

CITY COUNCIL AGENDA ITEM COVER MEMO

FOR AGENDA OF COUNCIL MEETING/WORK SESSION - DATE: December 17, 2009

ACTION REQUESTED BY: Community Development/Michelle G. Jordan

SUBJECT MATTER: Property Assessment

EXACT WORDING FOR THE AGENDA: Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the cost of boarding and securing against certain properties.

ORDINANCE _____ RESOLUTION X MOTION _____

(IF AMENDMENT, STATE TITLE AND NUMBER OF ORIGINAL) _____

ITEM IS TO BE CONSIDERED FOR:

INTRODUCTION _____ ACTION X DISCUSSION _____

UNANIMOUS CONSENT REQUIRED? YES _____ NO X

BRIEFLY STATE WHY THE ACTION IS REQUESTED; WHY IT IS RECOMMENDED OR NOT RECOMMENDED; WHAT COUNCIL ACTION WILL PROVIDE, ALLOW, OR ACCOMPLISH; ANY ASSOCIATED COST; BUDGETED (?); AND WHY ANY OTHER INFORMATION THAT YOU THINK MIGHT BE HELPFUL.

The attached Resolution authorizes the assessments for the 3 properties listed. All procedural requirements for declaring, securing and billing the nuisance have been completed in accordance with the City of Huntsville Code of Ordinances, Chapter 7, Article V. 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 December 17, 2009 City Council meeting, at which time he may appear to present any objections for the assessed cost.

SIGNATURE _____
Director

DATE _____

ADOPTED
12/17/2009

RESOLUTION NO: 09- 1170

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 7, Article V entitled "'Minimum Housing Standards'"; and

WHEREAS, the Director of Community Development for the City of Huntsville, Alabama, has determined that a building on property hereinafter more particularly identified must be boarded and secured; and

WHEREAS, the building was subsequently secured by the City and the owner was mailed a copy of the report of the cost; the owner was further notified by letter that an assessment would be placed against subject property for nonpayment of the cost to secure the property 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 boarding and securing and that the stipulated date for payment of this cost 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 boarding and securing 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. 07-171**" 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 _____ day of _____, 2009

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

APPROVED this the _____ day of _____, 2009

Mayor of the City of Huntsville, Alabama

RESOLUTION NO: 09- 1170

Attachment A, Page 1

BOARD & SECURE BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date Secured</u>	<u>Amount Charged</u>
Christy M. Goldsmith 444 Lillian Ave. Stockton, CA	2510-A Huntsville St NW LOT 26 IN BLOCK 10B OF THE RE-SUBDIVISION OF BLOCKS E, F & 10 KILDATE ESTATES, ADJOINING, HUNTSVILLE, ALABAMA, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 1, PAGE 168. BEING THE SAME PROPERTY SET ASIDE BY THE PROBATE COURT OF MADISON COUNTY, ALABAMA, TO BELULAH PROSSER, AS THE WIDOW OF A.R. PROSSER, DECEASED AS A HOMESTEAD EXEMPTION BY ITS DECREE DATED THE 19TH DAY OF MARCH, 1946, AND BEING THE SAME PROEPRTY CONVEYED AND DESCRIBED IN A DEED RECORDED IN SAID PROBATE OFFICE OF MADISON COUNTY, ALABAMA, AND ALSO, THE SOUTH 25 FT. OF LOT 25 IN BLOCK 10-B OF THE RE-SUBDIVISION OF BLOCK E, F & 10 OF THE KILDATE ESTATES, ADJOINING THE CITY OF HUNTSVILLE, ALABAMA, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 1, PAGE 168.	11-9-2009	\$288.96

RESOLUTION NO: 09- 1170

Attachment A, Page 2

BOARD & SECURE BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date Secured</u>	<u>Amount Charged</u>
Christy M. Goldsmith 444 Lillian Ave. Stockton, CA	2510-B Huntsville St NW LOT 26 IN BLOCK 10B OF THE RE-SUBDIVISION OF BLOCKS E, F & 10 KILDATE ESTATES, ADJOINING, HUNTSVILLE, ALABAMA, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 1, PAGE 168. BEING THE SAME PROPERTY SET ASIDE BY THE PROBATE COURT OF MADISON COUNTY, ALABAMA, TO BELULAH PROSSER, AS THE WIDOW OF A.R. PROSSER, DECEASED AS A HOMESTEAD EXEMPTION BY ITS DECREE DATED THE 19TH DAY OF MARCH, 1946, AND BEING THE SAME PROEPRTY CONVEYED AND DESCRIBED IN A DEED RECORDED IN SAID PROBATE OFFICE OF MADISON COUNTY, ALABAMA, AND ALSO, THE SOUTH 25 FT. OF LOT 25 IN BLOCK 10-B OF THE RE-SUBDIVISION OF BLOCK E, F & 10 OF THE KILDATE ESTATES, ADJOINING THE CITY OF HUNTSVILLE, ALABAMA, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, IN PLAT BOOK 1, PAGE 168.	11-9-2009	\$288.96

RESOLUTION NO: 09- 1170

Attachment A, Page 3

BOARD & SECURE BY CITY

<u>Name and Address of Property Owner</u>	<u>Property Location and Description</u>	<u>Date Secured</u>	<u>Amount Charged</u>
Steve Taylor Enterprises Inc. c/o Steven M. Taylor 2100 Hickory Ridge Cir. Birmingham, AL	806 Linwood Dr NW LOT 18 BLK 2 S/D F K NOOJINS HILLANDALE ADD	10-26-2009	\$418.44