



City of Conway, Arkansas

Resolution No. R-09-67

**A RESOLUTION ORDERING THE CONDEMNATION AND CLEANUP LOCATED AT 23 SHADY VALLEY DRIVE AND DECLARING THE INTENT OF THE CITY TO BRING THE PROPERTY UP TO CITY CODE IF THE OWNER DOES NOT**

**WHEREAS**, there is a pool located at 23 Shady Valley Drive which because of its dilapidated, unsightly, unsafe and unsanitary condition, has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas; and

**WHEREAS**, Conway's Municipal Code and Arkansas Code Annotated § 14-56-203 authorizes this City Council to, by Resolution order, the clean up of said property by the owner within thirty (30) days after proper service.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:**

**SECTION 1:** That the pool at 23 Shady Valley in Conway, Arkansas, because of its dilapidated, unsightly, unsafe and unsanitary condition has become detrimental to the public health, safety and welfare of the citizens of Conway, Arkansas, and it is hereby ordered that said pool be filled in (closed) and brought up to city code by the owner therefore.

**SECTION 2:** That a notice of the time and place of this meeting was mailed to the owner of said property by certified mail, return receipt requested, advising the owner that the City Council would take action on this matter.

**SECTION 3:** That a copy of this Resolution be forwarded to the owner of said property by certified mail, return receipt requested, directing that said owner has thirty (30) days in which to fill in the pool, and if the same be not removed within the thirty (30) days, then the Mayor of the City of Conway, Arkansas is directed to proceed at once to fill in the pool and clean up the property and prepare an itemized statement of cost of bringing the property up to code with a request for payment.

**SECTION 4:** If payment is not made within ten (10) days after receipt of said itemized statement, the Mayor is directed to sell, at public or private sale, any debris or material obtained from the clean up of property and pay to the owner any balance after the City has been reimbursed. If the proceeds from said sale are not sufficient to cover the cost, then the City shall proceed to file a lien on the personal and/or real estate property in order to recover the money so owed.

Passed this 13<sup>th</sup>, day of October 2009.

**APPROVED:**

  
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Mayor Tab Townsell

**ATTEST:**

  
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Michael O. Garrett  
City Clerk/Treasurer