



Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 10/10/2013

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

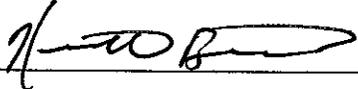
Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

The attached Resolution authorizes the assessments for the 39 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 October 10, 2013 City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 9/30/2013

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 10th day of October, 2013.

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

APPROVED this the 10th day of October, 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>
Alma Louis 3913 Neptune Dr., NW Huntsville, AL 35810	3913 Neptune Dr NW LOT 23 BL 3 LINCOYA S/D PB 3 PG 183	8-26-2013	\$197.97
Ann D. Smith 371 College Park Ct., NW Huntsville, AL 35805	371 College Park Ct NW LOT 4 BL 3 COLLEGE PARK S/D SURV DB 569/1019 8/8/79	8-30-2013	\$254.26
Arthur A. Anderson, Jr. 108 Greenlawn Dr., NE Meridianville, AL 35759	108 Greenlawn Dr NE LOT 3 BLK 1 GREENLAWN ESTATES 2ND ADD PB 19 PG 95	8-29-2013	\$245.94

RESOLUTION NO: 13- _____

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>
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	8-29-2013	\$300.96
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	9-10-2013	\$248.61

RESOLUTION NO: 13- _____

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>
Betty D. Irwin 2100 English Dr., SW Huntsville, AL 35803	2915 Seventh Ave SW N 65 FT OF LOT 8 BLK 146 WEST HVILLE ADD	9-3-2013	\$254.26
Betty J. & Linzell Sykes 3021 Mountain Park Cir. Huntsville, AL 35810	2704 Dawson Cir NW LOT 14, BLOCK E, EASTBROOK MEADOWS, 3RD ADD	8-29-2013	\$197.97
Billie J. & Billie P. Price 522 Spencer Dr., NW Huntsville, AL 35806	522 Spencer Dr NW LOT 15 BLK 25 SHERWOOD PARK 12TH ADD	9-10-2013	\$192.32
Crystal D. Mason 2114 Birchwood Dr., NE Huntsville, AL 35811	2114 Birchwood Dr NE LOT 6 BL 5 DELLBROOK MEADOWS 3RD ADD PB 2 PG 18	8-29-2013	\$197.97
Demisha Burns 2906 Sparkman Dr., NW Huntsville, AL 35810	2906 Sparkman Dr NW LOT 12 BLK 4 NOB HILL 2ND	9-16-2013	\$223.29
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	9-9-2013	\$223.29

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>
Dominic C. Tolomei 2013 Fisher St., SW Huntsville, AL 35803	2013 FISHER ST SW LOT 6 BLK 2 COLEDALE IND PARK S/D	9-12-2013	\$200.32
Edwards Specialties, Inc. c/o Alden R. Edwards P.O. Box 2084 Huntsville, AL 35804	Vacant property east of 2747 Slate Dr SW Common Area COMMON AREA A OF ASHTYNN MANOR PHASE 4 PB # 20071221000889310	9-12-2013	\$205.97
Evelyn W. Barnes & Gregory Andrew Barnes 6113 Deramus Ave., NW Huntsville, AL 35806	6113 Deramus Ave NW LOT 16 BL 16 SHERWOOD PARK 8TH ADD	8-26-2013	\$202.72
Gresham G. Downs 317 Westchester Ave., SW Huntsville, AL 35801	4816 Westwood Dr NW LOT 2 BL 7 AVONDALE ACRES 2ND ADD	8-26-2013	\$197.97
Harbour Portfolio VII LP 8214 Westchester (Ste. 635) Dallas, TX 75225	2924 Wilson Dr NW LOT 4 BLK 1 TERRY HGTS 3RD ADD ANNEX PB 1 PG 177 COM AT NW COR LOT 4 TH E 4.19 FT TO BEG TH E TO NE COR LOT 4 TH S TO SE COR LOT 4 TH W 50 TO SW COR LOT 4 TH N 20 FT TH NLY 110 FT TO POB	9-10-2013	\$248.61

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>
HeSam Inc. c/o Sam Niakossary 883 Tannahill Dr. Huntsville, AL 35802	1176 Old Monrovia Rd NW ALL THAT PART OF THE SW 1/4 OF SEC 30 DUE E 1617.0 FT N 00 DEG E 137.5 FT N 89 DEG E 1136.5 FT S 00 DEG E 705.0 FT S 81 DEG W 160.0 FT S 00 DEG E 155.0 FT S 56 DEG W 23.85 FT & S 83 DEG W 220.01 FT FR THE CEN OF THE W BDY OF SEC 30 TH FR THE P/O/T/B N 83 DEG E 158.13 FT S 05 DEG E 79.44 FT S 04 DEG E 29.28 FT TH S 72 DEG W 56.41 FT N 46 DEG W 156.29 FT TO P/O/T/B & CONTA 0.2860 AC M/	9-12-2013	\$200.32

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<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
HeSam Inc. c/o Sam Niakossary 883 Tannahill Dr. Huntsville, AL 35802	Vacant lot north of 1176 Old Monrovia Rd NW Gas Station AKA 1190 Old Monrovia Rd ALL THAT PART OF THE SW 1/4 OF SEC 30 MORE PARTIC DESC AS COMM AT THE CEN OF THE W BDY OF SD SEC 30 TH E 1617.0 FT TH N 137.5 FT TH N 89 DEG E 1136.5 FT TH S 705.0 FT TH S 81 DEG W 160.0 FT TH S 81 DEG W 100.38 FT TO THE P/O/B TH FR THE P/O/B S 06 DEG E 159.69 FT TH S 83 DEG W 158.13 FT TH N 44 DEG W 188.51 FT TH N 81 DEG E 274.52 FT TO THE P/O/B & CONTA 0.77 AC M/L SEC 30 T3 R1W	9-12-2013	\$205.97
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	8-29-2013	\$197.97
Jeremy M. Turner 2610 Rockwell Rd., NW Huntsville, AL 35810	2610 Rockwell Rd NW LOT 7 BLK 8 GREEN HILLS 2ND ADD RESUB OF N 20 FT OF LOT 1 BLK 7 & LOTS 24 BLK 8 GREEN HILLS S/D PB 2 PG 220	9-9-2013	\$254.26

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>
Jimmy Swagga, LLC c/o Lorenzo Walker 270 Usher Rd. Madison, AL 35757	Vacant lot east of 206 Carters Gin Rd NW LOT 3B LOTS 3A & 3B A RESUB OF LOT 3 HUNDLEY BATTS SUBDIVISION	8-7-2013	\$271.44
Laurie K. Seabrook 7904 Charlotte Dr., SW Huntsville, AL 35802	7904 Charlotte Dr SW LOT 13 BL 4 PARKWAY ESTS 3RD ADD	9-11-2013	\$223.29
Linda Louise Shoun 12122 Chicamauga Trl., SE Huntsville, AL 35803	12122 CHICAMAUGA TRL SE LOT 19 BLK A HILLWOOD MANOR S/D 2ND ADD	9-10-2013	\$254.26
Logan Humphrey 140 Cummings Ln. Meridianville, AL 35759	Vacant lot south of 6011 Normal Heights Cir NW LOT 8 BL 2 NORMAL HGTS S/D	9-4-2013	\$197.97
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	9-11-2013	\$200.32

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	9-12-2013	\$205.97
Mark & Susan Henry 2833 Greenside Dr., NW Huntsville, AL 35816	2833 Greenside Dr NW LOT 17 BL 4 COUNTRY CLUB PARK ESTS	9-16-2013	\$223.29
Mech Properties, LLC c/o William C. Lindstrom 3303 Beverly Dr. Huntsville, AL 35801	1701 Canterbury Cir NW LOT 2 BLK 3 CANTERBURY S/D 2ND ADD	9-3-2013	\$254.26
Patricia Jean Frazer 1600 McKinley Ave., NE Huntsville, AL 35801	1600 MC KINLEY Ave NE ALL OF LOT 25 BLK 16 OF A W NEWSON FAIRVIEW ADD	8-28-2013	\$228.04
Randy H. & Carol A. Martin 307 Westburg Ave., SW Huntsville, AL 35801	307 WESTBURG AVE SW LOT 22 BL 13 PIEDMONT S/D 10TH ADD	9-9-2013	\$223.29

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>
Regions Bank P. O. Box 10063 Birmingham, AL 35202	4917 Burros St NW LOT 1 BLK 1 MEADOW HILLS S/D PART B	9-3-2013	\$192.32
Ruby Jo Martin (Heirs of) 1281 Hobbs Island Rd., SE Huntsville, AL 35803	1281 HOBBS ISLAND RD SE BEG 750 FT W & N 60 DEG E 1238.9 FT FR CEN OF S BDY OF SW1/4 OF SEC 33 TH N 35 DEG W 120 FT N 40 DEG W 155 FT TH E 246 FT TO R/R TH SW ALG R/R 300 FT TO BEG IN SW1/4 SEC 33 T5 R1E	8-29-2013	\$236.04
SECRETARY OF VETERANS AFFAIRS 345 Perry Hill Rd. Montgomery, AL 36109	2919 Pulaski Pke NW LOT 4 BLK 13 SCENIC VIEW HILLS 3RD ADD	9-16-2013	\$248.61
Shawn Ethredge 3905 Gunnison Ln., NW Huntsville, AL 35810-	3905 Gunnison Ln NW LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD	9-4-2013	\$248.61

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<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	9-9-2013	\$248.61
The Cheatham Group c/o Annary Cheatham 509 Madison St. Huntsville, AL 35801	6308 Matic Rd NW LOT 5 BLK 8 INGLEWOOD ESTATES 2ND ADD	9-3-2013	\$192.32
U S Bank National Association 16745 W. Bernardo Dr. (Ste. 300) San Diego, CA 92127	4517 Sparkman Dr NW LOT 9 BL 13 PARKWOOD EST	9-5-2013	\$254.26
Virginia Enterprises, Inc. c/o Teresa Ann Atnip 2104 Stapp Dr. Huntsville, AL 35811	2230 Atkins Dr NW LOT 16 BL 4 MEADOW HILL PT A	8-28-2013	\$228.04

RESOLUTION NO: 13- _____

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>
Winslow C. Shoemaker 141 Waterloo Ave. Berwyn, PA 19321	2215 Shady Lane Dr NW LOT 8 BL 7 SHADY LANE 3RD ADD (CHG FR 3-1W- 27.00-H-47 COMPUTER MAPPING)	9-4-2013	\$248.61