

CITY COUNCIL AGENDA ITEM COVER MEMO

FOR AGENDA OF COUNCIL MEETING/WORK SESSION - DATE: December 17, 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 22 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 December 17, 2009 City Council meeting, at which time he may appear to present any objections for the assessed cost.

SIGNATURE _____

Director

DATE _____

ADOPTED
12/17/2009

RESOLUTION NO: 09- 1171

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- 1171

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>
Arrington E. Herry 3618 Emm Ell St., SW Huntsville, AL	3618 Emm Ell St SW LOT 10 BLK 5 HUNTSVILLE PARK S/D	10-19-2009	\$259.91
Ashok M. Patel 930 N. Beckley Rd. Lancaster, TX	Vacant property behind 6400 block of Green Meadow Rd and behind 6506 and 6508 Sparkling Dew Ln NW PART OF SEC 3 BEG E 649.07 FT N 147 FT E 11.09 FT N 553 FT N 582.33 FT N 62 DEG E 139.82 FT N 62 DEG E 50.47 FT N 62 DEG E 13972 FT S 26 DEG E 40 FT N 62 DEG E 139.96 FT N 26 DEG W 40 FT N 63 DEG E 50.02 FT N 62 DEG E 139.88 FT N 27 DEG W 1201.55 FT E 511.78 FT FR THE CEN OF THE S BDY OF SEC 3 TH FT THE P/O/B E 833.09 FT TH S 1097.26 FT TH W 161.69 FT TH N 9.44 FT TH W 285 FT TH N 100 FT TH S 73 DEG W 26.54 FT TH N 27 DEG W 229.20 FT TH N 10 DEG W 52.50 FT TH N 27 DEG W 624.18 FT TH AR CURVE TO RIGHT RADIUS 835 FT CHORD BEARING & DIS OF N 72 DEG 73.98 FT TH N 15 DEG W 173.49 FT TO THE P/O/B & CONTA 16.83 AC M/L SEC T3 R1W	10-19-2009	\$314.61

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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>
Brenda Lyle and John W. Turner 3106 Buttrey Dr., NW Huntsville, AL	3106 Buttrey Dr NW LOT 4 BLK 3 ROLLING MEADOWS	10-19-2009	\$249.61
Carmen A. Turner 1004 Council St., NW (B) Huntsville, AL 35816	2402 Powers Ave NW LOT 13 BL 2 MAGNOLIA TERRACE S/D	10-20-2009	\$272.66
Carrie D. Clay and Alfonzo Brewton 1044 Kingsley Rd. Fayetteville, NC 28314	216 Beirne Ave NE LOT 63, MCCULLOUGH ADDITION LESS & EXCEPT 57 FT EVELY OFF THE SOUTH END	10-28-2009	\$197.97
Cecil & Dawn Odom 10003 Dunbarton Dr., SE Huntsville, AL 35803	10003 Dunbarton Dr SE LOT 2 BL 4 WILLOW PARK EST SURV DB 978/043 6/29/00 RC 9/1/00	11-18-2009	\$269.41
Elizabeth Newby 2024 Brookline Dr., NW Huntsville, AL 35810	2024 Brookline Dr NW LOT 6 BL 1 THE HIGHLANDS 2ND ADD	10-19-2009	\$259.91
Enixa D. Shelby 4626 Broadmeadow Ln., NW Huntsville, AL 35810	4626 Broadmeadow Ln NW LOT 18 BL 7 BROOKHILL MEADOWS S/D PB 3 PG 116	11-12-2009	\$269.41

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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>
Gregory M. Pressnell 2519 Reabok Cir., SW	2519 Reabok Cir SW LOT 32 BLK 5 AUTUMN RIDGE 2ND ADD-1ST SECTOR WARR ASSUM DB 792/1022 6/5/92	11-18-2009	\$269.41
Ilyasha Anderson, Billy Holden, Catherine Gopher and Tamala Walker 109 Greenlawn Dr. Meridianville, AL 35759	708 Poplar Ave NW (M J's Quik Shop) LOT 10 BL 8 WELLS ADD #2 PB 1 PG 115	11-13-2009	\$241.69
James Nyberg 6317 Havenwood Dr. Huntsville, AL 35802	Vacant lot south of 2404 Meridian St NE LOT 1 LINCOLN PARK 3RD ADD ALSO KNOWN AS LOT 30 BL 13 KILDARE EST CHG PARCEL FROM 3-1W-25-R-5 PER COMPUTER MAPPING	10-20-2009	\$241.69
James Nyberg 6317 Havenwood Dr. Huntsville, AL 35802	2404 Meridian St NE PT OF NE 1/4 OF SEC 25 BEG AT NW COR OF LOT 1 LINCOLN PARK 3RD ADD WH PT IS ON E MAR MERIDIAN PK TH AL E MAR OF PK N 27 DEG E 100 FT TH S 65 DEG E 200 FT TH S 27 DEG W 100 FT WH IS NE COR OF LOT 1 TH N 65 DEG W 200 FT TO BEG BEING S 100 FT OF W 200 FT OF LOT 31 BL 13 KILDARE EST	10-21-2009	\$272.66

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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>
John Terry Welch 10019 Camille Dr., SE Huntsville, AL 35803	10019 Camille Dr SE LOT 10 BLK A LILY FLAGG ACRES 8TH ADD	8-26-2009	\$259.91
Kathy E. Daniel P.O. Box 1184 Bowie, MD 20718- 1184	216 Ward Ave NE LOT 88 MCCULLOUGH ADD	11-2-2009	\$277.41
Ladon C. Baffield 2002 Poole Dr. Ste. D Huntsville, AL 35810	4701 Joy Cir NW (vacant lot) LOT 19 BLK 7 S/D BLUE HAVEN 3RD ADD	10-21-2009	\$241.69
Mary Louise Thomas 3944 Tanglebush Ln., NW Huntsville, AL 35810	3944 Tanglebush Ln NW LOT 5 BL 4 WEBB NURSERY ESTS PB 6 PG 104	10-22-2009	\$264.66
Michael Scott and Lisa Kelley 508 Beirne Ave., NE Huntsville, AL	508 Beirne Ave NE N1/3 OF E 30 FT OF LOT 6 BL 74 E HVILLE ADD	11-12-2009	\$221.44
Pensco Trust Company 2501 Autumn Ridge Dr., SW Huntsville, AL	2501 Autumn Ridge Dr SW LOT 1 BLK 1 AUTUMN RIDGE 3RD ADD, A RESUB OF AUTUMN RIDGE 3RD ADD WARR SURV DB 940/525 02/15/99	11-18-2009	\$233.69

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Attachment A, Page 5

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>
Quida W. Harding c/o Breezy Acres Realty, Howard Jack Carney, Jr. & Judy P. Carney 8015 Randall Rd., Sw Huntsville, AL	1502 McCrary St NW (vacant lot) LOT 9 BLK 8 WELLS ADD	11-13-2009	\$241.69
Samuel H. Miles, Jr. 1003 Fieldstone Ct., SE Huntsville, AL	1003 Fieldstone Ct SE LOT 56 BLK 2 ESSEX SQUARE	10-20-2009	\$264.66
Stephanie Readus 3123 Delia Ln., NW Huntsville, AL 35810	3123 Delia Ln NW LOT 12 BL 3 GENTILY FORREST	11-12-2009	\$269.41
Thomas E. Godsey 100 Whitney Ave., NE Huntsville, AL	100 Whitney Ave NE LOT 18 BL B EDMONTON HGTS S/D PT A	10-22-2009	\$264.66