

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Jan 14, 2016

Action Requested By: Community Development

Agenda Type: Ordinance

Subject Matter:

Public Nuisance Property Assessment

Exact Wording for the Agenda:

Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of demolishing the property located at 1615 Lucille St, NW.

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 assessment for the cost of demolition and removal of debris for the (1) property listed. All requirements for declaring, demolishing and billing the public nuisance have been completed in accordance with the Code of Alabama (1975) § 11-40-30 et seq. As a result of nonpayment by a stipulated date, the property owner has been notified that an assessment will be placed on the property at the January 14, 2016 City Council meeting, at which time he/she may appear to present any objections for the assessed cost.

Associated Cost: _____

Budgeted Item: _____

MAYOR RECOMMENDS OR CONCURS: _____

Department Head: M. R. ... Date: Jan 5, 2016

RESOLUTION NO: 16- _____

WHEREAS, by Resolution No. 15-797, the City Council of the City of Huntsville, a municipal corporation in the State of Alabama, authorized the Director of Community Development of the City of Huntsville, Alabama to demolish and remove the structure on property hereinafter more particularly identified; and

WHEREAS, the City subsequently removed the structure pursuant to Resolution No. 15-797; and

WHEREAS, the Director of Community Development has subsequently mailed the owner of said property a copy of the report of the cost of demolition; the owner was further notified by letter that an assessment would be placed against subject property for nonpayment of demolition costs 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 demolition and that the stipulated date for payment of demolition costs has expired;

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 demolition 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, requested and directed to file in the Office of the Judge of Probate of Madison County, Alabama, a certified copy of this Resolution along with a lien instrument known as "Notice of Property Assessment - City of Huntsville - Code of Alabama (1975) § 11-40-30 et seq.", 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 Department of Community Development of the City of Huntsville, Alabama.

ADOPTED this the 14th day of January, 2016.

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

APPROVED this the 14th day of January, 2016.

Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 16- _____

Attachment A, Page 0

PUBLIC NUISANCE PROPERTY ASSESSMENT

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date of Removal</u>	<u>Amount Charged</u>
Sam Steward (Deceased) & Eva Steward (Deceased) 1615 Lucille St., NW Huntsville, AL 35816	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	12/15/15	\$4,222.13