

CITY COUNCIL AGENDA ITEM COVER MEMO

FOR AGENDA OF COUNCIL MEETING/WORK SESSION - DATE: November 5, 2009

ACTION REQUESTED BY: Community Development/Michelle G. Jordan

SUBJECT MATTER: Property Assessment

EXACT WORDING FOR THE AGENDA: Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of the cutting and removing of grass and weeds against certain properties.

ORDINANCE _____ RESOLUTION X MOTION _____

(IF AMENDMENT, STATE TITLE AND NUMBER OF ORIGINAL) _____

ITEM IS TO BE CONSIDERED FOR:

INTRODUCTION _____ ACTION X DISCUSSION _____

UNANIMOUS CONSENT REQUIRED? YES _____ NO X

BRIEFLY STATE WHY THE ACTION IS REQUESTED; WHY IT IS RECOMMENDED OR NOT RECOMMENDED; WHAT COUNCIL ACTION WILL PROVIDE, ALLOW, OR ACCOMPLISH; ANY ASSOCIATED COST; BUDGETED (?); AND WHY ANY OTHER INFORMATION THAT YOU THINK MIGHT BE HELPFUL.

The attached Resolution authorizes the assessments for the 16 properties listed. All procedural requirements for declaring, removing and billing the grass cutting and clean-up has been completed in accordance with The City of Huntsville Code of Ordinances, Chapter 27, Article III. As a result of nonpayment by a stipulated date, the property owner has also been notified that an assessment will be placed on the property at the November 5, 2009 City Council meeting, at which time he may appear to present any objections for the assessed cost.

SIGNATURE _____

Director

DATE _____

ADOPTED
11/5/2009

RESOLUTION NO: 09- 1031

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has executed all procedural requirements contained in the City of Huntsville Code of Ordinances, Chapter 27, Article III entitled "'Weeds and Overgrown Grass'"; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has determined a nuisance to exist upon, in front of, or on property hereinafter more particularly identified; and

WHEREAS, the nuisance was subsequently removed by the City and the owner was mailed a copy of the report of cost of removal and notified by letter that an assessment would be placed against subject property for nonpayment of removal cost by a stipulated date; and

WHEREAS, it appears that all things necessary and proper have been done to make final the assessment against the property for the cost of abating the nuisance and that the stipulated date for payment of removal has expired on the property hereinafter described.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that the City Clerk-Treasurer hereby assesses the cost of abating the nuisance against the described property listed in Attachment A of this Resolution in the amounts indicated; AND, that the City Clerk-Treasurer is hereby authorized, requested and directed to levy the amount of such assessments against the property indicated and to collect the same in the same manner as other assessments are collected.

BE IT FURTHER RESOLVED, by the City Council of the City of Huntsville, Alabama, that the Director of Community Development, or his/her appointed designee, is hereby authorized to file in the Office of the Judge of Probate of Madison County, Alabama, a lien instrument known as "Notice of Property Assessment, City of Huntsville - **Ordinance No. 86-294**" on all properties listed in Attachment A of this Resolution, in the amounts indicated plus any recording or filing fees and plus any legal late penalty fees as determined by the Division of Community Development of the City of Huntsville, Alabama.

ADOPTED this the _____ day of _____, 2009

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the _____ day of _____, 2009

Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 09- 1031

Attachment A, Page 1

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Bancalabama, Inc. 250 Riverchase Pkwy., 6th floor Birmingham, AL 35244	5180 Moores Mill Rd NE ALL THAT PART OF SEC 9 BEG AT A POT ON E MAR OF MOORES MILL RD R/O/W SD PT S 1 DEG W 553.78 FT TH S 89 DEG E 100 FT TH N 56 DEG E 134.10 FT TH N 58 DEG E 100 FT TH S 31 DEG E 300 FT TH S 58 DEG W 406.66 FT FR NW COR OF SD SEC TH FR T/P/O/B N 58 DEG E 271.61 FT TH S 347.47 TH N 89 DEG W 230 FT TO E MAR OF MOORES MILL RD R/O/W TH N 213 FT TO T/P/O/B & CONTA 1.5 AC M/L SEC 9 T3 R1E WARR DB 768/1017 3/29/91	9-24-2009	\$261.94
Crystal Smith aka Krystal Smith 3221 Blue Crest St., SW Huntsville, AL 35805	3221 Bluecrest St SW LOT 25, BLOCK 8, BON AIR ESTATES, 5th Addition	9-21-2009	\$259.91
Derrel Scott Stratton 2207 Gilbreath Rd., NW Huntsville, AL 35810	2207 Gilbreath Rd NW LOT 15 BL 20 LAKEWOOD MANOR 2ND ADD WARR DB 805/589 1/4/93	9-24-2009	\$205.97
Dorothy J. Minor 3102 Loren Dr., NW Huntsville, AL 35805	3102 Loren Dr NW LOT 4 BLK 1 LANE PARK ADD CHG FR 41W3-D-25 PER COMP MAPPING	10-1-2009	\$228.94

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Attachment A, Page 2

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Ebrahim A. & Farimak K. Tehrani 1444 Dalewood Dr. Atlanta, GA 30329	2408 Kildare St NW (vacant lot) ALL OF N 167 FT OF LOT 17 BL 11 KILDARE EST EX N 78 FT LOT KILDARE DR & RUN BACK 227 FT ON N SIDE & 175 FT ON S SIDE LESS GARAGE LOT INSE COR OF ABOVE EXCEPTED OUT CHG PARCEL FROM 3_1w-25- r-71 PER COMPUTER MAPPING	9-21-2009	\$249.61
Federal Home Loan Mortgage Corp. c/o Wells Fargo Bank, NA 1 Home Campus Des Moines, IA	3810 Drake Ave SW LOT 6 BLK 3 PINECREST MANOR S/D	9-30-2009	\$259.91
Greg L. Northcutt 1705 Wildcreek Cir. Huntsville, AL	4108 Darby Ct NW LOT 6, BLOCK 11, ACCORDING TO THE MAP OF SURVEY OF HIGHLANDS SEVENTH ADDITION SUBDIVISION, HUNTSVILLE, ALABAMA AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN PLAT BOOK 3, PAGE 112	10-6-2009	\$259.91
Gregory Y. Stewart 3624 Kenard Ave., NW Huntsville, AL	3624 Kenard Ave NW LOT 16 BLK 2 NORTHWEST HGTS	9-30-2009	\$236.94

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Attachment A, Page 3

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Gulam R. & Rafique J. Mahmood 1630 Fourth Ave., North Ste. #602 Birmingham, AL 35203	Vacant lot west of 2907 Winchester Rd NW (2909 Winchester Rd NW) LOT 20 BLK 1 HOLLY ACRES 6TH ADD	9-24-2009	\$205.97
John D. Williamson 3211 Joslin St., SW ESTS Huntsville, AL	3211 Joslin St SW LOT 18 BL 3 S/D BON AIR	9-21-2009	\$259.91
Larada, LLC c/o Adam N. Remer 106 Alexis Ln. Harvest, AL 35749	6111 Colfax Rd NW LOT 4 BL 5 INGLEWOOD EST S/D PB 6 PG 60	9-28-2009	\$259.91
Michael K. Lang 3009 Holmes Ave., NW Huntsville, AL	3009 Holmes Ave NW LOT 17 BLK 1 LANE PARK ADD CHG FR 41W3D-18 COMP MAPPING WARR DB 783/ 0014 12/13/91	9-21-2009	\$259.91
Secretary Of Veterans Affairs Department of Veterans Affairs 345 Perry Hill Rd. Montgomery, AL 36109	2919 Pulaski Pke NW LOT 4 BLK 13 SCENIC VIEW HILLS 3RD ADD	10-1-2009	\$259.91
Taylor, Bean & Whitaker Mortgage Corp. 101 NE 2nd St. Ocala, FL 34470	246 Mountain Creek Dr NW LOT 24 BLK 5 KNOX CREEK 4TH ADD PB 30 PG 79	9-28-2009	\$259.91

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Attachment A, Page 4

LOTS CUT BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
The Bank Of New York Mellon Etal One Wall Street New York, NY 10286	3602 Greenbriar Dr NW LOT 2 BL 5 GREENBRIAR S/D SURV DB 761/336 10/12/90	10-8-2009	\$236.94
William R. & Joyce M. Mearse 3805 Blue Spring Rd., NW Huntsville, AL 35810	3805 Blue Spring Rd NW (vacant lot) LOT 12 BL 1 BLUE SPRING ACRES S/D	9-24-2009	\$205.97