

STATE OF MISSOURI     )  
  )   SS.  
COUNTY OF JEFFERSON )  
  )  
CITY OF DE SOTO         )

BEFORE THE CITY COUNCIL OF THE CITY OF DESOTO, MISSOURI

In the Matter of:                                     )  
Dangerous Building/Structures                     )  
Located in the City of DeSoto as follows:        )

**214 Frederica Street, De Soto, Missouri, 63020**  
**Parcel # 17-7.0-35.0-3-034-008.**

**ORDER TO SHOW CAUSE WHY DANGEROUS BUILDING OR STRUCTURE**  
**SHOULD NOT BE REPAIRED AND/OR VACATED AND/OR DEMOLISHED AND**  
**NUISANCE ABATED**

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To:   Derrill Clark  
      214 Frederica Street  
      DeSoto, MO 63020

NOTICE IS HEREBY GIVEN to the above-named person, persons or entities that the City Council of the City of DeSoto has ordered that you show cause at a hearing to be conducted by said Council at 6:00 p.m. on the 28<sup>th</sup> day of September, 2015 at the City Hall of said City, 17 Boyd Street, DeSoto, MO 63020, why the building or structure on the above-referenced property, which has been reported to be a dangerous building, should not be repaired and/or vacated and/or demolished under the provisions of Chapter 505, Section 505.020 thru 505.090 of the City Code.

By reason of said particulars, it may be concluded by said City Council that said building is dangerous in that the following checked defects exist:

\_\_\_\_\_ Those whose exterior walls or other vertical structure members list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside the middle third of its base.

Those which, exclusive of the foundation, show thirty-three percent (33%) or more damage or deterioration of the supporting member or members or fifty percent (50%) or more of damage or deterioration of the non-supporting members enclosing the outside walls or covering.

Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.

Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants or the people of the City of De Soto.

Those which are so dilapidated, decayed, unsafe, have been inadequately maintained, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, safety or general welfare of those occupying such buildings.

Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.

\_\_\_\_\_ Those having inadequate facilities for egress in case of fire or panic or those having insufficient stairways, elevators, fire escapes or other means of evacuation.

Those which have parts thereof which are so attached that they may fall and injure occupants and members of the public or property.

Those which because of their condition are unsafe, unsanitary or dangerous to the health, safety or general welfare of the occupants and/or the people of this City.

Under the provisions of the DeSoto City Code, Section 505.025, the City Council, after said hearing, will make their order for remedial action based upon the following standards:

1. Repair. If the "dangerous building" can reasonably be repaired so that it will no longer exist in violation of this Chapter, it shall be ordered "repaired".

2. Vacation. If the "dangerous building" is in such condition as to make it dangerous to the health, morals, safety or general welfare of its occupants, it shall be ordered to be "vacated" pending either repair or demolition.

3. Demolition. The “dangerous building” shall be ordered “demolished” in any of the following instances:

- a. The building is fifty percent (50%) or more damaged, destroyed or deteriorated from its original value or structure.
- b. The building cannot be repaired so that it will no longer exist in violation of the terms of this Chapter.
- c. The building is a fire hazard in violation of the terms of this Chapter or any ordinance of this City or Statute of the State of Missouri.

Under this ordinance, it is alleged that the above-referenced building is a public nuisance requiring remedial action.

After the aforesaid hearing, the Council will make findings of fact and a determination of whether said building is a dangerous building and if viewed to be a dangerous building, this Council may order the owners, the occupants, mortgagees, lessees, or other persons having an interest in said building as shown by the land records of the County to vacate and/or repair or demolish any building found to be dangerous. Council may cause such building or structure to be vacated and/or repaired or demolished and the charge therefore certified as a special assessment represented by a special tax bill against the real estate affected, which tax bill shall be a lien upon such property and be enforced to the same extent and in the same manner as all other special tax bills.

Be further advised that the failure to comply with any notice or order to repair, vacate or demolish said building or structure given by the City Council shall constitute a misdemeanor for which prosecution may lie and upon conviction a fine not exceeding \$500.00 for each offense may be imposed (every day of failure to comply with notice or order constitutes a separate offense).

You have the right at said hearing to be represented by counsel of your own choosing and at your own expense. You will be given the opportunity to present witnesses and other evidence and to cross-examine the witnesses of the City.

Failure to show cause why the contemplated remedial action with respect to said building should not be taken may result in an order of repair and/or vacation and/or demolition of said building without notice.

Done by order of the City Council of the City of DeSoto, Missouri, this 17<sup>th</sup> day of August, 2015.



*Alan C. Staley*  
Mayor

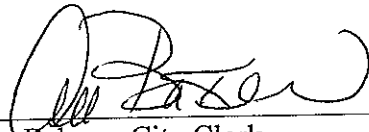
ATTEST:  
*Alan M. Fater*  
City Clerk

CERTIFICATE OF MAILING

I hereby certify that a true copy of the foregoing was mailed by certified mail, return receipt requested, and regular mail to the following parties or their attorneys on the 27<sup>th</sup> day of AUGUST, 2015:

Derrill Clark  
214 Frederica Street  
DeSoto, MO 63020



  
Ann Baker – City Clerk

**PATRICIA A. DEWS**  
Notary Public  
Commissioned for Jefferson County  
My Commission Expires: July 23, 2018  
Commission Number 14629114

*Patricia Ann Dews*

STATE OF MISSOURI     )  
  )   SS.  
COUNTY OF JEFFERSON )  
  )  
CITY OF DE SOTO         )

BEFORE THE CITY COUNCIL OF THE CITY OF DESOTO, MISSOURI

In the Matter of:                             )  
Dangerous Building/Structures            )  
Located in the City of DeSoto as follows: )

**615 Boyd Street, De Soto, Missouri, 63020**  
**Parcel # 24-2.2-03.2-4-003.**

**ORDER TO SHOW CAUSE WHY DANGEROUS BUILDING OR STRUCTURE**  
**SHOULD NOT BE REPAIRED AND/OR VACATED AND/OR DEMOLISHED AND**  
**NUISANCE ABATED**

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To:   Richard Williams  
      13604 Freedom Road  
      DeSoto, MO 63020

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✓ \_\_\_\_\_ Those which have improperly distributed loads upon the floors or roofs or in which the same are overloaded or which have insufficient strength to be reasonably safe for the purpose used.

✓ \_\_\_\_\_ Those which have been damaged by fire, wind or other causes so as to have become dangerous to life, safety or the general health and welfare of the occupants or the people of the City of De Soto.

✓ \_\_\_\_\_ Those which are so dilapidated, decayed, unsafe, have been inadequately maintained, unsanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease so as to work injury to the health, safety or general welfare of those occupying such buildings.

✓ \_\_\_\_\_ Those having light, air and sanitation facilities which are inadequate to protect the health, safety or general welfare of human beings who live or may live therein.

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Done by order of the City Council of the City of DeSoto, Missouri, this 17<sup>th</sup> day of August, 2015.



*Mark C. Shalby*  
Mayor

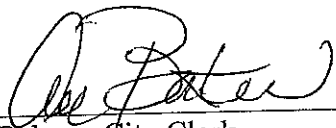
ATTEST:  
*Alan W. Bate*  
City Clerk

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I hereby certify that a true copy of the foregoing was mailed by certified mail, return receipt requested, and regular mail to the following parties or their attorneys on the 27<sup>th</sup> day of August, 2015:

Richard Williams  
13604 Freedom Road  
DeSoto, MO 63020



  
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Ann Baker - City Clerk

**PATRICIA A. DEWS**  
Notary Public  
Commissioned for Jefferson County  
My Commission Expires: July 23, 2018  
Commission Number 14629114

*Patricia Ann Dews*