

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 8/22/2013

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

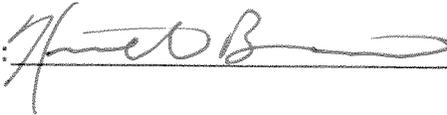
Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 41 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 August 22, 2013 City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 8/13/2013

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 22nd day of August, 2013.

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

APPROVED this the 22nd day of August, 2013.

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>
ABM Properties, LLC 7098 Pale Down Place Owens Cross Rds, AL 35763	Second vacant lot north of 911 Lee Dr NW LOT 32 BL 4 TERRY HGTS ADD PB 1 PG 127	7-9-2013	\$202.72
ABM Properties, LLC 7098 Pale Down Place Owens Cross Rds, AL 35763	Vacant lot north of 911 Lee Dr NW LOT 31 BL 4 TERRY HGTS ADD PB 1 PG 127	7-9-2013	\$202.72
ADTEC PROPERTIES LLC. Hall B. Bryant III 423 Eustis Ave. Huntsville, AL 35801	Vacant lot at the northeast corner of Lodge Rd and Durinda Ln NW LOT 10 BL 5 GROVE PARK 1ST ADD PB 5 PG 125	6-28-2013	\$202.72
Albert C. Karrh, Jr. & Elaine N. Karrh 2908 Dobbs Dr., SE Huntsville, AL 35802	2908 DOBBS DR SE LOT 11 BLK 4 GREENWYCKE VILLAGE 3RD ADD	6-27-2013	\$245.94
Bank of America Home Loans Servicing LP Attn: Customer Service CA6-919-01-41 P.O. Box 5170 Simi Valley, CA 93062-5170	6514 WHITESBURG DR SE LOT 22 BL 3 FLEMING MEADOWS 2ND ADD PB 1 PG 339	7-24-2013	\$259.91
Barbara J. & Charles D. Orr 703 Hal St., NW Huntsville, AL 35805	703 Hal St NW LOT 4 BLK 3 ALYNEDALE S/D	7-9-2013	\$202.72

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>
Betty J. & Linzell Sykes 3021 Mountain Park Cir. Huntsville, AL 35810	2704 Dawson Cir NW LOT 14, BLOCK E, EASTBROOK MEADOWS, 3RD ADD	7-15-2013	\$210.72
Brush Creek Properties, LLC 261 Old Gurley Rd., NE Huntsville, AL 35811	261 Old Gurley Rd NE SEC 16 T3S R1E PT OF THE SW1/4 OF SEC 16 DESC AS COMM AT THE CEN OF THE N BDRY OF THE SW 1/4 OF SEC 16 TH S 2334.55 FT & E 104.41 FT TO THE POB TH N 261.42 FT S 76 DEG E 135.73 FT S 261.42 TO THE CEN OF OLD GURLEY RD TH N 76 DEG W 135.73 FT TO POB	7-11-2013	\$307.16
Bryan O. Walker 113 Cedar Valley Ct. Harvest, AL 35748	First vacant lot east of 210 Beirne Ave NE LOT 61 MCCULLOUGH ADD	6-27-2013	\$202.72
Demisha Burns 2906 Sparkman Dr., NW Huntsville, AL 35810	2906 Sparkman Dr NW LOT 12 BLK 4 NOB HILL 2ND	7-24-2013	\$259.91
Elna M. Moody 4605 Sparkman Dr., NW Huntsville, AL 35810	4605 SPARKMAN DR NW LOT 3 BL 14 PARKWOOD ESTS	7-1-2013	\$202.72

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>
Eric Calvin & Gwendolyn Mae Ward 2811 Governors Dr. (Ste. 9) Huntsville, AL 35805	2207 Thirteenth St SW LOT 8 BLK 74 W HVILLE ADD	7-10-2013	\$261.94
Eugene Richard & Susan L. Pittson 14013 Galveston Cir., SW Huntsville, AL 35803	14013 Galveston Cir SW LOT 18 BLK 3 AUTUMN RIDGE 6TH ADD	7-17-2013	\$197.97
Fredrick M. Flegal (deceased) 1225 Oakwood Ave., NE Huntsville, AL 35811	1225 Oakwood Ave NE LOT 27 BK 1 CHAPMAN HEIGHTS 2ND ADD DB 969/449 03/15/2000	7-16-2013	\$202.72
GRIMMER REALTY CO. INC. 200 Green Springs Hwy. Birmingham, AL 35209-4906	Vacant property north of 1616 Pulaski Pke NW PT OF SW 1/4 OF SEC 26 BEG 1741.1 FT W & N 36 DEG W 267.7 FT FR CEN OF S BDRY OF SEC 26 TH N 37 DEG W ALONG PULASKI PIKE 204.2 FT TH N 52 DEG E 187.5 FT TH S 37 DEG E 85 FT TH N 52 DEG E 12.5 FT TH S 37 DEG E 126.1 FT TH S 53 DEG W 200 FT TO BEG EX S 150 FT	7-9-2013	\$202.72
Gwendolyn Troup Moore F/K/A Gwendolyn Troup Bridgeforth 3212 Yale Cir., NW Huntsville, AL 35810	3212 Yale Cir NW LOT 19 BLK 1 MT VERNON HGTS 2ND ADD	7-15-2013	\$210.72

RESOLUTION NO: 13- _____

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>
Henry E. Lanier 6131 Pamela Dr., NW Huntsville, AL 35806	6131 Pamela Dr NW LOT 1 BL 8 RIDEOUT VILLAGE S/D CODE 43-8- 41- PAR 3	7-9-2013	\$245.94
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	7-24-2013	\$274.16
Joe Enrique Perez 2604 Lawrence Ave., SW Huntsville, AL 35805	2604 Lawrence Ave SW LOT 24 DOUGLASS HILL ADD	7-10-2013	\$197.97
John A. Horton Inc. c/o John Horton 1545 Gulf Shores Pkwy. #125 Gulf Shores, AL 36542	112 Fourth St SW LOT 31 DOUGLAS HILL ADD DB 710/693 02/18/88	7-10-2013	\$197.97
John Burrton 234 Knox Creek Trl., NW Madison, AL 35758	234 Knox Creek Trl NW LOT 32 BLK 3 KNOX CREEK 3RD ADD PB 22 PG 56-58	7-23-2013	\$197.97
Johnny M. & Donna H. Shamblin 2722 Hillsboro Rd., SW Huntsville, AL 35805	2722 HILLSBORO RD SW LOT 12 BL 1 HOLIDAY HOMES ADD	7-18-2013	\$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>
Joyce M. Hampton 102 Dormont Dr. Huntsville, AL 35810	3209 NORMANDALE DR NW LOT 4 BL 4 NORMANDALE S/D	7-12-2013	\$197.97
Lanza Wade & Dorah G. Wade 2811 Hilltop Ter., NW Huntsville, AL 35810	2811 HILLTOP TER NW LOT 4 BL 5 ROLLING HILLS 3RD ADD	7-8-2013	\$197.97
Larry Gillispie 2429 Mount Vernon Rd., NW Huntsville, AL 35810	2429 Mount Vernon Rd NW LOT 38 BL 2 MT VERNON HGTS 3RD ADD PB 4 PG 12	7-11-2013	\$197.97
Lien Over Partnership 114 Amsterdam Place Madison, AL 35758	3300 Clopton St SW LOT 5 BLK 25 SUB: HUNTSVILLE PARK S/D	7-1-2013	\$202.72
Linda Louise Shoun 12122 Chicamauga Trl., SE Huntsville, AL 35803	12122 CHICAMAUGA TRL SE LOT 19 BLK A HILLWOOD MANOR S/D 2ND ADD	7-15-2013	\$259.91
Lucius T. & Joy A. Moss 4302 Chalet Cir., NW Huntsville, AL 35810	Vacant lot at southeast corner of Lodge Rd and Delicado Dr NW (3221 Delicado Dr NW) LOT 1 BLK 5 GROVE PARK 2ND ADD SUV DB 705/1135 11/12/87	7-24-2013	\$238.44

RESOLUTION NO: 13- _____

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>
Malcolm White 2240 Home Again Rd. Apopka, FL 32712	2734 CLAYTON DR NW PT OF NE1/4 OF NE1/4 OF SEC 27 DESC AS BEG S 468.4 FT & W 483.4 FT S 116.09 FT & W 405 FT & W 100 FT FR NE COR SEC 27 TH W 80 FT TH N 115.90 FT TH E 80 FT TH S 115.68 FT TO BEG SEC 27 T3 R1W	7-16-2013	\$202.72
Nakia and Juronica Arch 110 Kelsey Dr. New Market, AL 35761	Vacant lot at northeast corner of Smoketree Trl and Saddletree Blv NE LOT 1 BLK 1 GARDENS, THE GARDENS A RESUB OF A PART OF TRACTS 2, 3 & 4 OF CHAPMAN COVE PB 33 PG 41	7-19-2013	\$182.00
Nathan A. Barclay 6525 Marsh Ave., NW Huntsville, AL 35806	6525 Marsh Ave NW LOT 13 BL 12 SHERWOOD PARK 9TH ADD (CHG PAR FR 4-1W-5-B-20 PER COMP MAPP) WARR DB 942/787 4/6/99	7-10-2013	\$255.44
SECRETARY OF VETERANS AFFAIRS 345 Perry Hill Rd. Montgomery, AL 36109	2919 Pulaski Pke NW LOT 4 BLK 13 SCENIC VIEW HILLS 3RD ADD	7-12-2013	\$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>
Shawn Ethredge 3905 Gunnison Ln., NW Huntsville, AL 35810-	3905 Gunnison Ln NW LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD	7-1-2013	\$197.97
Taffi N. Flowers 434 South Edgemont Cir., NW Huntsville, AL 35811	434 South Edgemont Cir NW LOT 3 BL 2 EDGEMONT S/D DB 951/317 07/28/99	7-15-2013	\$197.97
Talbert Andre Cox & Victoria Cox 3908 Neptune Dr., NW Huntsville, AL 35810	3908 Neptune Dr NW LOT 3 BL 4 LINCOYA S/D PB 3 PG 183	7-19-2013	\$274.16
Tamecia T. Bone & Patrick L. Bone 3709 Pecan Grove Dr., NW Huntsville, AL 35810	3709 Pecan Grove Dr NW Lot 14, Blk 2, Pecan Grove Est.	7-12-2013	\$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	7-18-2013	\$259.91
Violet J. Franklin 2709 Thornton Cir., SW Huntsville, AL 35801	2709 THORNTON CIR SW LOT 5 BLK 2 ENGLISH TERRACE S/D PB 1 PG 211	7-9-2013	\$274.16

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>
Wild Boys Land & Cattle Co. Inc. c/o W. John Hathaway, Agt. 112-F South Side Square Huntsville, AL 35801	4901 Cotton Row NW PART OF LOT 1 BLK 1 COTTON ROW EST COMM AT SE COR OF SD LOT 1 FUR DESC AS BEING W MAR OF SPARKMAN DR R/O/W TH FR P/O/B S 86 DEG W 83.90 FT TH N 3 DEG W 159.97 FT TO PC ON S MAR OF COTTON ROW R/O/W MAR HAV RAD OF 525.85 FT TH ALG SD CUR TO RT & ALG S R/O/W MAR OF COTTON R/O/W CHORD BEAR & DIST N 82 DEG E 63.88 FT AN ARC DIST OF 63.92 FT TH CONT ALG COTTON ROW CHORD BEAR & DIST S 48 DEG E 36.05 FT AN ARC DIST OF 40.27 FT TH S 1 DEG E 138.32 FT TO P/O/B	7-8-2013	\$274.16
Xavier Ellison 4435 McClain Ln., NW Huntsville, AL 35810	4435 McClain Ln NW LOT 1 BL A HIGHLAND EST	7-19-2013	\$202.72
Yvonne W. Lebunn 3810 McVay St., SW Huntsville, AL 35805	3810 McVay St SW PT OF LOT 30 OF SEC 15 DES AS BEG AT NW COR OF SEC 15 TH E 60 FT TH S 330 FT TH E 160 FT TO PT OF TR BEG TH E 140 FT TH S 110 FT TH W 140 FT TH N 110 FT TO BEG SEC 15 T4 R1W	7-11-2013	\$202.72