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(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/  
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO  
DIRECT THE DEPARTMENT OF PLANNING,  
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION  
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO  
DEMOLISH AND CLEAN THE PREMISES OF VARIOUS  
STRUCTURES, PURSUANT TO ARTICLE III OF THE  
ATLANTA HOUSING CODE AND A HEARING  
CONDUCTED BY THE IN REM REVIEW BOARD ON  
April 27, 2000.

- 165 Anderson Avenue, NW 03
- 2575 Burton Road, SW 10
- 2001 Chicago Avenue, NW 03
- 94 Fairfield Place, NW 03
- 1127 Osborne Avenue, SW 12
- 300 Ralph D. Abernathy Blvd, SW 04
- 4059 Waits Avenue, SW 11

**ADOPTED BY  
JUL 17 2000  
COUNCIL**

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 7/5/00

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee CD/HR  
 Date 6/28/00  
 Chair [Signature]  
 Referred to [Signature]

Committee CD/HR  
 Date 7/12/00  
 Chair [Signature]  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members [Signatures]  
 Refer To

Committee  
 Date  
 Chair  
 Action: Fav, Adv, Hold (see rev. side)  
 Other:  
 Members  
 Refer To

FINAL COUNCIL ACTION

- 2nd
- 1st & 2nd
- 3rd
- Consent
- V Vote
- RC Vote

CERTIFIED

**CERTIFIED**

JUL 17 2000

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

**CERTIFIED**

JUL 17 2000

[Signature]  
MUNICIPAL CLERK

MAYOR'S ACTION

**APPROVED**

JUL 21 2000

[Signature]  
MAYOR



BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

**AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO DEMOLISH AND CLEAN THE PREMISES OF VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON April 27, 2000.**

165 Anderson Avenue, NW	03
2575 Burton Road, SW	10
2001 Chicago Avenue, NW	03
94 Fairfield Place, NW	03
1127 Osborne Avenue, SW	12
300 Ralph D. Abernathy Blvd, SW	04
4059 Waits Avenue, SW	11

**WHEREAS**, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

**WHEREAS**, on April 27, 2000, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

**WHEREAS**, April 27, 2000, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

**WHEREAS**, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

**WHEREAS**, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

**WHEREAS**, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.



**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:**

**SECTION 1:** That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith demolish and clean the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
165 Anderson Avenue, NW	03
2575 Burton Road, SW	10
2001 Chicago Avenue, NW	03
94 Fairfield Place, NW	03
1127 Osborne Avenue, SW	12
300 Ralph D. Abernathy Blvd, SW	04
4059 Waits Avenue, SW	11

**SECTION 2:** That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Demolish the structures and clean the premises.
- (3) Plant grass in conformance with the Order of the In Rem Review Board
- (4) File a lien against the real property on which the structures(s) are attached  
In an amount necessary to recover the costs incurred by the City of Atlanta

**SECTION 3:** That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Rhonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

JULY 17, 2000  
JULY 21, 2000



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

John Pickens & Queen Pickens  
National Tax Funding, LP  
Ford Consumer Finance Company, Inc.

on 4-7-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

ALL that tract or parcel of land lying and being in Land Lot 174 of the 14th District of Fulton County, Georgia, and being known as Lot #4 in Block 11 of the Subdivision of Dixie Hills, according to plat made by James W. Burpitt, C. E., dated March 21, 1935, and being more particularly described as follows:

BEGINNING at a point on the eastern side of Anderson Avenue four hundred thirty-six (436) feet south from the southeastern corner of Tiger Flowers Drive and Anderson Avenue, and running thence east two hundred two and eight tenths (202.8) feet; thence south fifty (50) feet; thence west two hundred two and two tenths (202.2) feet to Anderson Avenue; thence north along Anderson Avenue a distance of Fifty (50) feet to the point of beginning; being improved property known as NO. 165 ANDERSON AVENUE, N.W., according to the present system of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: April 7, 2000

BY:

Dale L. Hayward  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Leroy Binns, Jr. and Karl V. Binns  
IRS

on 4-7-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

all that tract and parcel of land  
lying and being in Land Lot 206 of the 14th District of Fulton County, Georgia, being  
Lot 11, in Block "L" of the Subdivision of Unit 2 of the Westland Estates, and  
more Particularly described as follows:

BEGINNING at a point of the NORTH side of Burton Road, One Thousand Three (1003) feet WEST along the NORTH side of Burton Road from the corner formed by the NORTH side of Burton Road and the SOUTHWEST side of Hoghtower Road, if the street lines were extended to form an angle instead of a curve; and running thence WEST along the NORTH side of Burton Road, One Hundred (100) feet to the EAST line of Lot 10, Block "L", subdivision aforesaid; thence NORTH along said line One Hundred Ninety-five (195) feet; thence EAST parallel to Burton Road, One Hundred (100) feet to the WEST line of Lot 12 of Block "L", subdivision aforesaid; thence SOUTH along said line, One Hundred Ninety-five feet to the NORTH side of Burton Road to the beginning point: being improved property known as No. 2575 Burton Road, N.W., according to the present numbering of houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: April 7, 2000

BY:

Dale A. King  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castagn  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**W. James Wilson  
Decatur Federal Savings & Loan Association**

on **4-7-00** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

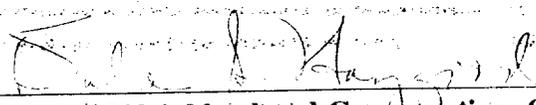
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 175 OF THE 14TH DISTRICT OF FULTON COUNTY, GEORGIA, BEING KNOWN AS LOT 1, BLOCK "D", PINE ACRES SUBDIVISION, ACCORDING TO THE PLAT OF RECORD IN PLAT BOOK 47, PAGE 71, FULTON COUNTY RECORDS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY SIDE OF CHICAGO AVENUE WITH THE SOUTHWESTERLY SIDE OF WESTCHESTER BOULEVARD: RUNNING THENCE SOUTHWESTERLY ALONG THE NORTHWESTERLY SIDE OF CHICAGO AVENUE 100 FEET TO A POINT: RUNNING THENCE NORTHWESTERLY 209.0 FEET TO THE SOUTHWESTERLY SIDE OF WESTCHESTER BOULEVARD: RUNNING THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY SIDE OF WESTCHESTER BOULEVARD 200 FEET TO THE NORTHWESTERLY SIDE OF CHICAGO AVENUE AND THE POINT OF BEGINNING: BEING IMPROVED PROPERTY KNOWN AS 2001 CHICAGO AVENUE, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN FULTON COUNTY, GEORGIA.

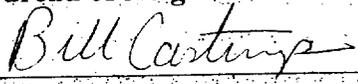
The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: **April 7, 2000**

BY:

  
Bureau of Neighborhood Conservation, Official Agent

BY:

  
Assistant Real-Estate City Attorney

**TO WHOM IT MAY CONCERN:**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

C. L. Carter, Sr.

on **4-7-00** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract and parcel of land lying and being in Land Lot 179 of the 14th District of Fulton County, Georgia, being the northern part of Lot 23 of the Fairfield Heights Subdivision according to map by C.D. Robert, C.E., dated December, 1943, and being more particularly described as follows:  
BEGINNING at a point on the west side of Fairfield Place one hundred eighty(180) feet north of the northwest corner of Verbena Street and Fairfield Place, and running thence west to the southeast line of the Georgia Power Company right-of-way; thence running northeast along the said right-of-way line to the west side of Fairfield Place; thence running south along the west side of Fairfield Place one hundred twenty-nine and two-tenths (129.2) feet to the point of beginning; being improved property known as No. 94 Fairfield Place S.W., according to the present system of numbering of houses in the City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: **April 7, 2000**

BY:

*[Signature]*  
Bureau of Neighborhood Conservation, Official Agent

BY:

*[Signature]*  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Otis Ponder  
National Tax Funding, LP  
Goldome Credit Corporation

on 4-7-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

<sup>all that tract or parcel of</sup>  
~~land being and being in~~ the City of Atlanta, Land Lot 122 of the 14th District of  
Fulton County, Georgia, being Lot 44 of the McCool Subdivision property of  
Suburban Investment Co., as per plat by B. M. Hall and Sons dated June, 1919,  
and being more particularly described as follows:

BEGINNING on the north side of Osborne Street at a point 700 feet east  
of the northeast corner of Murphy Avenue (formerly McPherson Avenue) and  
Osborne Street, and running thence east along the north side of Osborne Street  
50 feet; thence north along the west line of Lot 45 of said plat 165 feet;  
thence west along the south line of Lot 19 a distance of 50 feet; thence south  
along the east line of Lot 43 of said plat 165 feet to the point of beginning.

Being improved property known as 1127-29 Osborne Street, S.W., Atlanta,  
Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

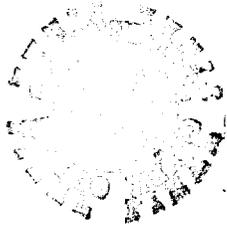
Dated: April 7, 2000

BY:

Dale E. Hayslett  
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castrop  
Assistant Real Estate City Attorney



**TO WHOM IT MAY CONCERN:**

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**True Light Mission, Dave Davis, Olivia Ford, Barbara Cornelius, Roberta Cash, Eugene Watts, III, Brenda Watts, Patricia Watts and Diane Livingston**

on **4-7-00** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract or parcel

lying and being in FULTON COUNTY, GEORGIA, and being more fully described as follows:

LOT #1: Beginning at a point on the south side of Georgia Avenue 132 feet east from the southeast corner of Georgia Avenue and Windsor Street, and running then east along the south side of Georgia Avenue forty (40) feet, then south one hundred twenty seven (127) feet to the northside of a ten (10) foot alley, thence west along the northside of the said alley forty (40) feet, thence north one hundred twenty six (126) feet to the point of beginning being improved property having a Church Edifice thereon known as No. 300 Georgia Avenue, S.W., according to the present number of houses in the City of Atlanta, Georgia.

LOT #2: Beginning at a point on the south side of Georgia Avenue ninety-two (92) feet east from Windsor Street; running thence east along Georgia Avenue forty (40) feet; thence south one hundred twenty-six (126) feet to a ten (10) foot alley; thence west along the north side of said alley thirty-nine (39) feet; thence north one hundred twenty-five and three-tenths (125.3) feet to a point of beginning being known as No. 304 Georgia Ave., S.W. according to present system of numbering. Now known as 300 RALPH D. ABERNATHY BOULEVARD, SW

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: April 7, 2000

BY: Dale S. Heywood  
Bureau of Neighborhood Conservation, Official Agent

BY: Bill Canty  
Assistant Real Estate City Attorney



## TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

**Antionette Fay McElreath a/k/a Mrs. W. M. McElreath**

on **4-7-00** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

ALL that tract or parcel of land lying and being in Land Lot 32 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the north side of Waits Avenue, 570.5 feet west of the northwest corner of Butner Road and Waits Avenue; thence west along the north side of Waits Avenue, 137.8 feet to a point; thence north 150 feet to a point; thence east 169.3 feet to a point; thence south 150 feet to a point on the north side of Waits Avenue, said point being the point of beginning. Being improved property now known as 4059 WAITS AVENUE, SW, according to the present system of numbering houses in the City of Atlanta, Georgia.

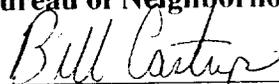
The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: April 7, 2000

BY:

  
Bureau of Neighborhood Conservation, Official Agent

BY:

  
Assistant Real Estate City Attorney

RCS# 2136  
7/17/00  
7:23 PM

Atlanta City Council

Regular Session

MULTIPLE

00-0-0879 & 00-0-0881; Bur. Neigh. Cons  
to clean & close 2565 Burton  
Adopt

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 1

*Unanimous*

Y McCarty	Y Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE