

00-0-1462

(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 CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON July 27, 2000.

1587 Jonesboro Road, SE  
2363 Paul Avenue, NW

04 1  
09

ADOPTED BY  
OCT 16 2000  
COUNCIL

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

Date Referred 10/2/00

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee: CP/HR  
Date: 9/27/00  
Chair: [Signature]  
Referred to: CP/HR

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

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

CERTIFIED

CERTIFIED  
OCT 16 2000

ATLANTA CITY COUNCIL PRESIDENT

[Signature]

CERTIFIED  
OCT 16 2000

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

[Signature]  
OCT 2 2000  
MAYOR



CITY COUNCIL  
ATLANTA, GEORGIA

AN ORDINANCE

00- 0 -1462

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 CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON July 27, 2000.**

1587 Jonesboro Road, SE  
2363 Paul Avenue, NW

04  
09

**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 July 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**, on July 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 clean the premises and close the various structures following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
1587 Jonesboro Road, SE	03
2363 Paul Avenue, NW	09

**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) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

**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  
  
 Deputy Clerk

**ADOPTED** by the Council  
**APPROVED** by the Mayor

OCT 16, 2000  
OCT 24, 2000



## TO WHOM IT MAY CONCERN:

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

Darryl W. Smith  
Mortgage Funding Network, Inc.

on 7-7-00 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 57 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING PART OF LOT 27, JONESBORO ROAD, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED 527.7 FEET SOUTHEAST FROM THE SOUTHWEST CORNER OF DOROTHY STREET AND JONESBORO ROAD; RUNNING THENCE WEST 139.97 FEET; THENCE SOUTHEAST 39.4 FEET; THENCE EAST 154 FEET TO JONESBORO ROAD; THENCE NORTHWEST ALONG THE WEST SIDE OF JONESBORO ROAD 66.9 FEET TO A POINT AND THE POINT OF BEGINNING. BEING IMPROVED PROPERTY KNOWN AS 1587 JONESBORO ROAD ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, GEORGIA AND BEING MORE PARTICULARLY SHOWN ON SURVEY PREPARED BY PEARSON & ASSOCIATES, INC., DATED MAY 9, 1939, REVISED OCTOBER 20, 1989 AND LAST REVISED JANUARY 4, 1990.

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: July 7, 2000

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

BY: *Bill Cartwright*  
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:

Joseph Avery, Jr and Ruby L. Dodd  
Bankers Trust Company, as Trustee  
Old Republic I. F. A. Corp.

on 7-7-00 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 251, 17th District, 2nd Section of Fulton County, Georgia, and being more particularly described as follows: BEGINNING at a point on the easterly side of Paul Avenue Extension, 50 feet northerly from the intersection of the easterly side of Paul Avenue Extension with the northerly side of Bernard Road; thence running along the easterly side of Paul Avenue Extension in a north-easterly direction a distance of 100 feet to a point and corner; thence in an easterly direction a distance of 100 feet to a point and corner; thence running in a southerly direction a distance of 100 feet to the northeasterly corner of the property owned by Ralph Richards; thence running in a southerly direction along the north line of the property owned by Ralph Richards a distance of 100 feet to the easterly side of Paul Avenue Extension and the point of beginning. 2363 Paul Avenue, N. W., Atlanta, GA

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: July 7, 2000

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

BY: Bill Castrop  
Assistant Real Estate City Attorney

RCS# 2301  
10/16/00  
2:28 PM

Atlanta City Council

Regular Session

MUTIPLE

00-O-1462; 00-O-1463; 00-O-1465

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 1  
EXCUSED: 0  
ABSENT 2

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

MUTIPLE