

RESOLUTION NO. 2022-1708

A RESOLUTION ASCERTAINING, FIXING AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A LIEN ON THE PROPERTY KNOWN AS 13 COOSA RD., BOAZ, AL 35956; PARCEL ID# 2503063000066008, IN THE CITY OF BOAZ, ALABAMA, AS A RESULT OF THE CITY ORDERING THE DEMOLITION OF THE BUILDING ON THE PROPERTY PURSUANT TO ORDINANCE NO. 2020-1150

WHEREAS, heretofore the City Council of Boaz, Alabama, after due and lawful notice was given and a public hearing held in accordance with Ordinance No. 2020-1150, declared that a building located within the City was unsafe to the extent that it was a public nuisance and ordered the demolition of said building located on the following described property, to wit:

STREET ADDRESS:

13 Coosa Rd.
Boaz, AL 35956

LEGAL DESCRIPTION:

Commence at the Southeast corner of the NW 1/4 of the NE 1/4, Section 7, T-10-S, R-5-East of Huntsville Meridian and run S89°53'01"W along the South line thereof, 1296.96 feet to a point on the Westerly R/W of the L&N Railroad (100' R/W); thence run N25°40'47"W along said R/W 1142.80 feet to a point of intersection with the Northerly R/W of Coosa Road (50' R/W); thence leaving said railroad R/W run the following along said Northerly R/W N59°17'35"W, 116.55 feet; N59°53'01"W, 430.36 feet; N62°09'36"W, 93.08 feet; N64°31'35"W 87.51 feet; N65°39'35"W, 343.49 feet and N65°52'43"W, 112.14 feet to an existing capped rebar and the point of beginning of the property described herein; thence run N66°52'43"W along said R/W 39.15 feet to a point; thence run N70°07'43"W, along said R/W 92.10 feet to a point; thence run N42°53'57"E, leaving said R/W 158.67 feet to a point; thence run S52°19'08"E, 111.15 feet to a point; thence run S37°40'52"W, 120.00 feet to the point of beginning. Said property being a portion of the South Half (S1/2) of the SW 1/4, Section 6, T-10-S, R-5-E, Marshall County, Alabama.

PARCEL IDENTIFICATION NUMBER:

Parcel 2503063000066008

INTERESTED PERSONS:

Benny Ashley
Edith Ashley & Others
Niviana Gaspar

WHEREAS, the City has completed demolition of said building at the City's expense;
and

WHEREAS, the appropriate municipal official has made a report to the Council of said costs, including the cost of complying with Ordinance No. 2020-1150, the sum of which was \$8,357.30; and

WHEREAS, the City Clerk set the report of costs for a public hearing at a meeting of the Council on **June 13, 2022, at 6:00 p.m.** and gave no less than ten (10) days notice of the public hearing by certified mail to all persons or entities listed in Section F(b)(1) of Ordinance No. 2020-1150; and

WHEREAS, said public hearing was held by the Council; and

WHEREAS, it is now the desire of the Council to fix the costs which it finds were reasonably incurred in connection with the demolition and assess the costs against the previously described land upon which said building was located.

NOW, THEREFORE, BE IT RESOLVED by the Council of Boaz, Alabama while in regular session on June 13, 2022, at 6:00 p.m. as follows:

Section 1. That the Council hereby assesses the sum of \$8,357.30 to be the costs reasonably incurred by the City in connection with the demolition of the building located on the following described property, to wit:

STREET ADDRESS:

13 Coosa Rd.
Boaz, Al 35956

LEGAL DESCRIPTION:

Commence at the Southeast corner of the NW 1/4 of the NE 1/4, Section 7, T-10-S, R-5-East of Huntsville Meridian and run S89°53'01"W along the South line thereof, 1296.96 feet to a point on the Westerly R/W of the L&N Railroad (100' R/W); thence run N25°40'47"W along said R/W 1142.80 feet to a point of intersection with the Northerly R/W of Coosa Road (50' R/W); thence leaving said railroad R/W run the following along said Northerly R/W N59°17'35"W, 116.55 feet; N59°53'01"W, 430.36

feet; N62°09'36"W, 93.08 feet; N64°31'35"W 87.51 feet; N65°39'35"W, 343.49 feet and N65°52'43"W, 112.14 feet to an existing capped rebar and the point of beginning of the property described herein; thence run N66°52'43"W along said R/W 39.15 feet to a point; thence run N70°07'43"W, along said R/W 92.10 feet to a point; thence run N42°53'57"E, leaving said R/W 158.67 feet to a point; thence run S52°19'08"E, 111.15 feet to a point; thence run S37°40'52"W, 120.00 feet to the point of beginning. Said property being a portion of the South Half (S1/2) of the SW 1/4, Section 6, T-10-S, R-5-E, Marshall County, Alabama.

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Benny Ashley

Section 2. That the City Clerk be authorized and directed to file a certified copy of this resolution in the offices of the Judge of Probate of Marshall County, Alabama, and the Marshall County Revenue Commissioner. That the City Clerk be authorized and directed to issue an assessment in the amount of \$8,357.30 to the interested persons above as provided by law and that, in the event of a failure to pay the assessment when due, the City Attorney is hereby authorized to take any and all actions necessary to prosecute the lien as permitted by law, including, but not limited to, foreclosure to satisfy the lien.

ADOPTED this the 13th day of June, 2022.

David Dyar, Mayor

ATTEST: _____
Jill Bright, Clerk

CERTIFICATION OF CLERK

I, Jill Bright, City Clerk of Boaz, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of Boaz, Alabama, on the _ day of _, 20_.

Witness my hand and seal of office this ____ day of _____, 20__.

Jill Bright, Clerk