

**CITY COUNCIL AGENDA ITEM COVER MEMO**

FOR AGENDA OF COUNCIL MEETING/WORK SESSION - DATE: October 22, 2009

ACTION REQUESTED BY: Community Development/Michelle G. Jordan

SUBJECT MATTER: Public Nuisance Property Assessment

EXACT WORDING FOR THE AGENDA: Public Hearing on a Resolution authorizing the City Clerk-Treasurer to assess the costs of demolishing the property located at 4221 Keith St NW

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 assessment for the costs 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 October 22,2009, City Council meeting, at which time the owners may appear to present any objections for the assessed costs.

SIGNATURE \_\_\_\_\_  
Director

DATE \_\_\_\_\_

**ADOPTED**  
10/22/2009

**RESOLUTION NO: 09- 958**

**WHEREAS**, by Resolution No. 09-717, 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. 09-717; 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 property 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 \_\_\_\_\_ 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- 958** \_\_\_\_\_

Attachment A, Page 1

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>
Jessie & Lily Duncan 4221 Keith St., NW Huntsville, AL 35810	4221 Keith St NW Lot 11, Bl 2, Brookhurst S/D PPIN # 5589	9/16/09	\$6,966.43