

RESOLUTION 2020-37

**DECLARING THE STRUCTURE LOCATED AT 119 W. MAIN STREET A DILAPIDATED AND DANGEROUS STRUCTURE THAT CONSTITUTES A GRAVE AND IMMEDIATE DANGER TO THE HEALTH, SAFETY, OR WELFARE OF THE GENERAL PUBLIC AND THE COMMUNITY THAT REQUIRES IMMEDIATE AND PROPER ACTION TO SUMMARILY ABATE SAID NUISANCE**

**WHEREAS**, the City of Marietta desires to remove structures in the community that are dangerous by reason of being dilapidated and have become detrimental to the health, safety, or welfare of the general public and the community; and

**WHEREAS**, the procedures as outlined in Title 11 O.S. § 22-112, titled Condemnation of Dilapidated Buildings – Notice – Removal – Lien, have been followed.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Marietta:

**SECTION 1.** The structure owned by Red River Cloud Nine, Inc., located at 119 W. Main Street, more particularly described as all of Lot One (1), and the West 19 feet of Lot Two (2), Block Twenty-Five (25) and the East 12 feet of Lot Two (2), and the West 6 feet of Lot Three (3), and the East 19 feet of Lot Three (3), Block Twenty-Five (25), City of Marietta, Love County, Oklahoma, according to the recorded plat thereof, is determined to be a dilapidated and dangerous structure that constitutes a grave and immediate danger to the health, safety, or welfare of the general public and the community which requires immediate and proper action summarily to abate said nuisance.

**SECTION 2.** The property owner is given sixty (60) days from the adoption of this Resolution to summarily abate the described nuisance inclusive of, but not limited to, removal all personal property from the identified real property, razing or tearing down of all buildings and any other improvements on the property, clear the property of all debris, level the property and terminate and secure all sewer service lines at a depth of not less than twenty-four (24) inches from the surface.

**SECTION 3.** The City Administrator and/or agents of the municipality are granted the right of entry on the property for the performance of the necessary duties as a governmental function of the municipality and shall take appropriate action to abate the nuisance if the work is not performed by the property owner within the dates herein.

**SECTION 4.** The City Clerk shall immediately file this Resolution as a notice of dilapidation and lien with the Love County Clerk describing the property identified herein in Section 1, the findings of the municipality at the hearing, and stating that the municipality claims a lien on the property for the destruction and removal costs and that such costs are the personal obligation of the property owner from and after the date of filing of this notice.

**PASSED BY THE CITY COUNCIL** and **SIGNED** by the Mayor of the City of Marietta, Oklahoma, on this 11<sup>th</sup> day of August 2020.

CITY OF MARIETTA

  
KIMBERLY FRAIRE, MAYOR

ATTEST

  
DOTTIE GWIN, CITY CLERK

