

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: 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.

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 19 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 October 22, 2009 City Council meeting, at which time he may appear to present any objections for the assessed cost.

SIGNATURE _____

Director

DATE _____

ADOPTED
10/22/2009

RESOLUTION NO: 09- 959 _____

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 _____ 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- 959

Attachment A, Page 1

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>
Brenda Lyle and John W. Turner 3106 Buttrey Dr., NW Huntsville, AL	3106 Buttrey Dr NW LOT 4 BLK 3 ROLLING MEADOWS	9-2-2009	\$267.91
Charles & Patsy Maze 2309 Andrew Jackson Huntsville, AL	2309 Andrew Jackson Way NE LOT 12 BLK 4 LEE HIGH	8-31-2009	\$267.91
Christy M. Goldsmith 444 Lillian Ave. Stockton, CA	2510 Huntsville St NW (Unit B) LOT 26 BL 10-B RESUB OF BLKS E-F-10 KILDARE PB 1 JG 168	8-24-2009	\$228.94
Citi Mortgage, Inc. 5280 Corporate Dr. Frederick, MD 21703	2105 Rosewood Cir NW LOT 14 BLK 1 SHADY LANE S/D PB 1 PG 365	9-9-2009	\$259.91
Douglas W. & Mattie L. Cook 9783 Sherrell Court St. Louis, MO 63119	2301 Shady Lane Dr NW LOT 14 BL 7 SHADY LANE 3RD ADD (CHG FR 3-1W- 27.00-H-53 COMPUTER MAPPING)	8-24-2009	\$259.91
Doyle Ray Love & Guy Crosson c/o Guy Crosson 264 Hickory Crest Dr. Cleveland, TN	2510 Huntsville St NW (Unit A) S 1/2 OF LOT 25 RESUB OF BLKS E-F-10 KILDARE PB 1 PG 168	8-24-2009	\$228.94

RESOLUTION NO: 09- 959

Attachment A, Page 2

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>
Edward G. Lloyd Jones 1932 Willow Ridge Dr. Vista, CA 92081	2706 Sixth Ave SW (Vacant Lot) LOT 13 BL 38 WEST HUNTSVILLE ADDITION	9-8-2009	\$249.61
Elzirah & Elvirah Finley 2206 Sullivan Rd., NW Huntsville, AL 35810	2206 Sullivan Rd NW LOT 9 BL 21 LAKEWOOD MANOR 2ND ADD	8-27-2009	\$259.91
George T. Stewart and Stacey Leigh Stewart As Co- Trustee Of The George T. Stewart and Arlene Stewart Living Trust 3408 Kennemore Dr., SW Huntsville, AL 35805	3408 Kennemore Dr SW LOT 8 BL 17 TRIANA VILLAGE 2ND ADD	9-3-2009	\$259.91
Herman A. Bromfield & Iris Bromfield 1060 Old Monrovia Rd. Huntsville, AL 35806	3916 Telstar Cir SW LOT 6 BLK 9 BAILEY EST 2ND ADD	9-4-2009	\$259.91
James C. & Geri S. Simms 713 Giles Dr., NE Huntsville, AL 35801	713 Giles Dr NE LOT 4 BL 2 OAK PARK 3RD ADD ASSUM DB 874/166 5/03/96	8-31-2009	\$267.91
Nadege Welch P.O. Box 21012 Huntsville, AL 35824	9009 Mahogany Row SE LOT 18 TIMBERBROOK S/D	9-9-2009	\$259.91

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Attachment A, Page 3

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>
Natalie Moore 4000 Westdale Cove SW Huntsville, AL 35805	4000 Westdale Cv SW LOT 17 BL A WESTDALE ESTS 2ND ADD PB 3 PG 119	9-3-2009	\$259.91
Nikkia Washington 2210 Beasley Ave., NW Huntsville, AL 35816	2210 Beasley Ave NW LOT 14, BLK 6 SUB: GURLEY 2ND ADD	9-4-2009	\$259.91
Sam Patton c/o Hugh Lacy, (Conservator) 3118 Lodge Rd., NW	2601 Dry Creek Dr NW LOT 42 BL 2 PARKWOOD EST 4TH ADD PB 5 PG 15	9-10-2009	\$228.94
Samuel H. Miles, Jr. 1003 Fieldstone Ct., SE Huntsville, AL	1003 Fieldstone Ct SE LOT 56 BLK 2 ESSEX SQUARE	8-25-2009	\$259.91
Tracy Lee Page 3813 Cary Rd. Huntsville, AL 35810	3813 Cary Rd NW LOT 12 BL 4 MIMOSA HILL S/D 3RD ADD	8-27-2009	\$228.94
Virida McDonnell & Patricia Frances McDonnell 3109 Sixth Ave., SW & BLK 61 PB 1 PG 39 Huntsville, AL	3109 Sixth Ave SW LOT 10 BLK 42 WEST HUNTSVILLE ADD RE-SURVEY OF THE S 1/2 OF BLK 42	9-4-2009	\$259.91

RESOLUTION NO: 09- 959 _____

Attachment A, Page 4

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>
Wells Fargo Bank Minnesota c/o Citi Residential Lending, Inc. 505 City Parkway West Orange, CA 92868	618 Murray Rd NW LOT 2 BLK 4 YARBROUGH EST 2ND ADD CODE 43-8-41 PAR 3	9-9-2009	\$259.91