

City of Fayetteville Item Review Form

2013-0185

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 Mary Lou Guthery located at 1717 S. Stirman Avenue 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	Program or Project Category
Project Number	Remaining Balance	Fund Name
Budgeted Item? <input type="checkbox"/>	Budget Adjustment Attached? <input type="checkbox"/>	

\$0.00

V20130812

Previous Ordinance or Resolution # \_\_\_\_\_

Original Contract Number: \_\_\_\_\_

Comments:

Staff recommends approval of the Resolution.

*[Signature]* 11-27-13

Paul A. Beckman 11-27-2013

*[Signature]* 11-27-13

*[Signature]* 12/2/13

11-27-13 09:27 RCVD


*[Handwritten initials]*



## **CITY COUNCIL AGENDA MEMO**

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**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 1717 S. Stirman Avenue (WC Parcel # 765-09658-000)

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### **RECOMMENDATION**

Staff recommends imposing a lien against real property for the amount of \$4,757.90, plus a 10% penalty for collection.

### **BACKGROUND**

On May 7, 2013, the City Council of the City of Fayetteville passed Resolution No. 101-13. The resolution ordered the razing and removal of a dilapidated and unsafe structure owned by Mary Lou Guthery at 1717 S. Stirman Avenue, Fayetteville, AR.

On August 16, 2013, the property was posted with a letter stating Resolution 101-13 was passed. The letter also stated that our office would begin the Raze and Removal process on August 21, 2013. On August 28, 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 \$4,550.00 and administrative/filing costs in the amount of \$207.90.

### **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 MARY LOU GUTHERY LOCATED AT 1717 S. STIRMAN AVENUE 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 1717 S. Stirman Avenue (Washington County Parcel No. 765-09658-000) to raze and remove forthwith, the dilapidated, unsightly, and unsafe structure located on the aforementioned real property; and

WHEREAS, Mary Lou Guthery, 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 1717 S. Stirman Avenue (Washington County Parcel No. 765-09658-000) to be \$4,757.90.

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 1717 S. Stirman Avenue (Washington County Parcel No. 765-09658-000).

**PASSED** and **APPROVED** this 17<sup>th</sup> day of December, 2013.

APPROVED:

ATTEST:

By: \_\_\_\_\_  
**LIONELD JORDAN**, Mayor

By: \_\_\_\_\_  
**SONDRA E. SMITH**, City Clerk/Treasurer





www.accessfayetteville.org

November 7, 2013

Mary Lou Guthery  
1717 S. Stirman Ave.  
Fayetteville, AR 72701

RE: Resolution No. 101-13  
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 **1717 S. Stirman Avenue (Parcel #765-09658-000)**. The amount of the asserted lien is \$4,757.90, 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. 101-13**

A RESOLUTION ORDERING THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE OWNED BY MARY LOU GUTHERY LOCATED AT 1717 S. STIRMAN AVENUE IN THE CITY OF FAYETTEVILLE, ARKANSAS, AND APPROVING A BUDGET ADJUSTMENT

**WHEREAS**, Mary Lou Guthery is the record owner of the real property situated at 1717 S. Stirman Avenue, City of Fayetteville, Washington County, Arkansas, more particularly described as follows:

**WC Parcel Number 765-09658-000; 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**, Mary Lou Guthery, having been properly served with a Violation Notice via Certified Mail, Return Receipt Requested, 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, Mary Lou Guthery 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 Mary Lou Guthery 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.

**Section 3:** That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution as Exhibit "A".

**Page 2**  
**Resolution No. 101-13**

**PASSED and APPROVED** this 7<sup>th</sup> day of May, 2013,

APPROVED:

ATTEST:

By:   
LIONELD JORDAN, Mayor

By:   
SONDRA E. SMITH, City Clerk/Treasurer





Parcel: 765-09658-000  
 Prev. Parcel: 143029-000-00  
 As of: 11/4/2013

# Washington County Report

B. 2  
 ID: 44449  
 Rating and Removal Costs  
 for 1717 S. Stirman Avenue  
 Page 9 of 12

## Property Owner

**Name:** GUTHERY, MARY LOU

## Property Information

**Physical Address:** 1717 S STIRMAN AVE

**Mailing Address:** 1717 STIRMAN  
 FAYETTEVILLE, AR 72701

**Subdivision:** PARKSDALE ADD

**Block / Lot:** 010 / 007

**Type:** (RI) - Res. Improv.

**S-T-R:** 21-16-30

**Tax Dist:** (011) - FAYETTEVILLE SCH, FAY

**Size (in Acres):** 0.000

**Millage Rate:** 53.75

**Extended Legal:** LOTS 7-8 BLOCK 10

### Market and Assessed Values:

	Estimated Market Value:	Full Assessed (20% Market Value):	Taxable Value:
Land:	\$15,000	\$3,000	\$3,000
Building:	\$45,200	\$9,040	\$4,737
<b>Total:</b>	<b>\$60,200</b>	<b>\$12,040</b>	<b>\$7,737</b>

**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
	1.000	House Lot

### 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	\$7,269	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$390.71	\$0.00	\$0.00
2011	\$6,801	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$365.55	\$0.00	\$0.00
2010	\$6,333	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$343.57	\$0.00	\$0.00
2009	\$4,675	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$240.76	\$0.00	\$0.00
2008	\$4,250	\$0.00	\$0.00	\$0.00	\$0.00	\$218.88	\$0.00	\$0.00	\$0.00
2007	\$4,250	\$0.00	\$0.00	\$0.00	\$0.00	\$219.30	\$0.00	\$0.00	\$0.00

### Available Tax Payment Receipt(s):

**Not a Legal Document.**

Subject to terms and conditions.

[www.actDataScout.com](http://www.actDataScout.com)

Parcel: 765-09658-000  
 Prev. Parcel: 143029-000-00  
 As of: 11/4/2013

# Washington County Report

B. 2  
 ID: 44449  
 Razing and Removal Costs  
 for 1717 S. Stirman Avenue  
 Page 10 of 12

## Deed Transfers:

Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
5/23/1988	1271	757		0.00	\$0	GUTHERY, JOE & MARY LOU		
5/23/1988	1271	757	Warr. Deed			GUTHERY, MARY LOU (SURVIVOR)		
10/13/1972	841	140	Warr. Deed	3.30	\$3,000	GUTHERY, JOE & MARY LOU	Valid	

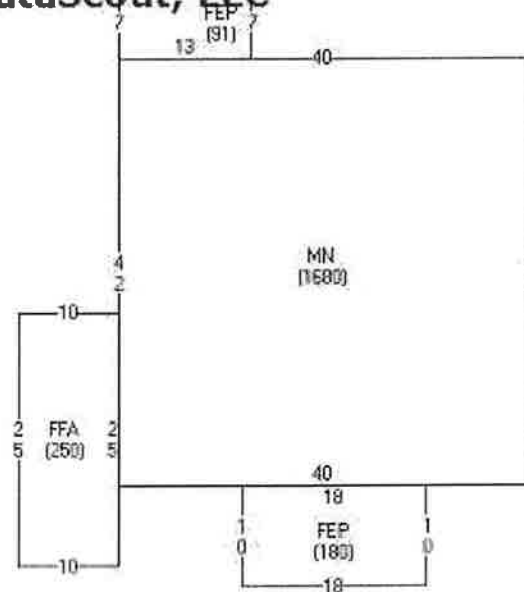
## Details for Residential Card 1:

Occupancy	Story	Finish	1st Liv Area	Other Liv Area	Total Liv Area	Grade	Year Built	Age	Condition	Beds
Single Family	ONE	Frame Siding Std.	1680	0	1680	5	1966	44	Average	N/A

**Exterior Wall:** SNGL.SIDNG  
**Foundation:** Closed Piers  
**Floor Struct:** Wood with subfloor  
**Floor Cover:** Softwood  
**Insulation:** N/A  
**Roof Cover:** Asphalt Shingle  
**Roof Type:** Gable

**Plumbing:** Full: 1  
**Fireplace:** N/A  
**Heat / Cool:** None  
**Basement:** N/A  
**Basement Area:** N/A  
**Year Remodeled:** N/A  
**Style:** N/A

## DataScout, LLC



**Not a Legal Document.**

Subject to terms and conditions.

[www.actDataScout.com](http://www.actDataScout.com)

# Washington County Report

## Base Structure:

Item	Label	Description	Area
A	MN	Main Living Area	1680
B	FEP	Frame enclosed porch	180
C	FEP	Frame enclosed porch	91
D	FFA	Garage - frame finished, attac	250

## Outbuildings and Yard Improvements:

Item	Type	Size/Dim	Unit Multi.	Quality	Age
Outbuilding, frame		9x12			
Outbuilding, frame		12x18			
Driveway, concrete		10x57			
Driveway, concrete		10x45			

## Map:



