



City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Legislation Text

File #: 2024-1667

Raze and Removal of Structures at 2141 N. Green Acres Rd. in Ward 2

A RESOLUTION TO ORDER THE RAZING AND REMOVAL OF A DILAPIDATED AND UNSAFE STRUCTURE ON PROPERTY OWNED BY MULLINS PROPERTY MANAGEMENT LLC; C/O JOHN MULLINS LOCATED AT 2141 NORTH GREEN ACRES ROAD IN THE CITY OF FAYETTEVILLE, ARKANSAS; AND TO APPROVE A BUDGET ADJUSTMENT IN THE AMOUNT OF \$10,644.00

WHEREAS, Mullins Property Management LLC; C/O John Mullins is the record owner of real property, legally described in attached Exhibit A which is located at 2141 N. Green Acres Rd, City of Fayetteville, Washington County, Arkansas; and

WHEREAS, the City Council has determined that a structure located on said property with the address 2141 N. Green Acres Rd is dilapidated, unsightly, unsafe, and detrimental to the public welfare; and

WHEREAS, Mullins Property Management LLC; C/O John Mullins, having been properly served by sending a Notice of Violation by Certified Mail, Return Receipt Requested to the owner's address of record, and, given thirty (30) days to correct said violations, has failed to repair, or raze and remove said dilapidated, unsightly, and unsafe structure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That, by the authority granted pursuant to A.C.A. §14-56-203, and in accordance with the provisions of Section 173.08 of the Fayetteville Code of Ordinances, Mullins Property Management LLC; C/O John Mullins is hereby ordered to raze and remove forthwith the dilapidated, unsightly, and unsafe structure located at 2141 N. Green Acres Rd., Fayetteville, Arkansas. The manner of removing said structure shall be: dismantle by hand or bulldozer, and haul all debris to a landfill.

Section 2: That, if Mullins Property Management LLC; C/O John Mullins does not comply with this order, the Mayor is hereby authorized to cause the dilapidated, unsightly, and unsafe structure to be razed and removed; and a lien against the real property shall be granted and given the City, pursuant to A.C.A. §14-54-904, for the costs associated therewith.

Section 3: That the City Council of the City of Fayetteville, Arkansas hereby approves a budget adjustment, a copy of which is attached to this Resolution.



MEETING OF FEBRUARY 6, 2024

TO: Mayor Jordan and City Council

THRU: Susan Norton, Chief of Staff
Jonathan Curth, Development Services Director
Dennis Sanders, Building Safety Director

FROM: Billy Bryant, Senior Code Compliance Officer

DATE:

SUBJECT: Raze and Removal of Structures at 2141 N. Green Acres Rd. in Ward 2

RECOMMENDATION:

Staff recommends approval of a resolution ordering the Raze and Removal of a dilapidated and unsafe structure located at 2141 N. Green Acres Rd. , and to approve a budget adjustment in the amount of \$10,644.00 for the project.

BACKGROUND:

The subject property is located at 2141 N. Green Acres Road, between Colt Square Drive to the north and Elm Street to the south. City Council previously considered the property at several meetings between April and September of 2022 when it was brought forward for raze and removal during the ownership of Rose Mary Austin. Ms. Austin experienced a fire in the residence at the electrical panel on the north wall of the structure which prompted Code Compliance to investigate for habitability. Significant issues related to unrepaired fire damage, limited paths of egress, and neglect to the structure were identified and staff, after several months of attempting to work with the owner, opened a raze and removal case. Following multiple hearing before the city Council, but prior to the raze and removal being ordered, Ms. Austin sold the property to Mullins Property Management LLC; C/O John Mullins. With the new owner expressing an intent to demolish the dilapidated structure, staff recommended that City Council table the item indefinitely, which occurred on September 6, 2022.

Since that time, Mr. Mullins secured the structure and staff closed the raze and removal case. Staff spoke with Mr. Mullins shortly after his purchase of the property to ensure his awareness of the code violations. In conversations with Mr. Mullins, he expressed plans for the property, including offsetting the cost of removing the structure with new development. Staff advised the new property owner of interim expectations, including site clean-up and securing the building. This was largely completed, affording the property owner additional time to establish redevelopment plans. In early October of 2023 staff was notified that the dilapidated structure at 2141 N. Green Acres Rd. was still standing and was experiencing vagrant activity. Staff performed an inspection and validated the complaint in October of 2023. The property owner was then contacted, who confirmed the structure will not be demolished due to his redevelopment proposal not appearing feasible. Accordingly, the property owner was advised that a raze and removal case will be opened against the property.

DISCUSSION:

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov

This address consists of a single story 1,152 square foot, single family dwelling along with one storage building. As demonstrated in the attached photos, repairs and/or removal remain unaccomplished. The exterior is largely boarded up, although the back door and a window of the structure are unsecured with 2-year old fire damage still exposing the structure to the elements. Inside the building, the ceiling has collapsed, allowing insulation to engulf the main living space. Roof components such as rafter tails, soffit, and fascia are rotting. The structure does not have electricity or water services. To date no demolition or building permits have been issued or applied for.

BUDGET/STAFF IMPACT:

If the property owner does not comply with the Raze and Removal order, Raze and Removal costs will be expensed to the current budget. A lien will be placed on the property for the incurred costs. The current budget balance of \$4,856.00 is available to spend on this raze and removal project. After advertising the work, the winning bid amount was \$15,500.00. An additional \$10,644.00 is necessary to cover the difference.

ATTACHMENTS: SRF (#3), BA (#4), 2141 Green Acres Mullins Council Packet (#5)

Mailing address:

113 W. Mountain Street
Fayetteville, AR 72701

www.fayetteville-ar.gov



**FAYETTEVILLE
ARKANSAS**

**PROCESS SUMMARY
(RAZE & REMOVAL/LARGE SCALE CLEAN-UP)**

Property Address 2141 N Green Acres Rd

WC Parcel # 765-05815-000

Energov Case # CBLD-2023-0086

City Code: 173.08

- On 10/16/2023 Code Compliance received a Request for Service regarding the property located at 2141 N Green Acres Rd
- A Notice of Violation was sent to the Owner of Record on 10/16/2023
- The signed Return Receipt Card was received on / /20
(or)
- The property was posted on 11/01/2023
- On 12/01/2023 the property was re-inspected and was found to still be in violation of City Code 173.08



CITY OF
FAYETTEVILLE
ARKANSAS

RECEIPT OF BIDS

OWNER(S): City of Fayetteville – Building Safety Division

ADDRESS: 2141 N Green Acres Rd. PROJECT No: Bid# 23-0086

PROJECT TITLE: Raze and Removal – Code Compliance Program

BID CLOSING DAY/DATE/TIME: January 2nd, 2024 at 4:00 pm

CONTRACTOR: M b M Excavating BID AMOUNT: \$15,500.00

CONTRACTOR: Declined to bid BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

CONTRACTOR: _____ BID AMOUNT: _____

Certified by: [Signature] Date: 1-2-24

Witness: [Signature] Date: 1-2-24



CITY OF
FAYETTEVILLE
ARKANSAS

RAZE & REMOVAL PROJECT
BID# 23-0086

ADMINISTRATOR: Billy Bryant [email: bbryant@fayetteville-ar.gov]

PHONE # 479.575.8232 or 479.601.6361 **F A X #** 479.444.3445

PROJECT LOCATION: 2141 N Green Acres Rd., Fayetteville, AR 72703

WC Parcel # 765-05815-000

CONTRACTOR'S SCOPE OF WORK

• **RAZE&REMOVAL**

1. Completely tear down the entire dwelling.
2. Haul all contents inside the structure(s), debris from the structure(s), and other debris from the parcel to a legal landfill. All concrete associated with the structure(s) shall be removed from the lot (footings and slabs).
3. Mow and clean up parcel.

• **CLEANUP & DISPOSAL**

1. Provide proof, such as receipts, that the debris was hauled to a legal landfill.
2. The city encourages the bidder to consider all waste diversion methods for materials collected. Any methods of disposal, excluding a legal landfill, must be deemed acceptable by the city prior to bid submittal.
3. The yard shall be semi-level and mow-able when the demo work is completed and before payment will be made.
4. Contractor shall be responsible for capping wells, utilities and/or any other requirements pertaining to the demolition permit.

• **MISCELLANEOUS**

1. A Demolition Permit from the City of Fayetteville must be obtained before work begins. Demolition Permits are obtained through the Building Safety Division, 479-575-8233.
2. Proof of no less than \$250,000 liability insurance shall be provided by the contractor before work begins.
3. State Contractor License is required. A City Business License is required if your business is located in the city limits of Fayetteville.
4. If the situation is resolved by the property owner during the 30 day notice & comment period bids may be considered null & void.



CITY OF
FAYETTEVILLE
ARKANSAS

BB
1-2-24

DS
1-2-24

BID PROPOSAL FORM
BID 23-0086

DATE ISSUED: December 17th, 2023

ADMINISTRATOR'S NAME: Billy Bryant

PROJECT ADDRESS: 2141 N Green Acres Rd., Fayetteville, AR 72703

DATE OF OPENING: Tuesday January 2nd, 2024 at 4:00pm

My total bid price for the Raze & Removal Project is:

\$ 15500.00

(Bid will be valid for 120 days from Date of Opening)

Upon signing this Bid, the bidder certifies that they have viewed the property, read and agree to the requirements set forth in this bid proposal, including specifications, terms and standard conditions, and pertinent information regarding the articles being bid on, and agree to furnish these articles at the prices stated.

Date: 1-2-2024

Complete Business Address

Name of Firm: M&M Excavating Phone # 479-841-9285

Street address or P O Box # 377 Sulphur City Rd.

City / State/ Zip Code Fayetteville AR 72701

Printed Name: Marcus Barker

Signature: [Signature] Title: Owner

Federal Tax ID # 24-0611207 or SSN _____

State Contractor # 0191780524 City Business License # _____



CITY OF
FAYETTEVILLE
ARKANSAS

January 3, 2024

Mullins Property Management LLC
C/O John Mullins
2779 Shagbark Bend
Fayetteville, AR 72703

RE: Enforcement of Fayetteville Code 173.08
Arkansas Code Ann. 14-56-203

NOTICE TO PROPERTY OWNERS

Pursuant to A.C.A 14-56-203 as 173.08 of the Fayetteville Code, you are placed upon Notice that the Fayetteville City Council will conduct a public hearing to determine if the dwelling located at **2141 N. Green Acres Rd. (WC Parcel # 765-05815-000)** should be Razed and Removed.

You are free to appear at this hearing to present any evidence or statements. If you need additional information concerning this process or if you have information that we are not aware of, please call the Code Compliance Office at (479) 575-8237.

The hearing will be part of a regular City Council meeting on **February 6th, 2024** beginning at 5:30pm at the City Administration Building, 113 W. Mountain St., Fayetteville, AR 72701. The City Council Meetings are advertised in local newspapers and will contain an item concerning this hearing. You may also call the Fayetteville City Clerk's Office (479-575-8323) for information confirming the date of the public hearing.

Sincerely,

Billy Bryant
Senior Code Compliance Officer

7021 1970 0001 8457 4778

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)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
\$

Total Postage and Fees
\$

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

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

Notice of hearing
2779
Postmark Here
Shogbark Bend

7021 1970 0001 8457 4761

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)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
\$

Total Postage and Fees
\$

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

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

Notice of hearing
Postmark Here
1200 Joyce Blvd

7021 1970 0001 8457 4754

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)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____

Postage
\$

Total Postage and Fees
\$

Sent To
Street and Apt. No., or PO Box No.
City, State, ZIP+4®

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

Notice of hearing
Postmark Here
Po Box 10502

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mullins Prof. Mgmt. LLC
 C/o John Mullins
 1200 E Joyce Blvd
 Fayetteville, AR 72703



9590 9402 7618 2122 7556 08

2. Article Number (Transfer from service label)

7021 1970 0001 8457 4761

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery
 M. Hunsicker 01/08/24

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

RECEIVED

JAN 11 2024

CODE COMPLIANCE

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

restricted Delivery



CITY OF
FAYETTEVILLE
ARKANSAS

Code Compliance Program
Unsafe Building Determination
UDC 173.08 (A)

Address / Location: 2141 N Green Acres Rd

WC Parcel # 765-05815-000

UDC 173.08 (A)

I recommend the raze and removal of the structure.

I recommend securing the structure.

I have determined that the structure above is NOT in violation of Subsection 173.08 (A) of the City of Fayetteville's Unified Development Code

I recommend presenting the structure to City Council as a Property Nuisance for Raze & Removal

City Building Official

10-16-23 Date

Observations:

Case # CBLD-2023-0086

Building Safety Division Director



2141
N. Green Acres Rd.
 Fayetteville, AR

The data contained herein was compiled from various sources for the sole use and benefit of the City of Fayetteville Geographic Information System and the public agencies it serves. Any use of the data by anyone other than the City of Fayetteville is at the sole risk of the user; and by acceptance of this data, the user does hereby agree to indemnify the City of Fayetteville and hold the City of Fayetteville harmless from and without liability for any claims, actions, cost for damages of any nature, including the city's cost of defense, asserted by user or by another arising from the use of this data. The City of Fayetteville makes no express or implied warranties with reference to the data. No word, phrase, or clause found herein shall be construed to waive that tort immunity set forth under Arkansas law.

Created: 1/8/2024
 Credits: City of Fayetteville, AR, 2023 Imagery | EagleView Technologies | Surdex Corporation
 Map Author:



2141
N. Green Acres Rd.

Fayetteville, AR

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Created: 1/8/2024
Credits: City of Fayetteville, AR, 2023 Imagery | EagleView Technologies | Surdex Corporation
Map Author:



CITY OF FAYETTEVILLE

125 West Mountain Street
Fayetteville, AR 72701

Case Number: **CBLD-2023-0086**

**Violation
Notice**

Case Type: **Building**

Date Case Established: **10/16/2023**

Owner: Mullins Property Management LLC

Mailing Address

Mullins Property Management LLC
PO Box 10502
FAYETTEVILLE, AR 72703

Notice of Violation for the following location:

Address

Parcel

2141 N GREEN ACRES RD
Fayetteville, AR 72703

765-05815-000

Dear Property Owner:

It appears that your property contains a violation of the Fayetteville Unified Development Ordinance. It is our goal to notify and assist property owners to correct violations of city ordinances before taking actual enforcement actions. If you need clarification of this notice or advice on how to correct the problem, please contact us.

Violation That Needs Correction: 173.08 - Unsafe Buildings - (Raze & Removal) - Unsafe Buildings - (Raze & Removal)

No person, partnership, corporation, or association, hereinafter referred to as "owner", shall keep or maintain any house or building within the corporate limits of the City which has become dilapidated, unsafe, unsanitary, or detrimental to the public welfare.

Possible Penalties:

If this violation is not corrected within thirty (30) days from the service of this notice, a Public Hearing will be held for the approval of a raze & removal determination by the City Council. The costs shall be charged to the owner(s) of the property and the city shall have a lien against such property for the costs. If you disagree with our conclusion that your property contains a violation of our ordinances, you have the right to an appeal. Please see Chapter 155 of the Unified Development Code.

How This Violation Can Be Voluntarily Corrected: By making repairs as needed or razing the structure and remove all debris from the lot. A building permit may be required, based on review of the Building Safety Director.

Sincerely,

Billy Bryant
Senior Code Compliance Officer
479-601-6361
BBryant@Fayetteville-ar.gov

2141 N. Green Acres Rd. Case – CBLD-2023-0086

NOV Posted on property on 11-01-2023

Photo 1 of 3



Photo 2 of 3



Photo 3 of 3



Lot Numbered Two (2), except 193.3 feet off of the West end, Green Acres, a Subdivision of a part of the Northwest quarter of the Southwest quarter of Section Three (3) and a part of the Northeast quarter of the Southeast quarter of Section Four (4) in Township Sixteen (16) North of Range Thirty (30) West of the 5th Principal Meridian in Washington County, State of Arkansas.

Parcel: 765-05815-000
 Previous Parcel: 139435-000-00
 As of: 1/4/2024 9:59:38 PM

Washington County Report

Property Owner

Name:	MULLINS PROPERTY MANAGEMENT LLC
Mailing Address:	PO BOX 10502 FAYETTEVILLE, AR 72703
Type:	(RI) Res. Improv.
Tax District:	(011) FAYETTEVILLE SCH, FAY
Millage Rate:	57.00

Property Information

Physical Address:	2141 N GREEN ACRES RD
Subdivision:	GREEN ACRES ADD
Block/Lot:	N/A / N/A
S-T-R:	03-16-30
Size (Acres):	0.00
Legal:	EAST PT LOT 2

Market and Assessed Values

	Estimated Market Value	Full Assessed (20% Market Value)	Taxable Value
Land	144,000	28,800	28,800
Building	0	0	0
Totals	144,000	28,800	28,800

Taxes

Estimated Taxes:	1,669
Homestead Credit:	0

Note: Tax amounts are estimates only. Contact the county/parish tax collector for exact amounts.

Land

Land Use	Size	Units
.894 AC	1.000	House Lot
Total	1.00	

Deed Transfers

Document Images brought to you by your County Circuit Clerk, Kyle Sylvester

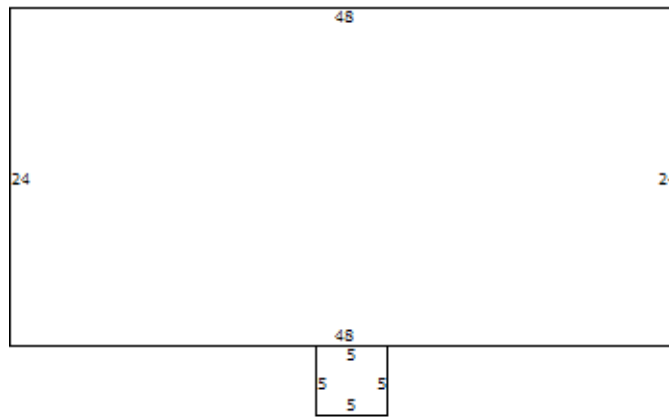
View Image	Deed Date	File Date	Book	Page	Deed Type	Stamps	Est. Sale	Grantee	Code	Type
N/A	8/31/2022	9/1/2022	2022	29327	Warr. Deed	528.00	\$160,000	MULLINS PROPERTY MANAGEMENT LLC	Unval.	Land Only
	6/10/2016	N/A	2016	16499	Beneficiary	N/A	N/A	AUSTIN, ROSE MARY	N/A	Improved
	8/8/1989	N/A	1329	861	Quit Claim	0.00	\$0	AUSTIN, ROSE MARY	N/A	N/A
	8/17/1987	N/A	1237	699	Quit Claim	0.00	\$0	AUSTIN, ROSE MARY; AUSTIN, MAYDEA	N/A	Land Only
	10/21/1977	N/A	943	385	Warr. Deed	1.10	\$1,000	AUSTIN, WALDO G & MAYDEA E	Unval.	Improved

Details for Residential Card 1

Occupancy	Story	Construction	Total Liv	Grade	Age	Year Built	Condition	Beds
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Exterior Wall:	N/A	Plumbing:	Full: N/A Half: N/A
Foundation:	N/A	Fireplace:	Type: N/A Qty: N/A
Floor Struct:	N/A	Heat/Cool:	N/A
Floor Cover:	N/A	Basement:	N/A
Insulation:	N/A	Basement Area:	N/A
Roof Cover:	N/A	Year Remodeled:	N/A
Roof type:	N/A	Style:	N/A

DataScout, LLC



Base Structure

Item	Label	Description	Area
A	MN	Main Living Area	1152
B	OP2	Porch, half open	25

Outbuildings and Yard Improvements

Item	Type	Size / Dim	Unit Multi.	Quality	Age
General Purpose Barn	N/A	14 x 12	1	N/A	N/A
Fence, chain link 4'	N/A	150	1	N/A	N/A
Outbuilding,frame	N/A	18 x 9	1	N/A	N/A
Asphalt Driveway	N/A	N/A	N/A	N/A	N/A
Outbuilding,frame	N/A	8 x 10	N/A	N/A	N/A
Outbuilding,frame	N/A	8 x 17	N/A	N/A	N/A
Pole Shed	N/A	10 x 46	N/A	N/A	N/A

Reappraisal Value History

Tax Year	Total Value	Total Assessed
2023	144,000.00	28,800.00
2022	130,000.00	13,792.00
2021	130,000.00	12,538.00
2020	173,050.00	12,538.00
2019	78,600.00	12,538.00
2018	78,600.00	12,538.00
2017	78,600.00	12,538.00
2016	78,600.00	12,538.00
2015	78,600.00	12,538.00

Not a Legal Document

Subject to terms and conditions
www.actDataScout.com

The following photos are of the exterior of the structure located at 2141 N. Green Acres Rd. The photos begin in front of the structure facing East. Followed by photos of the North, West, and South sides of the structure.















01-03-2024 09:42 AM







Inside the structure.







01-04-2024 01:04 PM



01-04-2024 01:05 PM





01-04-2024 01:05 PM





These photos show wood rotting attached to the structure.







Photo of a neglected accessory building.

