

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 6/23/2016

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 41 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 23, 2016 City Council meeting,

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Michael B. Jordan

Date: 6/9/2016

RESOLUTION NO: 16- _____

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 June, 2016.

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

APPROVED this the 23rd day of June, 2016.

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>
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	5-11-2016	\$194.21
Dwight E. Babcock c/o Swords Property Management 3322 Memorial Pky., S (Ste. 609) Huntsville, AL 35801	1507 Barrington Rd NW LOT 10, BLOCK 3, ACCORDING TO THE PLAT OF EXECUTIVE HILL SUBDIVISION, THIRD SECTOR, A RE-SUBDIVISION OF A PART OF TRACT NO. 1 OF EXECUTIVE HILL SUBDIVISION, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 12, PAGE 58. PPIN 17757	5-19-2016	\$223.14
Melvin Lee Sisturnk 3221 Blue Crest St., SW Huntsville, AL 35805	3221 BLUE CREST ST SW LOT 25, BLOCK 8, BON AIR ESTATES, 5th Addition PPIN 27621	5-23-2016	\$224.86

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>
Rainer Von Ledersteger & Lattilia D. Von Ledersteger 4001 Blue Spring Rd., NW Huntsville, AL 35810	4001 Blue Spring Rd NW ALL THAT PART OF THE NE1/4 OF THE SW1/4 OF MORE PARTIC DESC AS BEG AT THE CEN OF THE S BDY OF SD SEC 14 TH S 89 DEG 25 MIN W 20.62 CHAINS TO A STAKE TH DUE N 24.20 CHAINS TO A STAKE TH N 89 DEG 07 MIN E 745.1 FT TO THE TRUR P/O/B TH DUE S 190.0 FT TO A PT IN THE N R/O/W LINE OF OAK TREE LN TH WITH TH N R/O/W LINE OF OAK TREE LN N 89 DEG 07 MIN E 575.8 FT TO A PT ON THE W MAR OF BLUE SPRING RD TH ABLG THE W MAR OF BLUE SPRING RD 190 FT TO A PT TH S 89 DEG 07 MIN W ALG THE N BDY OF THE 20 AC TR ORIGINALLY OWNED BY MILTON FRANK JR 575.8 FT TO THE PLACE OF BEG & CONTA 2.51 AC M/L SEC 14 T3 R1W PPIN 5234	5-2-2016	\$236.74
Grace C. Taylor 4400 Blue Spring Rd., NW Huntsville, AL 35810	4400 BLUE SPRING RD NW LOT 6 BL A LAKEWOOD MANOR 3RD ADD PPIN 5366	5-19-2016	\$223.14
George S. Stewart, Jr. 3712 Broadmor Rd., NW Huntsville, AL 35810	3712 Broadmor Rd NW LOT 15 BLK 10 SHADY LANE 2ND ADD PB 2 PG 2 PPIN 15587	5-19-2016	\$195.93

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>
Brandon Kruse 121 Gables Brook Dr. Huntsville, AL 35806	3106 Buttrey Dr NW LOT 4 BLK 3 ROLLING MEADOWS PPIN 8144	5-4-2016	\$223.14
Secretary Of Housing & Urban Development 4400 Will Rogers Pkwy (Ste. 300) Oklahoma City, OK 73108	3300 Claiborne Rd NW LOT 2 BLK 15 DAVIS HILLS S/D 4TH ADD PB 2 PG 215 PPIN 10001	5-19-2016	\$223.14
FNA NP, LLC 120 N LaSalle St. 29th Floor Chicago, IL 60602	2902 Cochise Cir NW LOT 20 BLK 1 CHEROKEE HILLS S/D PPIN 4373	5-3-2016	\$194.21
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	5-10-2016	\$202.21

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>
Joe D. Ford, Jr. 802 Crestline Rd., NW Huntsville, AL 35816	802 Crestline Rd NW LOT 13 BL 5 RE S/D OF LOTS 6 THRU 38 BL 1 & LOTS 13-29 BL 5 F K NOOJINS HILLANDALE ADD PPIN 19790	5-10-2016	\$223.14
Lucius T. & Joy A. Moss 4302 Chalet Cir., NW Huntsville, AL 35810	3221 Delicado Dr NW LOT 1 BLK 5 GROVE PARK 2ND ADD SUV DB 705/1135 11/12/87 PPIN 30021	5-23-2016	\$202.21
Don Alexandria 2705 Eighth Ave., SW Huntsville, AL 35805	2705 Eighth Ave SW LOT 3 BL 90 LOWE CORP ADD ASSUM DB 931/348 10/15/98 PPIN 23344	5-24-2016	\$224.86
Pantheon Tax Receivables, LP P. O. Box 54321 New Orleans, LA 70154	2904 Eighth Ave SW E 39 FT LOT 14 & W 11 FT LOT 15 BLK 146 W HVILLE ADD PPIN 23034	5-10-2016	\$223.14
Kareetha C. Miller 3121 Greenhill Dr., NW Huntsville, AL 35810	3121 GREENHILL DR NW LOT 23 BL 15 DAVIS HILLS 3RD ADD PB 2 PG 162 PPIN 9888	5-19-2016	\$223.14
J. E. Ethredge 301 Two Gait Ln. Simpsonville, SC 29680	3905 Gunnison Ln NW LOT 12, BLK 21, HIGHLANDS S/D 6TH ADD PPIN 8201	5-2-2016	\$193.37

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>
Raymond J. Williams 480 Usher Rd. Harvest, AL 35749	3006 Holmes Ave NW LOT 9, BLOCK 2, ACCORDING TO THE MAP OF SURVEY OF F.K. NOOJIN'S HILLANDALE ADDITION, HUNTSVILLE, ALABAMA, AS RECORDED IN PLAT BOOK 1, PAGE 222, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA. PPIN 20148	5-17-2016	\$223.14
Cannon P. & Bettie Peppers 3012 Love Ave., NW Huntsville, AL 35816	3012 Love Ave NW LOT 8 BLK 2 LOVE S/D 3RD ADD PPIN 19985	5-2-2016	\$193.37
FNA NP, LLC 120 N LaSalle St. 29th Floor Chicago, IL 60602	2415 MASTIN LAKE RD NW LOT 22 BL 4 GLEN PARK 2ND ADD PPIN 10638	5-11-2016	\$223.14
Alabama A & M University c/o Walter Alexander, Director Of Physical Facilities P. O. Box 1837 Normal, AL 35762	6302 Maywick Rd NW LOT 2 BLK 20 WINDSOR MANOR 4TH ADD PPIN 27487	5-24-2016	\$202.21
Alabama A & M University c/o Walter Alexander, Director Of Physical Facilities P. O. Box 1837 Normal, AL 35762	6304 Maywick Rd NW LOT 3 BLK 20 WINDSOR MANOR 4TH ADD PB 5 PG 20 PPIN 27486	5-24-2016	\$202.21

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>
Alabama A & M University c/o Walter Alexander, Director Of Physical Facilities P. O. Box 1837 Normal, AL 35762	6308 Maywick Rd NW LOT 5 BLK 20 WINDSOR MANOR 4TH ADD PB 5 PG 20 PPIN 27482	5-24-2016	\$202.21
State of Alabama Department of Revenue Attn: Anthony P.O. Box 11487 Huntsville, AL 35814	3927 MC CALLEY Pl SW LOT 6 BL 14 TRIANA VILLAGE PB 4 PG 26 PPIN 32948	5-19-2016	\$194.21
John E. Davenport 1618 McCullough Ave., NE Huntsville, AL 35801	1618 MC CULLOUGH AVE NE W 27 FT OF LOT 7 BLK 61 EAST HUNTSVILLE ADD PB 1 PG 35 PPIN 12873	5-17-2016	\$223.14
Brandon S. Nickelson 1416 McKinley Ave., NE Huntsville, AL 35801	1416 MC KINLEY AVE NE LOT 27, BLOCK 13, ACCORDING TO THE PLAT OF A.W. NEWSON'S FAIRVIEW ADDITION, AS RECORDED IN PLAT BOOK 1, PAGE 131, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA. PPIN 52892	5-17-2016	\$223.14
Susan F. Zeedar aka Susan F. Brand aka Susan Tracey Felts 142 West Park Dr. Clarksville, TN 37043	4904 MIDDLETON LN NW LOT 8 BLK 11 RUTLEDGE HGTS S/D 9TH ADD PB 9 PG 17 PPIN 17307	5-16-2016	\$194.21

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>
Georzette P. McKinney 2614 Oakdale Ter., NW Huntsville, AL 35810	2614 Oakdale Ter NW LOT 36 BLK 1 MARYMONT GARDENS S/D PPIN 6052	5-24-2016	\$195.93
Ruth Clark 1010 Oakwood Ave., NE Huntsville, AL 35811	1010 OAKWOOD AVE NE PT OF BL 1 E HVILLE ADD DES AS BEG 30 FT S & 180 FT FR CEN OF E BDRY OF SEC 25 TH S 164.9 FT TO ALLEY TH W W 49 FT TH N 164.6 FT TO S MAR OF OAKWOOD AVE TH E 49 FT TO PL OF BEG BEING LOT 3 BL 1 E HVILLE SEC 25 T3 R1W SURV DB 461/927 05/11/72 PPIN 012646	5-17-2016	\$223.14
Secretary of Housing and Urban Development 600 Beacon Parkway West Beacon Ridge Tower, (Ste. 300) Birmingham, AL 35209-3144	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 PPIN 16499	5-10-2016	\$223.14
W. H. Harmon 2531 Lex Cir. Huntsville, AL 35805	1014 PARKLANE AVE NW LOT 6 BL 6 F K NOOJINS HILLANDALE ADD PPIN 20544	5-10-2016	\$195.93

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	5-3-2016	\$195.93
Harvey Seymour, Jr. (Deceased) 1908 Polk Dr., NE Huntsville, AL 35801	1908 Polk Dr NE LOT 31 IN BLOCK 8, ACCORDING TO THE MAP OR PLAT OF DARWIN DOWNS SUBDIVISION, A COPY OF WHICH MAP OR PLAT IS RECORDED IN PLAT BOOK 1 AT PAGE 139 1/2 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, REFERENCE TO WHICH MAP OR PLAT IS HEREBY MADE IN AID OF AND AS A PART OF THIS DESCRIPTION. PPIN 51568	5-18-2016	\$250.35
Brandon D. Cooper 2625 Slate Dr., SW Huntsville, AL 35803	2625 SLATE DR SW LOT 25 ASHTYNN MANOR A RESUB OF PART LOT 5 COMM 2000 SUB PPIN 511739	5-25-2016	\$252.07
Harold E. Smith P.O. Box 11212 Huntsville, AL 35816	4501 Sparkman Dr NW LOT 1 BL 13 PARKWOOD EST S/D PPIN 8898	5-10-2016	\$223.14

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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>
Jesse S. Cowan 214 Village Springs Dr. Madison, AL 35756	819 Stevens Ave NE LOT 10 BL 22 HVILLE ADD PB 1 PG 35 PPIN 12458	5-25-2016	\$194.21
Mary Lightfoot Fomby & Jimmy Briggs 2109 Norris Rd., Huntsville, AL 35810	3004 Turf Ave NW LOT 21 BLK 1-A LOVE S/D 2ND ADD CHG FR 3-1-W34-F- 38 PER COMP MAPPING Llife ESTATE DB 890/305 02/05/97 (ELSIE BRIGGS HUMPHREY HAD LIFE ESTATE GRANTEE BEING MARY ELLEN MALONE DECEASED, JIMMY BRIGGS & MARRY TARY TANNER) PREV ASSD TO HUMPHREY, ELSIE BRIGGS PPIN 18241	5-2-2016	\$193.37

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>
Goshawk - HTN Properties, LLC c/o Jeff Finkel 400 Perimeter Center Ter. (Suite 800) Atlanta, GA 30346	4880 UNIVERSITY DR NW ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 WEST, OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA; PARTICULARLY DESCRIBED AS: BEGINNING AT AN IRON STAKE ON THE NORTHERLY RIGHT-OF-WAY OF U.S. HIGHWAY NO. 72; SAID POINT OF TRUE BEGINNING IS FURTHER DESCRIBED AS BEING N 03 DEGREES 33' 42" W, 363.00 FEET; N 87 DEGREES 14' 30" E. 610.10 FEET; S 02 DEGREES 31' 44" E, 1433.53 FEET; S 73 DEGREES 37' 10" E, 291.70 FEET; S 74 DEGREES 22' 52" E, 236.10 FEET; AND S 75 DEGREES 11' 20" E, 662.00 FEET FROM THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 1 WEST; THENCE FROM THE POINT OF TRUE BEGINNING, N 38 DEGREES 51' 32" W, 32.23 FEET TO A POINT ON THE EAST MARGIN OF A 70.00 FOOT RIGHT-OF-WAY FOR UNIVERSITY SQUARE; THENCE N 02 DEGREES 31' 44" W ALONG THE EAST MARGIN OF THE RIGHT-OF- WAY FOR UNIVERSITY SQUARE, 480.00 FEET TO A POINT; THENCE N 87 DEGREES 28' 16" E, 300.68 FEET TO A	5-25-2016	\$223.14

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>
	<p>POINT: THENCE S 02 DEGREES 31' 44" EAST 593.88 FEET TO A POINT ON THE NORTHERLY MARGIN OF THE RIGHT-OF- WAY FOR U.S. HIGHWAY NO. 72; THENCE ALONG THE NORTHERLY MARGIN OF SAID RIGHT-OF-WAY, N 75 DEGREES 11' 20" W, 295.00 FEET TO THE POINT OF TRUE BEGINNING. PPIN 19580</p>		
<p>Elmore Properties, LLC 202 Winslow Dr. Athens, AL 35613</p>	<p>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</p>	5-16-2016	\$223.14
<p>Tami Burgess 63 Fox Terrace Yonkers, NY 10701</p>	<p>3813 Vogel Dr NW Lot 14, Blk 3, Grove View Acres S/D PPIN 6689</p>	5-11-2016	\$194.21
<p>Ann Haines Hall 325 Green Cove Rd. (Lot 137) Huntsville, AL 35803</p>	<p>5202 Whitesburg Dr SE LOT 17 BL 1 WESTBURY ESTS 1ST ADD PB 3 PG 72 PPIN 59438</p>	5-18-2016	\$223.14

RESOLUTION NO: 16- _____

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>
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	5-10-2016	\$195.93