

CITY COUNCIL AGENDA ITEM COVER MEMO

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

Meeting Type: Regular

Meeting Date: 6/26/2014

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 27 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 26, 2014, City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

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



Date: 6/16/2014

**RESOLUTION NO: 14-\_\_\_\_\_**

**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 June, 2014.

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

**APPROVED** this the 26th day of June, 2014.

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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>
Arthur J. McDonald c/o Regions Bank 2050 Parkway Office Hoover, AL 35244	2816 COOSA CIR NW LOT 9 BL 3 CHEROKEE HILLS S/D 1ST ADD PB 14 PG 80 PPIN 28448	6-2-2014	\$197.97
Bailey Properties Limited Partnership c/o Aaron Bailey 3014 Johnson Rd. Huntsville, AL 35805	4120 Triana Blv SW BEG IN THE CEN OF THE E BDY OF SEC 15 TH WITH THE SEC LINE N ALG TRIANA & HUNTSVILLE PIKE 140 FT TO A PT IN SD PIKE TH W 336 FT TO A PT TH S 140 FT TO A PT ON THE 1/4 SEC LINE TH WITH THE 1/4 SEC LINE E 336 FT TO THE PLACE OF BEG & CONTA 1.08 AC M/L SEC 15 T4 R1W PPIN 31456	5-21-2014	\$250.71
Bank Of New York Mellon Trust Company NA 1661 Worthington Rd. (Suite 100) P. O. Box 24737 West Palm Beach, FL 33409	2500 Redmont Rd NW LOT 4 BL 5 SCENIC VIEW HILLS PB 3 PG 17 PPIN 9376	5-21-2014	\$250.71
Barry D. Jackson 1000 Fairway Dr., NW Huntsville, AL 35816	1000 Fairway Dr NW LOT 15 BLK 7 F K NOOJIN HILLANDALE ADD PPIN 20522	5-28-2014	\$219.74

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>
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 PPIN 30980	6-4-2014	\$219.74
Betty J. & Linzell Sykes 3021 Mountain Park Cir. Huntsville, AL 35810	2704 Dawson Cir NW LOT 14, BLOCK E, EASTBROOK MEADOWS, 3RD ADD PPIN 10934	5-21-2014	\$224.34
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 PPIN 5605	5-28-2014	\$246.11
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 PPIN 8960	5-21-2014	\$224.34
Dynasty Coleman 4611 Daugeette Dr., NW Huntsville, AL 35816	4611 DAUGETTE DR NW LOT 12 BL 4 RUTLEDGE HGTS 2ND ADD PPIN 16473	6-3-2014	\$255.31

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>
Fannie Pope & Henry Jones 3505 Andy Way Lane Apt. 3 Memphis, TN 38128	2702 Penland Ave NW LOT 18 BL 1 SLAUGHTER S/D 2ND ADD PPIN 10312	6-2-2014	\$250.71
George E. Smith, Trustee of the Elizabeth Rutledge Smith c/o Mark T. Rutledge 26 Iron Brigade Dr. Marietta, GA 30064	2324 WHITESBURG DR SW BEG 663 FT S WESTERLY FR INTERS OF W MAR OF WHITESBURG DR S MAR OF MARSHEUTZ AVE TH S 77 DEG W 197.7 FT TH N 100 FT TH N 78 DEG E 147.4 FT TO W MAR OF WHITESBURG DR TH S 29 DEG E 100 FT TO BEG SEC 1 T4 R1W PPIN 23397	5-20-2014	\$176.37
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 PPIN 12002	5-29-2014	\$246.11
Gregory R. Roper (Heirs Of) c/o Coteau Simone Roper 6942 Windstone Ct. Stone Mountain, GA 30087	6203 Colfax Rd NW LOT 29 BL 6 INGLEWOOD EST (CHG FR 3-1W-11.00-0- 52 COMPUTER MAPPING) PPIN 4178	6-2-2014	\$250.71

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>
J E HARRISON ENTERPRISES INC. 35 Sunset Bay Dr. Belleair, FL 33756	2420 Washington St. NW ALL TH PT OF THE NW 1/4 OF SEC 25 & ALSO BEING A PT OF BLKS C & D KILDARE EST AS DESC AS BEG AT A PT WH IS LOC N 316.10 FT & N 35 FT FR THE NW COR OF LOT 10 BLK 7 S KILDARE EST TH FR THE POB W 176.5 FT TO A PT ON THE E MAR OF WASHINGTON ST R/O/W TH N ALG THE E MAR OF SD WASHINGTON ST R/O/W A DIST OF 120 FT TH E 176.5 FT TH S 120 FT TO POB (CHG FR 3-1W-25.00-R- 15 8C COMPUTER MAPPING) SEC 25 T3 R1W PPIN 14150	5-27-2014	\$176.37
James F. Ratliff, Jr., Dixie Nell Ratliff and Laddy B. Ratliff 330 Green Cove Rd. Huntsville, AL 35803	Vacant property east of 2525 Winchester Rd NW (Mike Mini Mart) LOT 1 OF LOCUST GROVE S/D PPIN 36066	6-4-2014	\$205.97

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>
James R. & Edna Porter 2618 Mountain Park Cir., NW Huntsville, AL 35810	2110 Hall Ave NW LOT 8 JORDAN BRICK YARD ADD COMM AT SW COR SD LOT8 TH FR POB E/WDLY ALONG N R/O/W OF HALL ST 80 FT TO A PT SD PT BEING TH SW COR LOT 7 SD BROWN & WINSTON ADD TH LEAV SD R/O/W RUN N PERPENDICULAR TO SD R/O/W 91 FT TO A PT TH RUN NE DIR & HAVAING AN INTERIOR ANGLE 218 DEG 56.40 FT TO A PT ON S MAR O PRIVATE ALLEY BEING 10 FT IN WIDTH SD PT ALSO BEING ON W BDRY OF SD LOT 7 TH RUN NW/ERLY DIR ALONG THE S SIDE OF SD ALLEY HAVING AN INTERIOR ANGLE OF 68 DEG 58.3 FT TO A PT SD PT BEING ON E BDRY LOT 9 BROWN & WINSTON ADD TH ALONG E BDRY OF SD LOT 9 IN A S/ERLY DIR & HAVING AN INTERIOR ANGLE OF 95 DEG 1/3 FT TO POB CONT .20 AC M/L EX A SMALL TRIANGULAR PORTION CONVEYED TO JOE & ANDREW LIGHTFOOT PPIN 23576	6-4-2014	\$246.11
John A. Marks 1707 Oakwood Ave., NE Huntsville, AL 35811	1707 Oakwood Ave NE LOT 4 BL 1 CHAPMAN ACRES PPIN 21580	5-21-2014	\$250.71

RESOLUTION NO: 14- \_\_\_\_\_

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>
Kate McDonnell Downing 3507 Riverwood Rd. Alexandria, VA 22309	4200 TRIANA BLV SW LOT 2 GRIFFIS GLEN PPIN 536444	6-4-2014	\$176.37
Lisa M. York Cox 3524 Mariposa Rd., SW Huntsville, AL 35805	3524 Mariposa Rd SW LOT 32 BL 21 HOLIDAY HOMES 4TH ADD PB 1 PG 345 PPIN 29280	6-4-2014	\$246.11
Louise Worley (Heirs of) c/o David Worley 4101 Northington Dr., NW Huntsville, AL 35816	4101 Northington Dr NW LOT 34 BL 1 MC THORN MOR ACRES PPIN 18690	5-23-2014	\$250.71
Mahdi and Aydah Ballah Saed 1002 Woodall Ln., NW Huntsville, AL 35816	1002 Woodall Ln NW LOT 15 BLK 1 MCTHORN MOR ACRES PPIN 18777	5-23-2014	\$250.71
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 PPIN 15119	6-4-2014	\$205.97

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>
Michael Alex Smith 607 Marguerite Dr., NW Huntsville, AL 35805	607 Marguerite Dr NW LOT 12 BLK 2 ALYNEDALE S/D (CHG FR 3-1W-34.00-D- 59 COMPUTER MAPPING) PPIN 19866	5-27-2014	\$246.11
Re New Construction, Inc. c/o Eric Hayden P.O. Box 215 Madison, AL 35758	209 Victory Ln NE LOT 24 BLK G EDMONTON HGTS PT A PPIN 51120	5-27-2014	\$246.11
Remant Mission Church 2105 Mastin Lake Rd. (Unit K) Huntsville, AL 35810	Vacant lot on Blue Spring Rd north of 2614 Mastin Lake Rd BEG AT CEN OF E BDRY OF NW1/4 SEC 14 TH E 22.5 FT TO E MAR BLUE SPR RD TH S 3080 FT TO PT TR BEG TH E 312 1/2 FT TH S 140 FT TH W 312 1/2 FT TH N 140 FT TO BEG EX .016A TO CITY SEC 14 T3 R1W CASE NO 29356 8/14/87 PPIN 35889	5-30-2014	\$253.94
Taylor & Howell Investing, LLC P.O. Box 809 E. Main St. (Apt. 1226) Lexington, SC 29072	2219 WIMBERLEY RD NW W1/2 OF LOT 11 & LOT 10 BL 1 WESTCHESTER S/D 1ST SEC PPIN 17127	5-29-2014	\$193.37

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Attachment A, Page 8

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 PPIN 41899	5-28-2014	\$294.08