

RESOLUTION 2023-083
A RESOLUTION SETTING HEARING AND PROVIDING NOTICE CONCERNING AN
UNSAFE BUILDING

PREAMBLE

WHEREAS, the Franklin Township Building Department and Fire Department has found that certain buildings located at 1053 Brown Road Franklin Township, Franklin County, Ohio (the "property") to be structurally defective and unsafe; and

WHEREAS, pursuant to Ohio Revised Code Section 505.86, the Board of Trustees is authorized to remove, repair, or secure structurally defective and unsafe buildings if corrective measures are not taken within thirty (30) days after notice to the property's owners and lienholders of record; and

WHEREAS, in connection with proceedings pursuant to Section 505.86 of the Ohio Revised Code, the Board must also hold a due process hearing so that the property owners and lienholders may be heard; and

WHEREAS, it is in the best interest of the Township and its residents to proceed under Ohio Revised Code Section 505.86 in order to correct the structurally defective and unsafe condition of the property;

RESOLUTION

NOW THEREFORE, be it resolved by the Board of Trustees of Franklin Township, Franklin County, Ohio, that the following Resolution be, and it hereby is adopted:

BE IT RESOLVED that the Board hereby orders the following action in connection with certain buildings located at 1053 Brown Rd, Franklin Township, Franklin County, Ohio:

SECTION 1: As provided in Ohio Revised Code Section 505.86, the Board directs the Township's Administrator to obtain a title search of the Property and to notify the records owners and all lienholders of the Property that the building thereon has been found to be structurally defective and unsafe by the Franklin Township Fire Department and that the Building must be removed, repaired or secured, to the satisfaction of the Board or arrangements made to remove, repair or secure the Building within thirty (30) days from the receipt of the notice. The Board further authorizes the Administrator or designee to publish the notice once in a newspaper of general circulation in the township, in accordance with O.R.C 505.86

SECTION 2: The Board shall hold a hearing on July 13th, 2023., at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the Board shall remove, repair, or secure the building if the Building is not removed, repaired, or secured, or arrangements made for such work, before the time set for the hearing. The Administrator is authorized and directed to notify the owners and lien holders of the date, time, place, and purpose of this hearing.

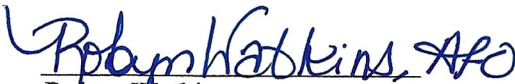
SECTION 3: If, after the hearing, the Board determines that it shall remove, repair, or secure the building, all expenses incurred in such work shall be paid out of the unappropriated monies in the Township's general fund and all such costs and expenses shall be reported to the Franklin County Auditor for entry upon the tax duplicate as a lien upon the property and for collection and reimbursement to the Township's general fund as provided in Ohio Revised Code Section 505.86.


This Resolution shall take effect and be in force from and after the date of enactment.

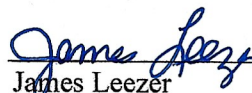
Attested: June 1st, 2023

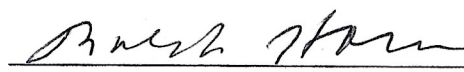
Franklin Township Trustees

Assistant Fiscal Officer


Robyn Watkins


John Flesher


James Leezer


Ralph Horn

Adopted: June 1st, 2023

FRANKLIN TOWNSHIP

O.R.C. 505.86 PARTY IN INTEREST NOTIFICATION LETTER

June 1st, 2023

Resident

Charles and Deborrah Rife

Certified Mail, Return Receipt Requested

1053 Brown Rd

RE: 1053 Brown Road, Franklin Township, Franklin County, Ohio 43223
Parcel No. 140-000194-00 and 140-002966-00

Dear Party in Interest:

This letter is to notify you, as a party in interest to the property identified below, that the Franklin County Economic Development & Planning Department, the county agency responsible under ORC 3781 for enforcing building regulations, has declared that certain buildings or structures at the property 1053 Brown Road, Parcel No. 140-000194-00 and 140-002966-00 (hereinafter the "Property") are insecure, unsafe, or structurally defective. Specifically, the house has an unstable foundation, is open to the elements, and the outbuilding is neglected, unsafe, and damaged. Enclosed herein is the declaration Order.

As a party in interest of the Property, you are hereby being notified that it is the intention of the Board of Township Trustees of Franklin Township (the "Board"), pursuant to Ohio Revised Code 505.86, to demolish and remove the house & outbuilding located on the Property. The Resolution passed by the Franklin Township Board of Trustees declaring this intent to demolish and remove is enclosed.

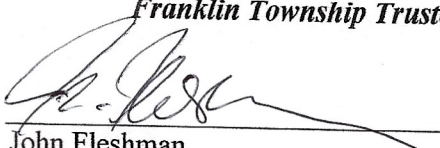
You are hereby notified that as a party in interest, you have the right to a hearing before the Board within thirty days of the date set forth above pursuant to Ohio Revised Code 505.86(C).

The Board shall hold a hearing on July 13, 2023, at 12:00 PM, at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the Board shall remove, repair, or secure the building if the building is not removed, repaired, or secured, or arrangements made for such work, before the time set for the hearing.

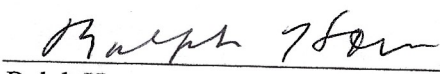
At any time, as a party in interest, you may enter into an agreement with the Board to perform the demolition and removal of the buildings or structures on the Property. However, if no hearing is requested or no agreement is reached, the Board will make an order to have the buildings or structures demolished and removed as indicated above. Any costs incurred by the Township will be certified to the County Auditor, assessed as a lien upon the property, and collected as other taxes. Alternatively, the Township may initiate a civil action against you for collection of the costs incurred.

If you have any questions or if you would like to discuss this matter, please do not hesitate to contact me. Your anticipated cooperation in this matter is greatly appreciated.


Franklin Township Trustees


John Fleshman


James Leezer


Ralph Horn

Assistant Fiscal Officer


Robyn Watkins

AFFIDAVIT

STATE OF OHIO
COUNTY OF FRANKLIN, SS:

I, Fire Prevention Captain Todd Broecker, being first duly cautioned and sworn, depose and state upon personal knowledge that all of the following facts are true:

1. I am the Fire Prevention Captain of the Franklin Township Fire Department. I am a certified fire safety inspector pursuant to the provisions of §3737.34 of the Ohio Revised Code. Part of my responsibilities and that of a Fire Inspector include fire investigation, code enforcement and public education. Code enforcement includes fire safety inspections, life safety inspections and building plan reviews.

2. I am making this affidavit for the purpose of providing the Franklin Township Board of Trustees with evidence regarding the structural soundness and overall state of the residential structure located at 1053 Brown Rd (hereinafter the "Structure"). The Structure is located within the unincorporated area of Franklin Township.

3. The Structure is owned by Deborahah and Charles Rife. On or about 6/1/2023, I inspected this property from the exterior of the structure and was able to visually observe the interior of the home's bedroom and dining room through the missing windows, as well as the front entrance, and rear entrance.

4. Based upon numerous complaints regarding the Structure received by Franklin Township, on 6/1/2023, I viewed and inspected the Structure. It became readily apparent that the Structure is insecure, unsafe, and structurally defective due to extensive damage and neglect. As is evidenced by the photographs taken upon the inspection, the windows of the Structure are missing in several places and is exposed and lacks structural integrity; Areas of the ceiling that have fallen; and the Structure also contains an extraordinary amount of combustible material, rubbish, rags, waste, and flammable conditions.


5. It is my professional opinion, as Fire Prevention Captain of the Franklin Township Fire Department and as a Certified Fire Inspector, that the Structure, by virtue is exposed and lacks structural integrity; and the Structure also contains an extraordinary amount of combustible material, rubbish, rags, waste, and flammable conditions, is insecure, unsafe, and structurally defective, and endangers the safety of persons and nearby property and otherwise constitutes a nuisance.

6.

FURTHER, AFFIANT SAYETH NAUGHT



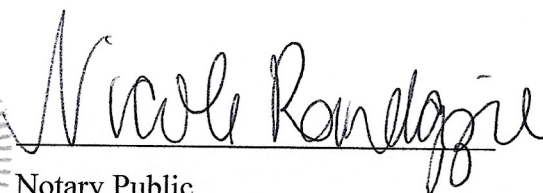
NICOLE RENA RANDAZZIO
Notary Public, State of Ohio
My Comm. Expires April 19, 2027


Fire Prevention Captain, Todd Broecker
Franklin Township Fire Department

Sworn to before me and subscribed in my presence on

this 1 day of June, 20 23




Notary Public

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

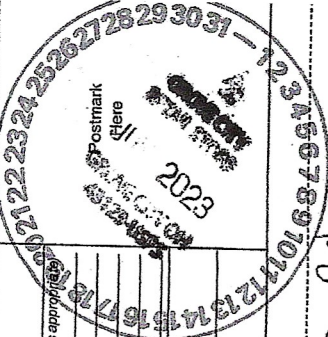
For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee \$ _____

Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage \$ _____	
Total Postage and Fees \$ _____	

Sent To Rife
 Street and Apt. No., or PO Box No. 1053 Brown Rd
 City, State, ZIP+4® Columbus OH 43023



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

72022 3330 0000 5275 4692

72022 3330 0000 5275 4692

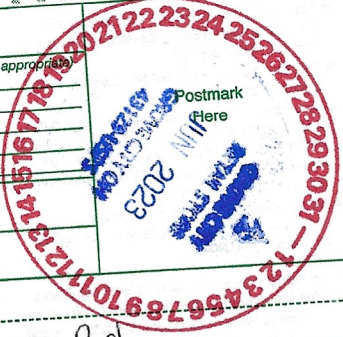
U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee	
\$	_____
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$ _____
<input type="checkbox"/> Return Receipt (electronic)	\$ _____
<input type="checkbox"/> Certified Mail Restricted Delivery	\$ _____
<input type="checkbox"/> Adult Signature Required	\$ _____
<input type="checkbox"/> Adult Signature Restricted Delivery	\$ _____
Postage \$ _____	
Total Postage and Fees \$ _____	

Sent To Rife
 Street and Apt. No., or PO Box No. 1053 Brown Rd
 City, State, ZIP+4® Columbus OH 43023



PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

THE DAILY REPORTER

580 South High Street, Suite 316
Columbus, Ohio 43215-5659
(614) 228-NEWS (6397)
FAX (614) 224-8649

Email: legal@thedailyreporteronline.com

Affidavit of Publication

06/08/2023

Steve Mazer
Franklin Township Board of Trustees
2193 Frank Rd
Columbus, OH 43223

Party in Interest Notification
Residents - Charles and Deborah Rife
1053 Brown Road, Franklin Township

Total public notice charge \$97.00

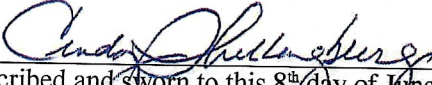
STATE OF OHIO
Franklin County, Ohio, SS.


CINDY A SHILLINGBURG

On behalf of THE DAILY REPORTER, a newspaper published in Franklin County, Ohio, makes oath that the attached printed advertisement was published 1 time(s) in said newspaper i.e., on

June 8, 2023

and that said newspaper is of general circulation in said County.


Subscribed and sworn to this 8th day of June, 2023.


Notary Public, State of Ohio



DEBRA M SUSI
Notary Public, State of Ohio
My Commission Expires
March 22, 2025

Franklin Township

O.R.C. 505.86
Party in Interest
Notification Letter
June 1st, 2023
Residents - Charles and Deborah Rife
RE: 1053 Brown Road, Franklin Township, Franklin County,
Ohio 43223
Parcel No. 140-000194-00 and 140-002966-00

Dear Party in Interest:
This letter is to notify you, as a party in interest to the property identified below, that the Franklin County Economic Development & Planning Department, the county agency responsible under ORC 3781 for enforcing building regulations, has declared that certain buildings or structures at the property 1053 Brown Road, Parcel No. 140-000194-00 and 140-002966-00 (hereinafter the "Property") are insecure, unsafe, or structurally defective. Specifically, the house has an unstable foundation, is open to the elements, and the outbuilding is neglected, unsafe, and damaged. Enclosed herein is the declaration Order.

As a party in interest of the Property, you are hereby being notified that it is the intention of the Board of Township Trustees of Franklin Township (the "Board"), pursuant to Ohio Revised Code 505.86, to demolish and remove the house & outbuilding located on the Property. The Resolution passed by the Franklin Township Board of Trustees declaring this intent to demolish and remove is enclosed.

You are hereby notified that as a party in interest, you have the right to a hearing before the Board within thirty days of the date set forth above pursuant to Ohio Revised Code 505.86(C). The Board shall hold a hearing on July 13, 2023, at 12:00 PM, at the Franklin Township Hall located at 2193 Frank Rd., Columbus, Ohio, to allow the owners and lienholders to be heard and to determine whether or not the Board shall remove, repair, or secure the building if the building is not removed, repaired, or secured, or arrangements made for such work, before the time set for the hearing.

At any time, as a party in interest, you may enter into an agreement with the Board to perform the demolition and removal of the buildings or structures on the Property. However, if no hearing is requested or no agreement is reached, the Board will make an order to have the buildings or structures demolished and removed as indicated above. Any costs incurred by the Township will be certified to the County Auditor, assessed as a lien upon the property, and collected as other taxes. Alternatively, the Township may initiate a civil action against you for collection of the costs incurred.

If you have any questions or if you would like to discuss this matter, please do not hesitate to contact me. Your anticipated cooperation in this matter is greatly appreciated.
Franklin Township Trustees, John Fleschman, James Leezer, Ralph Horn
Assistant Fiscal Officer, Robyn Watkins
Jun 8