

CITY COUNCIL
ATLANTA, GEORGIA

ORDINANCE

00-0-1885

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 September 28, 2000.

| | |
|-------------------------------------|----|
| 1326 Hill Street, SE | 01 |
| 2861 Metropolitan Pkwy., SW (front) | 12 |
| 635 Pearce Street, SW | 04 |

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 September 28, 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 September 28, 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 clean the premises and close the following real property, upon which structure(s) are located:

| <u>Proper Street Address</u> | <u>City Council District</u> |
|-------------------------------------|------------------------------|
| 1326 Hill Street, SE | 01 |
| 2861 Metropolitan Pkwy., SW (front) | 12 |
| 635 Pearce Street, SW | 04 |

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,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

JAN 02, 2001
JAN 08, 2001

TO WHOM IT MAY CONCERN:

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

Jeffrey Lewis

on 9-8-00 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 41 of the 14th District of Fulton County, Georgia, being part of Lot 9 of the R.H. Turman Property, according to the plat thereof, recorded in Plat Book 2, page 164, Fulton County, Georgia records, and being more particularly described as follows:

BEGINNING at a point on the east side of Hill Street, (242.2) feet north of the northeast corner of Hill Street and Milton Avenue and running north along the east side of Hill Street (35) feet; thence running east (249.5) feet along the south line of Lot 10, said subdivision, to the west line of the property now or formerly owned by Carey L. Studdard; thence running southwesterly with Studdard's line (35.7) feet to the north line of the Hardin property; thence running west with the north line of the Hardin property (240) feet to the point of beginning; being improved property known as 1326 Hill Street, S.E., Atlanta, Georgia, subject to the use in common with the owner of the lot adjoining on the south of the driveway between said lots.

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: September 8, 2000

BY: *Dale S. Hugford*
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:

Michael Eugene Richey
Heartwood II, 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 100 of the 14th District of Fulton County, Georgia, being Lot 27, of West Hammond Park Subdivision, according to plat which is recorded in Plat Book 7, page 196, Fulton County Records, and being more particularly described as follows:

BEGINNING at a point on the West side of Stewart Avenue one thousand three hundred (1300) feet North as measured along the West side of Stewart Avenue, from the point of intersection of the West side of Stewart Avenue with the South line of Land Lot 100; said point of beginning also being the North line of Lot 26, said subdivision and plat; thence running North along the West side of Stewart Avenue, Sixty-four (64) feet to the South line of Lot 28, said subdivision and plat; thence West along the South line of said Lot 28, one hundred eighty-eight and nine-tenths (188.9) feet; thence South sixty-four (64) feet to the North line of the above mentioned Lot 26; thence East along the North line of said Lot 26, one hundred eighty-eight and eight-tenths (188.8) feet to the West side of Stewart Avenue and the point of beginning; being improved property, known as 2861 Stewart Avenue, S. 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: July 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:

Sherry Y. Stevens
Nationsbank of Georgia, N.A.
Internal Revenue Service

on **9-8-00** 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 106 of the 14th District of Fulton County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northerly side of Pearce Street 100 feet westerly from the intersection of the northerly side of Pearce Street with the westerly side of Stewart Avenue and running thence south 87 degrees 45 minutes 27 seconds west along the northerly side of Pearce Street 59.8 feet to an iron pin set at the easterly side of a 10 foot alley; running thence north 1 degree 45 minutes 35 seconds west along the easterly side of said alley 104.5 feet to an iron pin set; running thence north 88 degrees 1 minute 25 seconds east 59.3 feet to a point; running thence south 02 degrees 02 minutes 01 seconds east 104.22 feet to the point of beginning; as more particularly shown on survey prepared for Sherry Y. Stevens, dated August 14, 1995, by Solar Land Surveying Company. Being improved property known as 635 Pearce Street, S.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: September 8, 2000

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

BY: Bill Costings
Assistant Real Estate City Attorney

RCS# 2517
1/02/01
3:28 PM

Atlanta City Council

Regular Session

As Amended

MULTIPLE

Items 1-5 (00-O-1878); 00-O-1879;
00-O-1880; 00-O-1881; 00-O-1885
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

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

MULTIPLE

00-0-1885

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
 HUMAN RESOURCES COMMITTEE
Shelley Dorey
 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
 September 28, 2000.

1326 Hill Street, SE
 2861 Metropolitan Pkwy., SW (front)
 635 Pearce Street, SW

01
 12
 04

ADOPTED BY
 JAN 0 2 2001
 COUNCIL

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

Date Referred 12/4/00

Referred To: *Community Development / Human Resources*

Date Referred

Referred To:

Date Referred

Referred To:

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Other:

Members

Refer To

Committee

Date

Chair

Action:

Other:

Members

Refer To

First Reading *C 9/11/00*
11/13/00
12/13/00
1/2/01

Committee *C 9/11/00*
 Date *12/13/00*
 Chair *[Signature]*
 Action: *[Signature]*
 Other: *[Signature]*
 Members *[Signature]*
 Refer To *[Signature]*

Committee *C 9/11/00*
 Date *12/13/00*
 Chair *[Signature]*
 Action: *[Signature]*
 Other: *[Signature]*
 Members *[Signature]*
 Refer To *[Signature]*

Committee
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 Other:
 Members
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Committee
 Date
 Chair
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 Other:
 Members
 Refer To

FINAL COUNCIL ACTION
 2nd
 1st & 2nd
 3rd
 Readings
 Consent
 V Vote
 RC Vote

CERTIFIED

C
 JAN 2 2001
 ATLANTA CITY COUNCIL PRESIDENT
[Signature]

C
 JAN 0 2 2001
[Signature]

MAYOR'S ACTION

JAN 8 2001
[Signature]