

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 6/13/2013

Action Requested By:

Community
Development

Agenda Item Type

Ordinance

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.

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow

and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 23 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 June 13, 2013, City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 5/29/2013

RESOLUTION NO: 13-_____

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 13th day of June, 2013.

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

APPROVED this the 13th day of June, 2013.

Mayor of the City of Huntsville, Alabama

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> |
|--|---|----------------------------|---------------------------|
| Anna Konstantinov P.O. Box 1252 Huntsville, AL 35807 | 2907 Love Ave NW LOT 19 BLK 1 SUB: LOVE S/D | 4-30-2013 | \$259.91 |
| Bank Of America, N.A. 5401 N. Beach St. Ft. Worth, TX 76137 | 1506 OWENS DR SE LOT 7 BL 2 MONTDAL E S/D | 5-9-2013 | \$264.66 |
| Fannie Mae a/k/a Federal National Mortgage Association c/o Countrywide Home Loans, Inc. 7105 Corporate Dr. Mail Stop PTV-C Plano, TX 75024 | 1504 MONT DALE RD SE LOT 9 BLOCK 1 MONTDAL E S/D AND A TRIANGULAR PARCEL OF LAND TAKEN FROM THE EAST SIDE OF LOT 8, BLOCK 1 MONTDAL E S/D | 5-9-2013 | \$269.41 |
| Helen L. Moreno 3400 Wenham Dr. Bakersfield, CA 93311 | 4501 Sparkman Dr NW LOT 1 BL 13 PARKWOOD EST S/D | 5-8-2013 | \$245.94 |
| Hong S. & Sun M. Young Kim 7919 Smoke Rise Rd. Huntsville, AL 35805 | 3016 Holiday Dr SW LOT 25 BL 20 HOLIDAY HOMES 4TH ADD | 5-8-2013 | \$197.97 |
| Hubert Pershing Foundation, LLC c/o David A. Jaap 3077 Leeman Ferry Rd. Huntsville, AL 35801 | 2021 First St SW TRACT 1 LOWE CORPORATION ADD A RESUB OF LOT 12 BLK 167 LOWE CORPORATION ADD PB 1 PG 166 | 4-22-2013 | \$238.44 |

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> |
|---|---|----------------------------|---------------------------|
| Jacob S. Richards & Barbara Ingrid Richards 1656 East 45th St. Brooklyn, NY 11234 | 3809 Melody Rd NE LOT 20, BLK 1 SUB: EDMONTON HGTS PT A | 4-26-2013 | \$197.97 |
| James E. Jamar & L. C. Jamar, Jr. 6401 Trailwood Dr. Huntsville, AL 35811 | 2217 Bell Ave NW LOT 11 BLK 2 GURLEY ADD DB 1022/990 06/13/02 | 4-18-2013 | \$259.91 |
| James P. Williams & Gladys Espinal Williams 3013 Sixth Ave., SW Huntsville, AL 35805 | 3013 Sixth Ave SW LOT 7 BLK 61 WEST HUNTSVILLE ADD RE-SURVEY OF THE S 1/2 OF BLK 42 & BLK 61 | 4-30-2013 | \$238.44 |
| James R. McKenzie, Jr. 2901 Triana Blv., SW Huntsville, AL 35805 | 2901 TRIANA BLV SW N 1/2 OF LOT 6 BLK 139 WEST HUNTSVILLE ADD | 5-1-2013 | \$238.44 |
| Jimmy Allen 2431 Vining Ave., NW Huntsville, AL 35810 | 3007 Turf Ave NW LOT 17 BL 5 LOVE S/D 2ND ADD CHG FROM 3-1W-34-F- 33 PER COMP MAPPING STAT WARR SURV DB 887/651 12/16/96 PREV ASSD: COLONIAL BANK | 4-30-2013 | \$259.91 |

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> |
|--|--|----------------------------|---------------------------|
| Joseph W. Merrell c/o James Bradford 6014 Trent Dr. Huntsville, AL 35810 | 1512 McCrary St NW LOT NUMBER FIVE (5) IN BLOCK EIGHT (8), WELLS SECOND ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 115, PROBATE RECORDS OF MADISON COUNTY, ALABAMA. | 5-1-2013 | \$274.16 |
| Lien Over Partnership 114 Amsterdam Place Madison, AL 35758 | 3300 Clopton St SW LOT 5 BLK 25 SUB: HUNTSVILLE PARK S/D | 5-9-2013 | \$202.72 |
| Maria E. Oravec (Deceased) (Heirs of) c/o Mark Robinson P.O. Box 603 Jasper, AL 35502 | 4509 Baywood Dr SW LOT 19 BL 2 TRIANA ESTATES 2ND ADD PB 3 PG 149 | 4-23-2013 | \$197.97 |
| Mark & Susan Henry 2833 Greenside Dr., NW Huntsville, AL 35816 | 2833 Greenside Dr NW LOT 17 BL 4 COUNTRY CLUB PARK ESTS | 4-23-2013 | \$238.44 |
| Martha A. & Rodney Lamar Booker 410 Marguerite Dr., NW Huntsville, AL 35805 | 410 Marguerite Dr NW LOT 9 BLK 4 ALYNDALE S/D | 5-9-2013 | \$274.16 |

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|---|--|----------------------------|---------------------------|
| Mech Properties, LLC 3303 Beverly Dr. Huntsville, AL 35801 | 3014 Holmes Ave NW LOT 13 BLK 2 F K NOOJINS HILLANDALE ADD SDB 663/62 11/18/85 | 5-8-2013 | \$197.97 |
| Quashana Shante & Wilfred C. Stewart 412 Marguerite Dr., NW Huntsville, AL 35805 | 412 Marguerite Dr NW LOT 8 BL 4 ALYNEDALE S/D PB 2 PG 157 | 5-9-2013 | \$274.16 |
| Richard Ryan Bahney 1625 Rison Ave., NE Huntsville, AL 35801 | 1625 Rison Ave NE LOT 34 & 32 BL 17 NEWSON FAIRVIEW ADD | 4-30-2013 | \$202.72 |
| Scott Hall Ledbetter (Deceased) 413 Greenacres Dr., NW Huntsville, AL 35805 | 413 Greenacres Dr NW LOT 6 IN BLOCK 1 ACCORDING TO THE PLAT OF THE GREEN ACRES SUBDIVISION TO THE CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA AS OF RECORD IN THE OFFICE OF THE JUDGE OFF PROBATE OF MADISON COUNTY, ALABAMA IN PLAT BOOK 1, PAGE 274. | 5-8-2013 | \$197.97 |
| Signature 3 Homes, Inc. c/o Bruce Stone (Pres.) 381 Burwell Rd. Harvest, AL 35749 | 456 Natures Way NW LOT 75 STONES THROW AT THE RESERVE PB # 20070403000234960 | 5-8-2013 | \$202.72 |

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Attachment A, Page 5

LOTS CUT BY CITY

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|--|--|----------------------------|---------------------------|
| Terry Heights Hillendale Development Corporation 7000 Adventist Blvd. Huntsville, AL 35896 | 2211 Bell Ave NW LOT 8, BLK 2 SUB: GURLEY ADD | 5-8-2013 | \$274.16 |
| TMS Properties LLC c/o Patrick Nelson 2121 Whitesburg Dr., Ste. D Huntsville, AL 35801 | 3616 Triana Blv SW LOT 10 BLK 20 HVILLE PARK S/D | 5-9-2013 | \$197.97 |