

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 7/25/2013

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

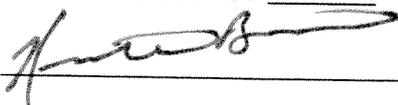
Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 54 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 July 25, 2013 City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 7/15/2013

**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 25th day of July, 2013.

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

**APPROVED** this the 25th day of July, 2013.

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Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 13-\_\_\_\_\_

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>
Abraham & Farimah Asher 1444 Dalewood Dr. Atlanta, GA 30329	Vacant lot at northwest corner of Clopton St and Cedar Ave SW LOT 1 BL 25 HVILLE PARK S/D	6-10-2013	\$210.72
Alabama A & M University c/o Walter Alexander, Director Of Physical Facilities P. O. Box 1837 Normal, AL 35762	5200 Normal Heights Cir aka 5200 Buchanan St NW LOT 18 BLK 1 NORMAL HGTS EX S 20 X 150 LOT TO CITY OF HUNTSVILLE DB 976/385 08/01/2000	6-14-2013	\$210.72
Alabama A & M University c/o Walter Alexander, Director Of Physical Facilities P. O. Box 1837 Normal, AL 35762	5202 Normal Heights Cir NW LOT 17 BL 1 NORMAL HGTS DB 976/385 08/01/2000	6-14-2013	\$210.72
Albert Denton & Lilian Davis Johnson 1704 Brandon town Rd., NW Huntsville, AL 35816	1704 BRANDON TOWN RD NW LOT 1 BL 2 MIDSOUTH HOMES ADD	6-4-2013	\$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>
Ashok M. Patel 930 N. Beckley Rd. Lancaster, TX 75146	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	6-26-2013	\$332.16

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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>
Bank of New York Mellon c/o J P Morgan Chase Bank 10790 Ranco Bernarding Rd. San Diego, CA 92127	2607 Pulaski Pke NW S 209.7 FT OF N 418.9 FT OF NW 1/4 OF NE 1/4 LYING W OF PUL PK EX .29A TO BROOKS SEC 27 T3 R1W	6-6-2013	\$307.16
Bellsouth Telecommunications Inc. D/B/A AT & T Alabama AT & T Property Tax Dept. P. O. Box 7207 Bedminster, NJ 07921	Vacant lot at northwest corner of Triana Blv and Fouche Dr SW (AKA 4111 Triana Blv) BEG 8.08 CHS N OF CEN OF W BDY OF SEC 14 TH E 175 FT TH S 88.9 FT TH W 175 FT TH N 88.9 FT TO BEG EX 8X70 TO CITY OF HUNTSVILLE FOR ROW SEC 14 T4 R1W	6-5-2013	\$197.97
Beverly A. Biasi & Karen Luck 8203 Valley View Dr., SE Huntsville, AL 35802	8203 Valley View Dr SE LOT 1 BLK 6 LILY FLAGG ACRES S/D PB 1 PG 301	6-11-2013	\$202.72
Billie J. & Billie P. Price 522 Spencer Dr., NW Huntsville, AL 35806	522 Spencer Dr NW LOT 15 BLK 25 SHERWOOD PARK 12TH ADD	6-17-2013	\$197.97
Carrie M. Williams NKA Carrie W. Douglas 4326 Irondale Dr., NW Huntsville, AL 35810	4326 Irondale Dr NW LOT 24 BL 3 OAK VALLEY 2ND ADD	6-26-2013	\$274.16

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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>
Council Jones 419 4th St., Box 17, Laughlin AFB Del Rio, TX 78843	3042 Boswell Dr NW LOT 21 BL 1 YARBROUGH EST. 3RD ADD	6-12-2013	\$202.72
Dane G. Dewberry, Sr. & Theresa A. Dewberry 2504 Mastin Lake Rd., NW Huntsville, AL 35810	2504 Mastin Lake Rd NW LOT 21 BL 27 LAKEWOOD MANOR 7TH ADD PB 2 PG 1	6-19-2013	\$259.91
Deborah Odumosu 3300 Claiborne Rd., NW Huntsville, AL 35810	3300 Claiborne Rd NW LOT 2 BLK 15 DAVIS HILLS S/D 4TH ADD PB 2 PG 215	6-5-2013	\$259.91
Deutsche Bank National Trust Company, As Trustee Under The Pooling and Security Agreement Services ITF RAST 2005-AL 300 South Grand Ave. (Ste. 3950) Los Angeles, CA 90071	4902 KYLE LN NW LOT 4 BL 4 PINEHAVEN S/D 3RD ADD PB 5 PG 1	6-12-2013	\$259.91
DR Bama Investments, LLC c/o Daniel A. Redruello 3128 Coral Way Miami, FL 33145	3410 Angora Dr NW LOT 26 BL 4 PINEHAVEN 3RD ADD JT TENANTS SURV DB 980/877 9-27-00REC 10- 12-00	6-12-2013	\$197.97

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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>
Dreeha Denise Moody 3803 Glendale Ln., NW Huntsville, AL 35810	3803 GLENDALE LN NW LOT 22 BLK 29 LAKEWOOD MANOR S/D 8TH ADD	6-25-2013	\$274.16
Ebrahim A. & Farimak K. Tehrani 1444 Dalewood Dr. Atlanta, GA 30329	2408 Kildare St NW 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	6-25-2013	\$202.72
Ebrahim A. & Farimak K. Tehrani 1444 Dalewood Dr. Atlanta, GA 30329	3215 Teton Dr NW LOT 4 BL 6 VALLEY PARK HOMES S/D 2ND ADD	6-20-2013	\$197.97
Edward L. McCormick 1580 Sparkman Dr. (Ste. 102) Huntsville, AL 35816	3211 FAIRACRES RD SW LOT 3 BLK 2 BON AIR ESTATES PB 2 PG 53	6-17-2013	\$202.72
Franco Blackburn 436 South Edgemont Cir., NW Huntsville, AL 35811	436 South Edgemont Cir NW LOT 2 BL 2 EDGEMONT S/D	6-6-2013	\$197.97

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Attachment A, Page 6

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>
Hilaria Mejia 5008 Ortega Cir., NW Huntsville, AL 35810	5008 Ortega Cir NW LOT 5 BLK 1 ORTEGA HGTS S/D PB 3 PG 113	6-10-2013	\$259.91
Hubert Pershing Foundation, LLC c/o David Jaap 1104 Bluefield Ave. Huntsville, AL 35801	3206 Seventh Ave SW LOT 16 BL 60 7TH AVE W HVILLE ADD PB 1 PG 39	6-11-2013	\$197.97
James Anthony & April Joy Martinez 2100 Hathaway Pl. Riverside, CA 92506-5516	1408 Ascent Trl NW LOT 5 BLK 1 RE/SUB SUMMIT PLACE	6-12-2013	\$300.38
James E. Russell 4211 Fortson Ln., NW Huntsville, AL 35810	4211 FORTSON LN NW LOT 13 BLK 9 HIGHLANDS 4TH ADD	6-12-2013	\$202.72
Jamie D. Cutten f/k/a Jamie D. Smithey 14015 Hurstland Dr., SW Huntsville, AL 35803	14015 HURSTLAND DR SW LOT 7 BLK 3 GREEN COVE MEADOWS S/D	6-4-2013	\$202.72
Jay E. and Laura T. Casey 409 Hobbs Rd., SE Huntsville, AL 35803	409 Hobbs Rd SE LOT 1 BL 2 EAGLES NEST RESURVEY OF EAGLES NEST	6-10-2013	\$259.91

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Attachment A, Page 7

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>
Jeff Benton Development, Inc. c/o Jeff Benton 809 Shoney Dr., SW (Ste. 200) Huntsville, AL 35801	2755 Slate Dr SW LOT 22 ASHTYNN MANOR PHASE 4 PB # 20071221000889310	6-11-2013	\$255.44
John A. Horton, Inc. c/o John Horton, Pres. 1545 Gulf Shores Pkwy. #125 Gulf Shores, AL 36542	2600 Lawrence Ave SW LOT 22 DOUGLAS HILL ADD EX N 50 FT	6-17-2013	\$202.72
Jonathan Bluespring, LLC c/o Michelle Miller 2217 Jonathan Dr., NW Huntsville, AL 35810	2227 Jonathan Dr NW PT OF LOT 2 LAKEWOOD PK S/D BEING PT OF NE 1/4 OF SEC 23 DES AS BEG AT NE COR OF SEC 23 TH S 30 FT N 87 DEG W 52.70 FT TH N 84 DEG W 93 FT S 9 DEG E 200 FT W 313 FT S 14 DEG E 292.39 FT WH IS SW COR OF LOT 3 LAKEWOOD PK TH FR BEG S 14 DEG E 70 FT N 75 DEG E 150 FT TO W MAR OF JONATHAN DR TH N 14 DEG W 57.09 FT TO PT OF A CUR TO LEFT A RAD OF 100 FT TH CONT AL W MAR OF SD DR & AL A ARC OF SD CUR A DIST OF 12.95 FT TH S 75 DEG W 149.16 FT TO BEG CONT 10,496 SQ FT	6-25-2013	\$274.16

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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>
L. A. Johnson P.O. Box 1309 Huntsville, AL 35807	904 ORLEANS DR NW LOT 4 BLK 9 TERRY HGTS 3RD ADD ANNEX	6-10-2013	\$210.72
Lavert L. Hambrick & Tara L. Foley 3811 Ridgcrest Cir., SW Huntsville, AL 35805	3811 Ridgcrest Cir SW LOT 10 BLK 1 TUCKER ESTS S/D PB 2 PG 212	6-6-2013	\$259.91
Luther Jennings Kirby 815 Stanhope Dr., NE Huntsville, AL 35801	815 Stanhope Dr NE LOT 5 BL 4 SUB: OAK PARK 2ND ADD	6-20-2013	\$197.97
Mark D. Sturges & Savannah R. Sturges 1103 Sandy Springs Rd., NW Huntsville, AL 35806	1103 SANDY SPRINGS RD NW LOT 1 BLK 1 WESTVIEW S/D 3RD ADD PB 13	6-6-2013	\$259.91
Michelle T. Jones 3404 Freda Ln., NW Huntsville, AL 35810	3404 Freda Ln NW LOT 3 BL 5 PINE HAVEN S/D 2ND ADD	6-25-2013	\$202.72
Nancy C. Christian 501 Spencer Dr., NW Huntsville, AL 35806	501 Spencer Dr NW LOT 32 BL 21 SHERWOOD PARK 12TH ADD	6-17-2013	\$197.97

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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>
Noel Ventures, LLC c/o Jonathan Owen 1702 Weymouth Ln. Huntsville, AL 35806	238 MOUNTAIN CREEK DR NW LOT 20 BLK 5 KNOX CREEK 3RD ADD PB 22 PG 56/57/58	6-4-2013	\$259.91
Regions Bank c/o Oreo Management Attn: ALBH 10903 P. O. Box 11007 Birmingham, AL 35203	First vacant lot east of 3920 Meridian St on Chase Rd NE BEG 158 FT W FR CEN OF W BDRY OF SEC 18 TH N 125 FT TH W 18 FT TH N 125 FT TO RD TH E 122.70 FT TH S 250 FT TH W 104.70 FT TO BEG CONT .653A M/L SEC 18 T3 R1E	6-10-2013	\$210.72
Regions Bank c/o Oreo Management Attn: ALBH 10903 P. O. Box 11007 Birmingham, AL 35203	Second vacant lot east of 3920 Meridian St on Chase Rd NE ALL THAT PART OF NW 1/4 OF SEC 18 PARTIC DESC AS BEG 40.0 FT AND E 222.7 FT FR THE CEN OF W BDY OF SD SEC 18 TH FR THE PT OF TRUE BEG N 250.0 FT TO A PT ON THE S MAR OF CHASE RD TH ALG THE SD S MAR OF CHASE RD E 140.0 FT TH S 150.0 FT TH E 10.0 FT TH S 100.0 FT TH W 150.0 FT TO THE PT OF BEG CONTA 0.83A M/L SEC 18-T3-R1E	6-10-2013	\$210.72

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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>
Rico C. & Angel Harvey 13913 Creely Dr., SW Huntsville, AL 35803	13913 Creely Dr SW LOT 8 BLK 2 AUTUMN RIDGE FORMERLY RESUB QUEENSBURY SOUTH PH 1 WARR/JOINT TENANTS/SURV DB 891/769 2/28/97	6-13-2013	\$274.16
Roger D. & Betty C. Rosser 14909 Clovercrest Dr., SE Huntsville, AL 35803	14909 Clovercrest Dr SE LOT 1 BLK 1 RE S/D WILMINGTON ACRES 2ND ADD (CHG FR 5-1E-9.00-X-1 COMP/MAPP) DB 671/767 4/15/86	6-4-2013	\$197.97
Sam Patton 2601 Dry Creek Dr., NW Huntsville, AL 35810	2601 Dry Creek Dr NW LOT 42 BL 2 PARKWOOD EST 4TH ADD PB 5 PG 15	6-26-2013	\$197.97
Sergio Navarro 2009 Sewanee Rd. Huntsville, AL 35801	182 Hollington Dr NE LOT 6 CHASE SHADOW 8TH ADD	6-19-2013	\$238.44
Shirley E. McCorkle 11413 Maplecrest Dr., SE Huntsville, AL 35803	11413 Maplecrest Dr SE LOT 19 BL 15 HILLWOOD EST PT A	6-11-2013	\$274.16

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Attachment A, Page 11

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>
Steve T. Mitchell 2211 Mastin Lake Rd., NW Huntsville, AL 35810	2211 MASTIN LAKE RD NW ALL THAT PART OF SE1/4 OF SEC 14 & THE NE1/4 OF SEC 23 DESC AS BEG AT STK ON S MAR OF MASTIN LAKE RD SD P/O/B FUR DESC AS BEING S 30 FT S 88 DEG W 52.70 FT & N 73 DEG W 93 FT FR NE COR OF SEC 23 TH FR P/O/B S 4 DEG E 200 FT TH N 85 DEG W 95 FT TH N 3 DEG W 219.95 FT TH ALG S MAR OF MASTIN LAKE RD S 73 DEG E 95 FT TO P/O/B SEC 14/23 T3 R1W	6-17-2013	\$238.44
Sun Trust Bank 1001 Semmes Ave. Richmond, VA 23224	1019 SANDY SPRINGS RD NW LOT 5 BLK 1 WESTVIEW S/D 2ND ADD	6-6-2013	\$259.91
Tommie S. Owens 6209 Meniffee Dr., NW Huntsville, AL 35810	6207 Meniffee Dr NW LOT 17 BL 22 WINDSOR MANOR 4TH ADD SURV DB 952/508 07/30/99	6-19-2013	\$197.97
Tommie S. Owens 6209 Meniffee Dr., NW Huntsville, AL 35810	6209 Meniffee Dr NW LOT 18 BLK 22 WINDSOR MANOR 4TH ADD	6-19-2013	\$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>
Valaire D. Hudson 3119 Gayhart Dr., NW Huntsville, AL 35810	3119 GAYHART DR NW LOT 6 BL 1 BROOKHILL MEADOWS S/D 4TH ADD DB 636/763 7/13/84	6-12-2013	\$202.72
Walker Properties P.O. Box 19062 Huntsville, AL 35804	Vacant lot east of 110 McCormick Dr NW LOT 3 BLK N THE RESUB OF BLK N S & X OF KILDARE ESTATES PB 1 PG 169	6-25-2013	\$202.72
Wall to Wall Properties, Inc. c/o Mary E. Dunne P.O. Box 1252 Huntsville, AL 35807	2410 Halmac Dr NW LOT 6 BLK 3 HALMAC EST 2ND ADD	6-10-2013	\$197.97
William H. Gilbreath, Jr. 3015 Love Ave. Huntsville, AL 35816	4331 Irondale Dr NW LOT 4 BL 4 OAK VALLEY 2ND ADD	6-1-1913	\$274.16
William M. McBride (Estate of) c/o Patrick Chestnut 102 South Jefferson St. Athens, AL 35611	11823 West Gateway Dr SE LOT 3 BLK 2 SUB: REDSTONE HEIGHTS	6-11-2013	\$202.72
Wilma B. Carter 4101 Kenwood Dr., NW Huntsville, AL 35810	4101 Kenwood Dr NW LOT 13 BL 22 LAKEWOOD MANOR S/D 2ND ADD	6-26-2013	\$197.97

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Attachment A, Page 13

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>
Zachary John Cooper 4816 Westwood Dr., NW Huntsville, AL 35810	4816 Westwood Dr NW LOT 2 BL 7 AVONDALE ACRES 2ND ADD	6-19-2013	\$197.97