

CITY COUNCIL AGENDA ITEM COVER MEMO

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

Meeting Type: Regular

Meeting Date: 9/26/2013

Action Requested By:  
Community  
Development

Agenda Item Type  
Resolution

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 35 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 September 26, 2013 City Council meeting.

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: \_\_\_\_\_



Date: 9/16/2013

**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 26th day of September, 2013.

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

**APPROVED** this the 26th day of September, 2013.

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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>
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	7-29-2013	\$202.72
Adam C. Faulk & Joyce K. Arbuckle 11711 East Gateway Dr., SE Huntsville, AL 35803	11711 East Gateway Dr SE 60 FT TAKEN EVENLY OFF S PT OF LOT 10 BL 3 REDSTONE HGTS S/D	8-20-2013	\$197.97
Anthony M. Wilbanks & Rachel M. Wilbanks 203 Hollington Dr., NE Huntsville, AL 35811	203 Hollington Dr NE LOT 7 CHASE SHADOW 10TH ADD	8-22-2013	\$197.97
BAC Home Loans Servicing, LP c/o Hooks Van Holm, Inc. 8010 Roswell Rd., (Ste. 100) Atlanta, GA 30350	2219 WIMBERLEY RD NW W1/2 OF LOT 11 & LOT 10 BL 1 WESTCHESTER S/D 1ST SEC	8-21-2013	\$197.97
Bank of America P.O. Box 5170 Simi Valley, CA 93062 - 5170	2908 DOBBS DR SE LOT 11 BLK 4 GREENWYCKE VILLAGE 3RD ADD	8-5-2013	\$202.72
Brian S. Tawata & Wendy Tawata 2540 Henry St. Honolulu, HI 96817- 1134	4919 Cotton Row NW LOT 9 BLK 1 COTTON ROW EST	8-26-2013	\$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>
Cannon P. & Bettie Peppers 3012 Love Ave., NW Huntsville, AL 35816	3012 Love Ave NW LOT 8 BLK 2 LOVE S/D 3RD ADD	8-14-2013	\$197.97
Cecelia Sarjeant 2104 York Rd., NW Huntsville, AL 35810	2104 York Rd NW LOT 5 & LOT 6 BL 6 LAKEWOOD MANOR ADD PB 1 PG 311	8-23-2013	\$326.88
Clara S. Fields 4101 Northington Dr., NW Huntsville, AL 35816	4101 Northington Dr NW LOT 34 BL 1 MC THORN MOR ACRES	8-20-2013	\$202.72
Clifton & Theresa Knighton 3001 Kirkland Dr., NW Huntsville, AL 35810	3001 Kirkland Dr NW LOT 21 BLK 3 PARKVIEW ESTATES	8-20-2013	\$197.97
David A. H. Paden 173 Hollington Dr., NE Huntsville, AL 35811	173 HOLLINGTON DR NE LOT 18 CHASE SHADOW 8TH ADD PB 34 PG 98	8-14-2013	\$238.44
Edens & Avant Properties LTD Partnership P.O. Box 528 Columbia, SC 29202	Vacant lot north of 1338 Winchester Rd NE Lot 6 LOT 6 SHIELDS SHOPPING CENTER	7-26-2013	\$255.44

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>
Elizabeth S. Williams, (Heirs Of) 2819 Nob Hill Ct., NW Huntsville, AL 35810	2819 Nob Hill Ct NW LOT 11 BL 9 NOB HILL 3RD ADD	8-20-2013	\$197.97
Eric Calvin & Gwendolyn Mae Ward 2811 Governors Dr. (Ste. 9) Huntsville, AL 35805	2207 Thirteenth St SW LOT 8 BLK 74 W HVILLE ADD	8-19-2013	\$238.44
Geraldine H. Humphrey 382 Riverton Rd. Huntsville, AL 35811	620 Access Rd NW LOT 28 BLK 2 YARBROUGH EST 4TH ADD PB 2 PG 206	8-8-2013	\$202.72
Heirs of James J. Steele & Edith F. Steele c/o Annie Lois Steele 3010 Boswell Dr., NW Huntsville, AL 35811	3010 BOSWELL DR NW LOT 35 BL 1 YARBROUGH ESTS 3RD ADD	8-5-2013	\$259.91
James E. Russell 4211 Fortson Ln., NW Huntsville, AL 35810	4211 FORTSON LN NW LOT 13 BLK 9 HIGHLANDS 4TH ADD	7-25-2013	\$197.97
Jeb C. & Carol M. Gentle 3906 Cypress Ave., SW Huntsville, AL 35805	3906 Cypress Ave SW LOT 10 BL 6 WESTLAWN S/D PB 1 PG 185	8-19-2013	\$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>
John A. Horton, Inc. c/o John A. Horton, Pres. 1545 Gulf Shores Pkwy. #125 Gulf Shores, AL 36542	2600 Lawrence Ave SW LOT 22 DOUGLAS HILL ADD EX N 50 FT	8-27-2013	\$205.97
Johnny M. & Donna H. Shamblin 2722 Hillsboro Rd., SW Huntsville, AL 35805	2722 HILLSBORO RD SW LOT 12 BL 1 HOLIDAY HOMES ADD	8-21-2013	\$197.97
Jovon K. Times 2201 Shady Lane Dr., NW Huntsville, AL 35810	2201 Shady Lane Dr NW LOT 1-B BL 7 SHADY LANE 3RD ADD	8-19-2013	\$197.97
Miranda Beth Lowery aka Miranda Swanner Lowery 4047 Knollbrook Dr., NW Huntsville, AL 35810	4047 Knollbrook Dr NW LOT 6 BL 3 ROLLING HILLS 5TH ADD PB 5 PG 65	8-23-2013	\$322.13
Pearline Studdard Taylor 1004 Carolyn Dr., NW Huntsville, AL 35816	1004 Carolyn Dr NW LOT 4 BL 6 TERRY HGTS ANNEX 3RD ADD	7-29-2013	\$238.44
Redus Alabama, LLC, ORE Servicing Group- Lake Forest 3563 Phillips Hwy. (Ste. 601E) Jackson, FL 32207	5 HAWTHORN HEIGHTS BLV SW LOT 43 HAWTHORN HEIGHTS AT LAKE FOREST	8-8-2013	\$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>
Redus Alabama, LLC, ORE Servicing Group- Lake Forest 3563 Phillips Hwy. (Ste. 601E) Jackson, FL 32207	24 HAWTHORN HEIGHTS BLV SW LOT 14 HAWTHORN HEIGHTS AT LAKE FOREST	8-8-2013	\$202.72
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	8-20-2013	\$210.72
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	8-20-2013	\$190.00

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>
Riverton Properties, LLC c/o Wilford R. Hill 125 Archered Way New Market, AL 35761	121 Maple Ave NW ALL THAT PART OF LOTS 21 & 23 PRESTON-MILLER ADD MORE PARTIC DESC AS BEG AT THE NE COR OF LOT 21 TH FR THE P/O/B S 147.40 FT TH S 89 DEG W 36.28 FT TH N 52.11 FT TH S 89 DEG W 18 FT TH N 5.90 FT TH S 89 DEG W 2.50 FT TH N 88.29 FT TH N 88 DEG W 58.40 FT TO THE P/O/B CONTA. 17AC M/L SEC 25 T3 R1W	8-23-2013	\$228.94
Ronald Christopher & Kristin Lov Hughes 14006 Percivale Dr., SE Huntsville, AL 35803	14006 PERCIVALE DR SE LOT 6 BL 4 CHIMNEY SPRINGS S/D 5TH ADD PB 12 PG 19	8-23-2013	\$197.97
SECRETARY OF THE DEPT. OF HOUSING & URBAN DEVELOPMENT Medical Forum Bldg. (Ste. 900) 950 22nd. St., North Birmingham, AL 35203-5301	3806 Oakwood Ave NW A RECTANGULAR TR OF LD 100 FT IN WIDTH BORDER N SIDE OF OAKWOOD AVE & 150 FT DEEP BEING DES AS W 100 FT & S 150 FT OF LOT 1 BL 1 HIGHLANDS 2ND ADD DB 973/326 06/23/2000	7-29-2013	\$197.97
U.S. Bank National Association 150 Alleghney Center Pittsburg, PA 15212	4204 Holmes Ave NW LOT 28 BLK 5 MCTHORNOR ACRES 2ND ADD PB 1 PG 371	8-5-2013	\$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>
W. H. Harmon 2531 Lex Cir. Huntsville, AL 35805	1014 PARKLANE AVE NW LOT 6 BL 6 F K NOOJINS HILLANDALE ADD	8-21-2013	\$202.72
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	8-26-2013	\$202.72
William H. Gilbreath 3015 Love Ave. Huntsville, AL 35816	4331 Irondale Dr NW LOT 4 BL 4 OAK VALLEY 2ND ADD	8-14-2013	\$238.44
William M. McBride (Estate of) c/o Patrick Chesnut P/R 102 South Jefferson St. Athens, AL 35611	11823 West Gateway Dr SE LOT 3 BLK 2 SUB: REDSTONE HEIGHTS	8-14-2013	\$197.97