

RESOLUTION NO. 1468

A RESOLUTION OF THE BROKEN ARROW CITY COUNCIL AUTHORIZING THE CITY LEGAL DEPARTMENT TO FILE AN ACTION IN DISTRICT COURT TO OBTAIN A DECREE ORDERING THE ABATEMENT OF A PUBLIC NUISANCE REGARDING THE PROPERTY LOCATED AT 1608 SOUTH 4TH STREET, BROKEN ARROW, OKLAHOMA 74012

WHEREAS, the property located at **1608 South 4th Street, Broken Arrow, Oklahoma 74012**, was inspected by representatives of the City of Broken Arrow who determined that the main structure in its present condition constitutes not only a menace to the health and safety of the public, but is also a public nuisance; and

WHEREAS, on December 29, 2021, a Notice to Abate a Nuisance public hearing letter was mailed by United States Postal Service to the owner of the property, at the address shown at the current year's tax rolls in the Tulsa County Treasurer's office, namely: Lisa Lynn Chernisky, 5308 South Maple Place, Broken Arrow, Oklahoma 74011; and

WHEREAS, that the public hearing held on February 2, 2022, Norman Stephens, the Hearing Officer for the City of Broken Arrow, Oklahoma, found the structure at **1608 South 4th Street, Broken Arrow, Oklahoma 74012**, to be in violation of City Ordinance § 15-1.C.15 and 15-4, and Oklahoma State Statute, 11 O.S. §§ 22-111, 112; and

WHEREAS, following the public hearing on February 2, 2022, an Order of Abatement was issued finding that the structure in its present condition was a dilapidated structure in violation of City Ordinance § 15-1.C(15) and 15-4, and Oklahoma State Statute, 11 O.S. §§ 22-111, 112; and

WHEREAS, the above-described public nuisance remains unabated.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BROKEN ARROW, OKLAHOMA, that the main structure on the property legally described as Lot Three (3), Block Five (5), OAK CREST THIRD ADDITION to the City of Broken Arrow, Tulsa County, State of Oklahoma, according to the recorded Plat thereof, and locally known as **1608 South 4th Street, Broken Arrow, Oklahoma 74012**, has previously been declared a public nuisance; and

BE IT FURTHER RESOLVED that the City Attorney is hereby authorized to file an action in District Court pursuant to 50 O.S. § 17, to obtain a Decree ordering the abatement of the public nuisance and should the owner fail to abate the nuisance as ordered, that the matter may be referred to Community Development to take all necessary action to demolish and remove said structure.

APPROVED AND PASSED in Open Meeting by the City Council of the City of Broken Arrow on this ____ day of June, 2022.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney