA E. SMITH, City Clerk/Treasurer



Parcel: 765-13391-000
Prev. Parcel: 146555-000-00
As of: 11/4/2013

Washington County Report

B. 1
ID: 48685
Razing and Removal Costs
for 515 E. Township Street
Page 8 of 12

Property Owner

Name: MAHAN, AARON

Property Information

Physical Address: 515 E TOWNSHIP ST

Mailing Address: PO BOX 361
FARMINGTON, AR 72730

Subdivision: 3-16-30 FAYETTEVILLE OUTLOTS

Type: (RI) - Res. Improv.

Block / Lot:

S-T-R: 03-16-30

Tax Dist: (011) - FAYETTEVILLE SCH, FAY

Size (in Acres): 0.000

Millage Rate: 53.75

Extended Legal: PT E/2 FRL NW .53 A. FURTHER DESCRIBED FROM 2007-42032 AS: A Part of the East half of the fractional Northwest quarter of Section three (3) in Township sixteen (16) North of Range thirty (30) West, being more particularly described as follows: Beginning at a point on the North line of the said East half of the fractional Northwest quarter of said Section three (3) which is four hundred eighty one and one half (481 1/2) feet East of the East line of U.S. Highway No. 71, which point on said highway is eight (8) links East of the North West corner of said East half of the Fractional Northwest quarter of Section three (3), and running, thence East Seventy two (72) feet, thence South three hundred twenty one and one-tenth (321.1) feet; thence West seventy two (72) feet; thence North three hundred twenty one and one-tenth (321.1) feet to the place of beginning, containing fifty three hundredths (.53) of an acre, more or less.

Market and Assessed Values:

	Estimated Market Value:	Full Assessed (20% Market Value):	Taxable Value:
Land:	\$35,000	\$7,000	\$7,000
Building:	\$6,700	\$1,340	\$1,340
Total:	\$41,700	\$8,340	\$8,340

Homestead Credit: \$0.00

Status: (N) - No Adj

Note: Tax amounts are estimates only. Contact the county tax collector for exact amounts.

Land:

Land Use	Size	Units
.53 AC	1.000	House Lot

Not a Legal Document.

Subject to terms and conditions.

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Parcel: 765-13391-000
 Prev. Parcel: 146555-000-00
 As of: 11/4/2013

Washington County Report

B. 1
 ID: 48685
 Razing and Removal Costs
 for 515 E. Township Street
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Tax History:

Year	Taxable Value	Ad Valorem Tax	Imp. Dist. Tax	Timber Tax	Voluntary Tax	A79 Credit	Net Total Tax	Total Tax Paid	Amount Due
2012	\$13,710	\$736.91	\$0.00	\$0.00	\$0.00	\$350.00	\$386.91	\$386.91	\$0.00
2011	\$13,710	\$736.91	\$0.00	\$0.00	\$0.00	\$350.00	\$386.91	\$386.91	\$0.00
2010	\$13,710	\$743.77	\$0.00	\$0.00	\$0.00	\$350.00	\$393.77	\$393.77	\$0.00
2009	\$16,320	\$840.48	\$0.00	\$0.00	\$0.00	\$350.00	\$490.48	\$490.48	\$0.00
2008	\$16,320	\$840.48	\$0.00	\$0.00	\$0.00	\$350.00	\$490.48	\$490.48	\$0.00
2007	\$12,789	\$659.91	\$0.00	\$0.00	\$0.00	\$350.00	\$309.91	\$309.91	\$0.00

Available Tax Payment Receipt(s):

Year	Receipt #	Payment Date	Ad Valorem Tax	Imp. Dist. Tax	Timber Tax	Voluntary Tax	Penalty	Payment
2012	77765	10/15/2013	\$386.91	\$0.00	\$0.00	\$0.00	\$0.00	\$386.91
2011	1145311	10/15/2013	\$386.91	\$0.00	\$0.00	\$0.00	\$81.38	\$468.29
2010	1119905	10/2/2012	\$393.77	\$0.00	\$0.00	\$0.00	\$81.46	\$475.23
2009	1097467	11/9/2011	\$490.48	\$0.00	\$0.00	\$0.00	\$106.13	\$596.61
2008	1054519	1/13/2010	\$490.48	\$0.00	\$0.00	\$0.00	\$65.82	\$556.30
2007	1035032	2/27/2009	\$309.91	\$0.00	\$0.00	\$0.00	\$46.88	\$356.79

Deed Transfers:

Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
11/7/2007	2007	42032	FidDeed			MAHAN, AARON		
1/1/1985	920	83		0.00	\$0	WAITS, BOBBY		

Details for Residential Card 1:

Occupancy	Story	Finish	1st Liv Area	Other Liv Area	Total Liv Area	Grade	Year Built	Age	Condition	Beds
Single Family	ONE	Frame Siding Std.	1295	0	1295	5	1950	60	Poor	N/A

Exterior Wall: STANDARD
Foundation: Slab
Floor Struct: ElevSlab
Floor Cover: Carpet & Tile
Insulation: N/A
Roof Cover: Asphalt Shingle
Roof Type: Gable

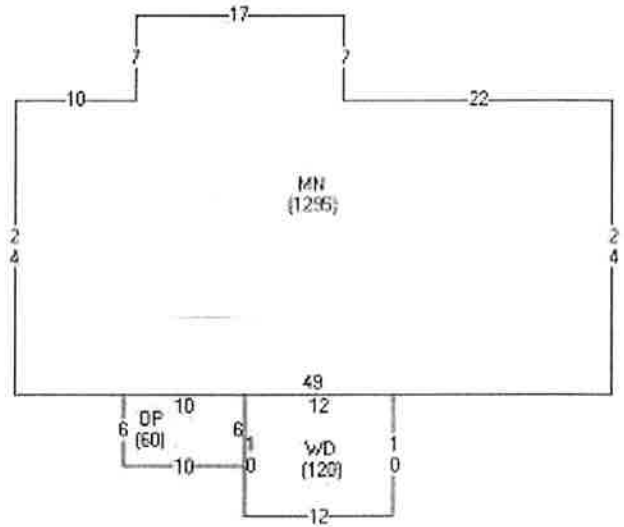
Plumbing: Full: 1
Fireplace: Type: 1s Sgl.
Heat / Cool: F/W/Furn
Basement: N/A
Basement Area: N/A
Year Remodeled: N/A
Style: N/A

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Subject to terms and conditions.

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DataScout, LLC



Base Structure:

Item	Label	Description	Area
A	MN	Main Living Area	1295
B	OP	Porch, open	60
C	WD	Wood deck	120

Outbuildings and Yard Improvements:

Item	Type	Size/Dim	Unit Multi.	Quality	Age
Gravel Driveway					

Other Adjustments:

Code	Type	Quantity
WC		196

Parcel: 765-13391-000
Prev. Parcel: 146555-000-00
As of: 11/4/2013

Washington County Report

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Map:



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