

RESOLUTION NO. 2022-1733

A RESOLUTION ASCERTAINING, FIXING AND DETERMINING THE AMOUNT OF ASSESSMENT TO BE CHARGED AS A LIEN ON THE PROPERTY KNOWN AS 16 PLEASANT HILL CUTOFF RD., BOAZ, AL 35956; PARCEL ID#05-01-12-0-001-023.004;, 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:

16 Pleasant Hill Cutoff Rd., Boaz AL 35956

LEGAL DESCRIPTION:

To reach the point of beginning of a tract or parcel of land described herein commence at the NE corner of the SE ¼ of the SE ¼, Section 12, Township 10 South, Range 4 East of Huntsville Meridian and run South 64° 44'00" West, 43.10' to a point which is the point of the beginning; thence run South 79° 44'00" West, 120' to a point; thence run South 88° 25'00" West, 19.80' to a point on the South R/W of Pleasant Hill Road (80' R/W); thence run South 21° 09'00" East, leaving said R/W, 45.83' to an existing ½" rebar; thence run South, 21° 09'00" East, 104.00' to an existing ½" rebar; thence run North 79° 32'00" East, 40.00' to an existing ½" rebar; thence run South 10 degrees 14' 00" East 342.00' to the centerline of a creek; thence run Northeasterly along the center line of a creek; thence run Northeasterly along the center line of said creek for a distance 68.9' to a point in the West line of that certain tract conveyed to Margaret E. Bishop by deed recorded in Book "1370", Page 421; thence run South 03 ° 08' West for a distance of 189.74' to the SW corner of said tract; thence run North 58° 48' East for a distance of 185' to a point in the West margin of a county road; thence run Northerly and along said road for a distance of 522.63' to the South R/W line of Pleasant Hill Road and the point of beginning. Said description embracing a portion of SE ¼ of the SE ¼ in Section 12, Township 10 South, Range 4 East, of the Huntsville Meridian , Etowah County, Alabama.

PARCEL IDENTIFICATION NUMBER:

Parcel 05-01-12-0-001-023.004;

INTERESTED PERSONS:

Willie L Bishop and Margaret Bishop - Life Estate
Kathy (Bishop) Slaten
Gary Lee Bishop

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 \$7,786.01; and

WHEREAS, the City Clerk set the report of costs for a public hearing at a meeting of the Council on January 9, 2023 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 January 9, 2023 at 6:00 p.m. as follows:

Section 1. That the Council hereby assesses the sum of \$7,786.01 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:

16 Pleasant Hill Cutoff Rd., Boaz AL 35956

LEGAL DESCRIPTION:

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a portion of SE ¼ of the SE ¼ in Section 12, Township 10 South, Range 4 East, of the Huntsville Meridian , Etowah County, Alabama.

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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 Etowah County, Alabama, and the Etowah County Revenue Commissioner. That the City Clerk be authorized and directed to issue an assessment in the amount of \$7,786.01 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 9th day of January, 2023.

David Dyar, Mayor

ATTEST: _____
Beth Stephens, Clerk

CERTIFICATION OF CLERK

I, Beth Stephens, 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 9th day of January, 2023.

Witness my hand and seal of office this 10th day of January, 2023.

Beth Stephens, Clerk