

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 10/23/2014

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 53 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 25, 2014 City Council meeting, at which time he/she may appear to present any objections for the assessed

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: _____



Date: 10/15/2014

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 23rd day of October, 2014.

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

APPROVED this the 23rd day of October, 2014.

Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 14- _____

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>
(Heirs of) Jackson Pruitt c/o Edith McDonald 2100 Vernon Ave. (Unit E) Huntsville, AL 35805	1500 Cavalry St NW LOT 19 BL 7 WELLS ADD NO 2 PPIN 20243	8-28-2014	\$224.34
Andrienne E. Dabney 3101 Wood Valley Dr., NW Huntsville, AL 35810	3101 Wood Valley Dr NW LOT 9 BLK 6 BROOKHILL MEADOW S/D PPIN 8279	9-11-2014	\$228.94

RESOLUTION NO: 14- _____

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	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 PPIN 117249	8-27-2014	\$364.68
BANK OF AMERICA 7105 Corporate Drive, Mail Stop PTX-C-35 Plano, TX 75024	2410 Tuxedo Dr NW LOT 21 BL H LAKEWOOD MANOR 5TH ADD SEC 1 PPIN 3195	8-26-2014	\$250.71

RESOLUTION NO: 14- _____

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 America, N.A. Attn: Jason Cummings, REM Title Dept. Mailstop AZ1 - 805 - 03 - 03 2505 W. Chandler Blv. (Bldg. D, 3rd Floor) Chandler, AZ 85224	2029 Wooddale Dr NE LOT 30, BLOCK 2, ACCORDING TO THE MAP OF SURVEY OF BANKHEAD ESTATES, THIRD ADDITION, HUNTSVILLE, ALABAMA, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 4, PAGE 67. PPIN 51890	9-8-2014	\$224.34
Billie J. & Billie P. Price 522 Spencer Dr., NW Huntsville, AL 35806	522 Spencer Dr NW LOT 15 BLK 25 SHERWOOD PARK 12TH ADD PPIN 26724	9-4-2014	\$250.71
Bluff Properties, LLC c/o Nelson J. Chatelian 7705 Oakridge Dr. Huntsville, AL 35802	5006 LORI CIR NW LOT 17 BLK 1 HIGHLAND VILLAGE 3RD ADD PPIN 9107	9-11-2014	\$250.71
Burnett Investment Group, Inc. 2903 Governors Dr. Huntsville, AL 35805	209 Triana Blv NW LOT 6 BL 20 WEST HVILLE ADD EX E 27 FT TO STATE OF AL / LOT 5 BL 20 W HVILLE ADD EX E 26 FT TO STATE OF AL PPIN 24140 / 54565	9-10-2014	\$224.34
Cheryl Arlene Robinson & George Robinson, Jr. 3807 Crane Dr., NE Huntsville, AL 35811	3807 CRANE DR NE LOT 29 BLK D EDMONTON HEIGHTS PARTS A PB 2 PG 52 PPIN 51823	9-10-2014	\$197.97

RESOLUTION NO: 14- _____

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>
Chinor Collick 4 Lava Court (Unit 1 B) Parkville, MD 21234	2111 Summer St SW LOT 11, BLOCK 171, LOWE CORP. ADD PPIN 23219	9-19-2014	\$258.71
Cornell Langford as Agent of the Estate of Eva Steward 3104 Johnna Cir. Huntsville, AL 35810	1615 Lucille St NW ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 3 SOUTH RANGE 1, WEST, MADISON COUNTY, ALABAMA, PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE WEST MARGIN OF LUCILLE STREET, SAID PLACE OF BEGINNING IS DESCRIBED AS BEING LOCATED SOUTH 89 DEGREES 45 MINUTES EAST 95.0 FEET FROM THE NORTHWEST CORNER OF SAID SECTION 35; THENCE FROM THE PLACE OF BEGINNING; SOUTH 1 DEGREES 0 MINUTES WEST ALONG THE WEST MARGIN OF SAID LUCILLE STREET 60.0 FEET TO A POINT; THENCE NORTH 89 DEGREES 47 MINUTES WEST 95.0 FEET TO A POINT; THENCE NORTH 1 DEGREE 0 MINUTES EAST 58.0 FEET TO THE NORTHWEST CORNER OF SAID SECTION 35; THENCE SOUTH 89 DEGREES 45 MINUTES EAST 95.0 FEET TO THE PLACE OF BEGINNING. PPIN 21076	8-22-2014	\$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>
Curtis & Christina Stolaas 7017 Freedom Park Circle Owens Cross Rds., AL 35763	1417 Pulaski Pke NW LOT 9 BLK 9 WELLS ADD PPIN 20187	8-21-2014	\$250.71
Darlyne Benoit 2024 Rittenhouse St. Hyattsville, MD 20782	Vacant lot north of 11018 Vivian Dr aka 11020 Vivian Dr NW LOT 7 BL 5 MT CHARRON EST 3RD ADD PB 3 PG 190 PPIN 27415	9-19-2014	\$205.97
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 PPIN 8985	9-10-2014	\$250.71
Earlyne S. Ewing AKA Earlyne S. Lightfoot 6205 Pamela Dr., NW Huntsville, AL 35806	6205 Pamela Dr NW LOT 7 BL 7 RIDEOUT VILLAGE PPIN 018085	8-25-2014	\$250.71
Edward Siniard 314 Treymore Ave., NW Huntsville, AL 35811	314 Treymore Ave NW LOT, 31 BLK C S/D MOLLIE E. COUNTESS PPIN 11341	9-3-2014	\$224.34

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>
Elmore Properties, LLC 202 Winslow Dr. Athens, AL 35613	Vacant lot at the northeast corner of Pulaski Pke and Dunham Ave NW LOT 6 OGLESBY S/D A RESUB OF LOTS 1, 2 & 3 OF OGLESBY S/D PB 1 PG 159 PPIN 155737	9-23-2014	\$232.34
Francine R. Carter 2809 Eighth Ave., SW Huntsville, AL 35805	2809 Eighth Ave SW LOT 3, BLOCK 150, ACCORDING TO THE MAP OF SURVEY OF LOWE CORPORATION ADDITION TO THE CITY OF HUNTSVILLE, ALABAMA, IN PLAT BOOK 1, PAGE 166, PROBATE RECORDS OF MADISON COUNTY, ALABAMA. PPIN 23365	9-23-2014	\$176.37
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	9-23-2014	\$224.34
Harold E. Smith P.O. Box 11212 Huntsville, AL 35816	4501 Sparkman Dr NW LOT 1 BL 13 PARKWOOD EST S/D PPIN 8898	9-3-2014	\$224.34

RESOLUTION NO: 14- _____

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>
Harold Smith P. O. Box 11212 Huntsville, AL 35816	2410 Halmac Dr NW LOT 6 BLK 3 HALMAC EST 2ND ADD PPIN 9263	9-8-2014	\$250.71
Hubert Pershing Foundation, LLC c/o David Jaap P. O. Box 64 Huntsville, AL 35804	2904 Eighth Ave SW E 39 FT LOT 14 & W 11 FT LOT 15 BLK 146 W HVILLE ADD PPIN 23034	9-12-2014	\$250.71
Hubert Pershing Foundation, LLC c/o David Jaap P. O. Box 64 Huntsville, AL 35804	2702 Eighth Ave SW LOT 14, BLOCK 67, LOWE CORPORATION ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 166, IN IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA. PPIN 23414	9-23-2014	\$258.71
J E Ethredge c/o Christopher C. Ethredge 301 Two Gait Ln. Simpsonville, SC 29680	3905 Gunnison Ln NW LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD PPIN 8201	9-23-2014	\$224.34
James E. Atkinson 746 West Arbor Dr., NW Huntsville, AL 35811	746 WEST ARBOR DR NW LOT 1 BL 4 PEARSALL GARDENS PPIN 14793	8-25-2014	\$250.71
Jeremy John & Shaelyn R. Cox 216 Shadow Cove Dr., SW Huntsville, AL 35824	216 SHADOW COVE DR SW LOT 71 SHADOW SPRINGS SUBDIVISION PHASE II PPIN 509689	9-9-2014	\$250.71

RESOLUTION NO: 14- _____

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>
Jimmy Allen 6018 Trent Dr., NW Huntsville, AL 35810	2429 Vining Ave NW LOT 20 BL 3 MEADOW HILLS PT B DB 858/765 8/1/95 PPIN 3385	9-8-2014	\$250.71
John Harrison McCutchen, Jr. 2102 Windover Dr., NE Huntsville, AL 35811	2102 Windover Dr NE LOT 2 BLK 5 CHAPMAN HGTS PB 1 PG 278 PPIN 51713	9-12-2014	\$250.71
John Wesley Weimer, III 253 Knox Creek Trl., NW Madison, AL 35758	253 KNOX CREEK TRL NW LOT 5 BLK 11 KNOX CREEK 3RD ADD PB 22 PG 56/57/58 PPIN 116150	9-9-2014	\$176.37
Joleen P. Lawson 534 Magnolia Cir. (Unit B) Huntsville, AL 35808	3916 Pickett Dr SW LOT 4 BL 15 TRIANA VILLAGE 2ND ADD PPIN 32702	9-15-2014	\$250.71
Krishna Rani Saha 8051 Lenox Ln. Apt. E Huntsville, AL 35802	3421 Glen Park Dr NW LOT 11, BLK 4, GLEN PARK, 4TH ADD PPIN 10591	8-28-2014	\$224.34
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 PPIN 10649	8-26-2014	\$224.34

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>
Leila McKinney 207 Ward Ave., NE Huntsville, AL 35801	First vacant lot east of 203 Ward Ave NE LOT 67 MCCULLOUGH ADD PPIN 48584	9-9-2014	\$224.34
Leila McKinney 207 Ward Ave., NE Huntsville, AL 35801	Second vacant lot east of 203 Ward Ave NE LOT 68 MCCULLOUGH ADD PPIN 18765	9-9-2014	\$197.97
Leila McKinney 207 Ward Ave., NE Huntsville, AL 35801	Third vacant lot east of 203 Ward Ave NE LOT 69 MCCULLOUGH ADD PPIN 48585	9-9-2014	\$250.71
Linda Louise Sholin 12122 Chicamauga Trl., SE Huntsville, AL 35803	12122 CHICAMAUGA TRL SE LOT 19 BLK A HILLWOOD MANOR S/D 2ND ADD PPIN 75972	9-4-2014	\$250.71
Louise Joiner 336 Blake Bottom Rd., NW Huntsville, AL 35806	336 BLAKE BOTTOM RD NW BEG 10 FT N OF SE COR OF N1/2 OF S1/2 OF NW1/4 OF SEC 17 TH W 210 FT TH N 210 FT TH E 210 FT TH S 210 FT TO BEG SEC 17 T3 R1W PPIN 7638	9-22-2014	\$258.71

RESOLUTION NO: 14- _____

Attachment A, Page 10

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 PPIN 15119	9-3-2014	\$197.97
Martha Coleman and Mary Robinson 810 Appleby St., NW Huntsville, AL 35816	810 Appleby St NW LOT 15 BL 1 TERRY HGTS 2ND ADD; LOT 16 BL 1 TERRY HGTS 2ND ADD; LOT 17 BL 1 TERRY HGTS ADD PPIN 20280 / 43037 / 43038	9-12-2014	\$250.71
Michael & Jennifer Williams 111 Leona Ln., NW Madison, AL 35757	111 LEONA LN NW LOT 17 PIKE FARMS SUBDIVISION PHASE 1 PPIN 514014	8-4-2014	\$224.34
Pantheon Tax Receivables, LP P. O. Box 54321 New Orleans, LA 70154	3815 MC VAY ST SW PT OF LOT 30 NEWSON PENNEY ADD DES AS BEG 310 FT W & 136.6 FT S OF NE COR OF LOT 30 TH S 120 FT TH E 150 FT TH N 120 FT TH W 150 FT TO BEG PPIN 32473	9-3-2014	\$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>
Rachelle Hatcher 3008 Mountain Park Cir., NW Huntsville, AL 35810	3008 Mountain Park Cir NW LOT 4 BLK 3 PARKVIEW ESTS PPIN 10338	8-26-2014	\$250.71
Ray Snow 7104 Narrows Lane Rd. Montgomery, AL 36116	4104 Talwell Dr SW LOT 5 BL 1 PATTON ESTS PB 4 PG 57 PPIN 32590	9-3-2014	\$224.34
Raymond D. Wilbourn 2808 Fairacres Rd., SW Huntsville, AL 35805	2808 Fairacres Rd SW LOT 8 BL 4 REDSTONE 2ND ADD PB 1 PG 359 PPIN 28873	8-25-2014	\$224.34
Rodney A. & Nicole D. Austin 2430 Vining Ave., NW Huntsville, AL	2430 Vining Ave NW LOT 16 BL 2 MEADOW HILLS PT B PPIN 3311	8-26-2014	\$224.34
SBM Ventures, Inc. c/o Charles F. Edgar & Associates 4800 Whitesburg Dr. (Ste. 30-121) Huntsville, AL 35802	4801 Aubrey Cir NW LOT 34 BL 5 RE S/D OF LOTS 34 & 35 BL 5 BLUE HAVEN 2ND ADD PB 6 PG 8 PPIN 2843	9-11-2014	\$250.71
Shon C. & Stacy Lynn Bailey 2710 Fairacres Rd., SW Huntsville, AL 35805	2710 Fairacres Rd SW LOT 14 BL 2 REDSTONE S/D PB 1 PG 337 PPIN 28702	9-15-2014	\$224.34

RESOLUTION NO: 14- _____

Attachment A, Page 12

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>
Suntrust Bank 1001 Semmes Ave. Richmond, VA 23224	3714 LAKEWOOD CIR NW LOT 21 BL 2 LAKEWOOD HOMES ADD PB 1 PG 252 PPIN 5171	9-8-2014	\$224.34
Tayna M. and Marshall Frett 205 Brushcreek Dr., SW Huntsville, AL 35824	205 Brushcreek Dr SW LOT 21 BLK A WHEELER BEND PH II RESUB OF A PORTION OF TRACT 2 WILLIAMS-WHEELER ESTATES WARR DB 1021/952 5/30/02 PPIN 124787	8-27-2014	\$224.34
The Company, LLC c/o Frank Sims & Laura A. Sims 1200 Winner Ave., SW (Ste. B) Huntsville, AL 35805	2313 Mount Vernon Rd NW LOT 28 BL 1 MT VERNON HGTS 4TH ADD PB 7 PG 1 PPIN 10747	8-25-2014	\$224.34
Tomonia C. Hill 3105 Rita Ln., NW Huntsville, AL 35810	3105 Rita Ln NW LOT 3 BL 2 HIGHLAND VILLAGE 3RD ADD PB 4 PG 62 PPIN 8903	8-21-2014	\$224.34
Tri Con Properties, LLC c/o Nelson E. Barnes, Jr. P.O. Box 11187 Huntsville, AL 35814	2018 Front St NE LOT 11, LINCOLN PARK 3RD ADD PPIN 14065	8-25-2014	\$224.34
Victor D. Gann, Jr. & Kristin M. Gann 330 Pawnee Trl., SE Huntsville, AL 35803	330 PAWNEE TRL SE LOT 2 BL 1 HILLWOOD MANOR 2ND ADD PB 3 PG 205 PPIN 75683	8-21-2014	\$224.34