Postponed till 7/14/2016 on 5/26/2016
Postponed till 8/25/2016 on 7/14/2016

RESOLUTION NO: 16- 360

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has inspected or caused to be inspected the property situated at 101 Whitney Ave NE in Huntsville, Alabama, and has determined that the structure, including any and all accessory structures, is unsafe; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, did on the 15th day of March, 2016, cause to be and issued to owners of record of the property, Notice to Demolish Structure, Official Notice No. 16-541PNS, a copy of which is attached hereto as EXHIBIT "A", being substantially similar in words to that document identified as "NOTICE OF PUBLIC NUISANCE", a copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville; and

WHEREAS, any structure located on said property has not been demolished as required by said notice, and no appeal having been taken therefrom as by law provided; and

WHEREAS, photographs showing the condition of the property are attached hereto as EXHIBIT "B"; and

WHEREAS, independent contractors have inspected the structure(s) and determined that the cost of repair and rehabilitation is not economically feasible and is of the opinion that the structure(s) should be demolished, and has given a written statement to that effect, a copy of which is attached hereto as EXHIBIT "C"; and

WHEREAS, in the judgement of the Director of the Department of Community Development of the City of Huntsville, Alabama, the structure(s) in question cannot be reasonably repaired, and that demolition of the structure, including any and all accessory structures, is necessary to protect the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that upon the expiration of ten (10) days from today's date, the Director of the Department of Community Development, City of Huntsville, Alabama, is authorized to proceed, pursuant to § 11-40-30 et seq., Code of Alabama (1975), to demolish and remove the structure(s) and contents, if any, at 101 Whitney Ave NE more particularly described as follows to-wit:

LOT 1 BL A EDMONTON HEIGHTS S/D PART A

and to assess the reasonable costs for demolition and removal of debris against said property.

RESOLUTION NO: 16- 360

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 take all lawful and necessary actions to accomplish the foregoing.

ADOPTED this the _____ day of _____, 2016.

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

APPROVED this the _____ day of _____, 2016.

_____
Mayor of the City of Huntsville, Alabama

EXHIBIT "A"

Department of Community Development
Code Enforcement Division

Michelle G. Jordan, Director, Community Development

120 Holmes Avenue E.
P.O. Box 308
Huntsville, AL 35804
Phone: (256) 427-5400, FAX: (256) 427-5431

Area: 2 ***CT: t2.01*** ***CD: 1*** ***PV: 0*** ***Insp.: dwa*** ***FINAL: 4/14/2016***

OFFICIAL NOTICE NO. 16-541PNS

Caffey Enterprises, LLC
3920 Meridian St.
Huntsville, AL 35811

Re: 101 Whitney Ave NE

PPIN: 48841 PARCEL: 13-04-18-0-001-005.000
Legal Description: LOT 1 BL A EDMONTON HEIGHTS S/D PART A

Date Inspected: 3/8/2016 **Notice Issued: 3/15/2016** **DEMOLISH BY: 4/14/2016**

In accordance with Sec. 11-40-30 et seq., Code of Alabama (1975), the Housing Official of the City of Huntsville, Alabama has determined that the structure located on the property described above is unsafe and constitutes a public nuisance due to the following conditions:

VIOLATIONS

- **Unit lacks direct-wired electrical smoke detector(s) (must have on-board battery back-up).**
- **Electrical system not operational.**
- **Gas system not operational.**
- **Exterior door missing: right, front**
- **Sanitary facilities not operational.**
- **Toilet damaged:**
- **Toilet not in working order:**
- **Kitchen sink missing.**
- **Bathroom sink missing:**
- **Toilet supply line missing:**
- **Toilet drain not properly connected:**
- **Electrical outlet damaged: throughout**
- **Electrical outlet cover missing: throughout**
- **Electrical switch damaged: throughout**
- **Electrical switch cover missing: throughout**
- **Light fixture cover missing: throughout**
- **Interior floor not in good repair: throughout**
- **Interior wall has hole: living room, kitchen, hall, left bedroom, right bedroom, bathroom**
- **Interior ceiling has hole: living room, left bedroom**
- **Interior ceiling not in good repair: right bedroom**
- **Interior floor not impervious to water: kitchen, bathroom**
- **Unit lacks heat.**
- **Exterior siding rotted: left, rear**
- **Siding lacks paint: left, rear**
- **Trim rotted: left, rear, right**
- **Trim lacks paint: front, left, rear, right**
- **Window sash missing: left, rear**
- **Window pane missing: left, rear**

OFFICIAL NOTICE NO. 16-541PNS (Cont.)

- **Window sill rotted: left, rear**
- **Roof has hole: left**
- **Roof decking rotted: left**
- **Roof rafter rotted: left**
- **Gas heater damaged and not in operating condition.**

NOTICE TO DEMOLISH STRUCTURE

This structure must be demolished and removed prior to: 4/14/2016

Demolition permits must be obtained from the City of Huntsville Inspection Department and work commenced and completed by the specified date.

Failure to comply with this notice by the specified date may result in the property being presented to the City Council as a public nuisance for demolition by the City of Huntsville. If the City of Huntsville demolishes the structure, all costs incurred will be assessed against the property and will be added to the tax bill of the property. Failure to pay the assessment will result in foreclosure and the property being sold.

REQUEST FOR HEARING: Any person, firm, or corporation having an interest in the building or structure may file a written request for a hearing to the City Council of the City of Huntsville, Alabama. The written request must be received by the City Council of the City of Huntsville prior to 4/5/2016. The written request must contain the objections to the finding by the Housing Official that the building or structure is unsafe to the extent of being a public nuisance. The request may be mailed or delivered to:

CITY COUNCIL OF THE CITY OF HUNTSVILLE
P.O. BOX 308
308 FOUNTAIN CIRCLE
HUNTSVILLE, AL 35801

Your cooperation will be appreciated. For questions related to this notice, please call Don Alford, Housing Specialist, at (256) 427-5405.

Don Alford

Don Alford, Housing Specialist
Phone: (256) 427-5405

cc:

Regions Bank
200 Clinton Avenue, West
Huntsville, AL 35801

Caffey Enterprises, LLC
125 Lake Pointe Circle
Huntsville, AL 35824

Caffey Enterprises, LLC
9103 Kenley Way
Birmingham, AL 35242

EXHIBIT "B"

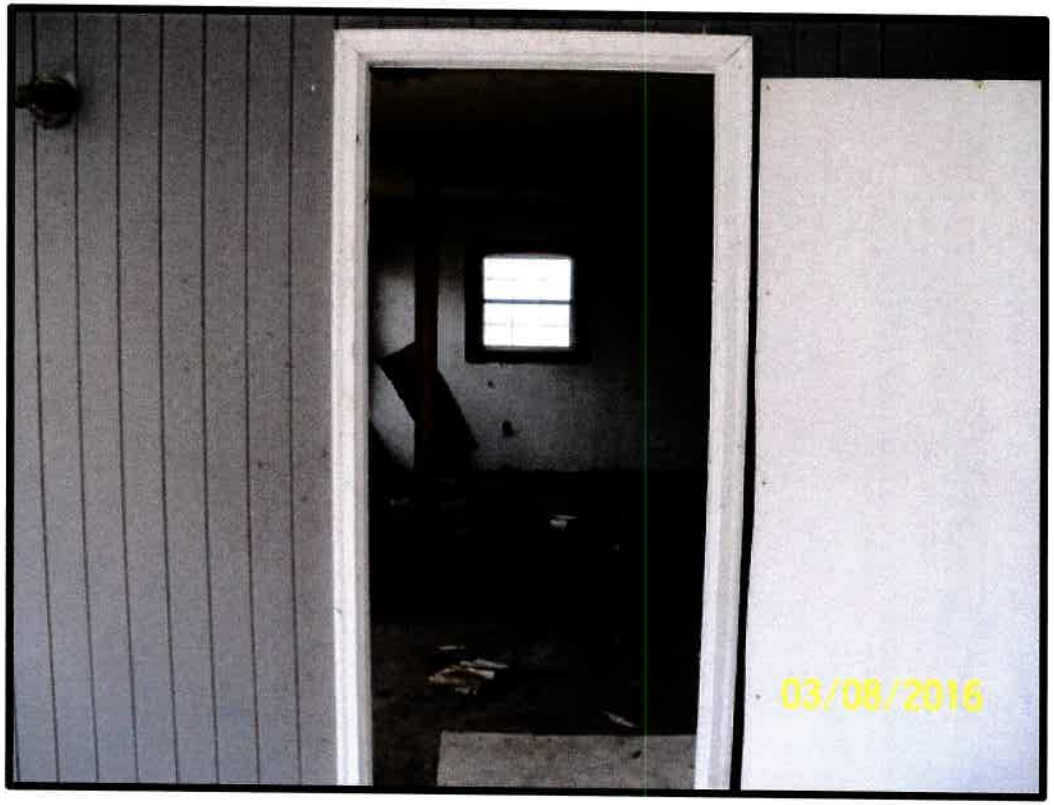
101 Whitney Ave.

03/08/2016

03/08/2016

03/08/2016

03/08/2016


03/08/2016

03/08/2016

03/08/2016

03/08/2016

03/08/2016

03/08/2016

03/08/2016

EXHIBIT "C"

ADDRESS OF STRUCTURE: 101 Whitney Ave. Huntsville, AL 35811

INSPECTOR'S NAME: Dan Schrimsher TITLE: Co-Owner/Foreman

COMPANY NAME: Bobby Schrimsher & Sons Gen Contr, Inc. PHONE: 256-533-3580

NUMBER OF DWELLING UNITS 1 NUMBER OF STORIES 1

CONSTRUCTION: Wood Frame ✓ Frame/Veneer___ Masonry___ Other___

APPROXIMATE SIZE OF STRUCTURE: 30 ft. X 37 ft. = 1,110 s/f

** ASBESTOS SIDING or ROOFING: (NO) ✓ YES___ (Appx. S/F = ___)

COMPONENTS	PERCENTAGE REPLACEMENT REQUIRED										
I. EXTERIOR											
1) FOUNDATION:	0	1	2	3	4	5	6	7	8	9	10
2) FLOOR SYSTEM	0	1	2	3	4	5	6	7	8	9	10
3) FRAMING:	0	1	2	3	4	5	6	7	(8)	9	10
4) ROOF SYSTEM:	0	1	2	3	4	5	6	7	8	(9)	10
										EXTERIOR TOTAL =	17
II. INTERIOR											
1) INT. FLOORS	0	1	2	3	4	5	6	7	(8)	9	10
2) INT. WALLS	0	1	2	3	4	5	6	7	8	9	(10)
3) INT. CEILINGS	0	1	2	3	4	5	6	7	8	9	(10)
										INTERIOR TOTAL =	28
III. UTILITY SYSTEMS											
1) ELECTRICAL SYSTEM	0	1	2	3	4	5	6	7	8	9	(10)
2) HEATING SYSTEM	0	1	2	3	4	5	6	7	8	9	(10)
3) PLUMBING SYSTEM	0	1	2	3	4	5	6	7	8	9	(10)
										UTILITY SYSTEM TOTAL =	30
IV. OTHER DEFICIENCIES (if applicable)											
1) windows & doors	0	1	2	3	4	5	6	7	8	9	(10)
2)	0	1	2	3	4	5	6	7	8	9	10
										OTHER DEFICIENCIES TOTAL =	10
										GRAND TOTAL POINT RATING =	85

FEASIBILITY OF REPAIR: RATING 50 or MORE - (REHAB NOT FEASIBLE) ✓

RATING 49 or LESS - REHAB FEASIBLE___

REMARKS: dwelling appears to have been vacant for extended period of time and repairs have been neglected.

SIGNATURE: David B. Schrimsher DATE: 3/9/2016