



CITY COUNCIL
ATLANTA, GEORGIA

AN ORDINANCE

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

01-0-0787

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 MARCH 29, 2001

484 Fletcher Street, SW	04
518 James P. Brawley Dr., NW	03
10 Jordan Street, SE	01
709 Magnolia Street, SE	03
1963 Morehouse Drive, NW	03
862 Parsons Street	04
1501 S. Gordon Street, SW	10
153 Vine Street, SW	02
1100 White Oak Avenue, 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 March 29, 2001, 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, March 29, 2001, 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>
484 Fletcher Street, SW	04
518 James P. Brawley Dr., NW	03
10 Jordan Street, SE	01
709 Magnolia Street, SE	03
1963 Morehouse Drive, NW	03
862 Parsons Street	04
1501 S. Gordon Street, SW	10
153 Vine Street, SW	02
1100 White Oak Avenue, SW	04

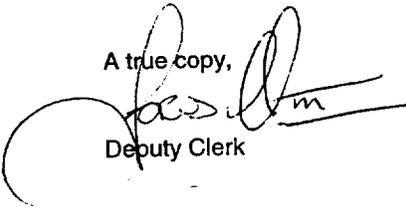
SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) 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,


Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

Jun 18, 2001
Jun 25, 2001



TO WHOM IT MAY CONCERN:

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

David Morrow

on 3-9-01 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 87 of the 14th District of Fulton County, Georgia, being part of lots 1 & 2 Block S of Sherman Heights Subdivisions, as per plat recorded in Deed Book A-4, page 853, Fulton County Records and being more particularly described as follows:

Beginning at a point formed by the intersection of the South Side of Fletcher Street with the West side of Sims Street, running thence West along the South side of Fletcher Street, One hundred thirty-eight (138) feet to the east side of a Ten (10) foot alley, running thence South along the East side of said Alley, fifty (50) feet, running thence East, One hundred thirty-eight (138) feet to the West side of Sims Street, running thence North along the West side of Sims Street, forty seven and five-tenths (47.5) feet to the point of beginning, being improved property and having a house located thereon known as No. 484 Fletcher Street, 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: March 9, 2001

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Costanzo
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:

Mrs. Dora Mae Benton and Ben T. Benton

on **3-9-01** 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 39 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point on the southerly side of Jordan Street 307 feet southwesterly from the southwest corner of the intersection of Jordan Street and Jonesboro Road; running thence southwesterly along the southerly side of Jordan Street 51 feet to a point; running thence south 203 ½ feet to a point; running thence northeasterly 69 feet to a point; running thence northerly 200 feet to the southerly side of Jordan Street and the Point of Beginning; being Lot 18 as per plat of the Schoen - Jordan Property by S. B. Turman & Company, agents and being further identified as #10 Jordan Street according to the present system of numbering in 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: March 9, 2001

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

BY: *Bill Gentry*
Assistant Real Estate City Attorney



3

TO WHOM IT MAY CONCERN:

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

Daniel Cecil Holliday, SR. &
Mrs. Gladys Holliday

on 3-9-01 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 the City of Atlanta in Land Lot 11) of the 14th District of Fulton County, Georgia and being more fully described as follows: BEGINNING at a point on the west side of Chestnut Street 420 feet south of the southwest corner of Chestnut Street and North Avenue and thence running south along the west side of Chestnut Street forty (40) feet; thence west one hundred ten (110) feet to the east side of a ten foot alley, then north along the said alley forty (40) feet; thence east one hundred ten (110) feet to the west side of Chestnut Street at the point of beginning, being improved property known as No. 518 Chestnut Street according to the present numbering of houses in the City of Atlanta, Ga.

Property now known as 518 James P. Brawley, Jr., Dr., NW, 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: March 9, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cortney
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:

Mrs. Audria Huntington

on 3-29-01 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

and parcel of land lying and being in Land Lot 110 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING at a point on the north side of Magnolia Street, one hundred thirty (130) feet east from the northeast corner of Magnolia Street and Griffin Street, which point is at the intersection of the north side of Magnolia Street with the east side of an alley; thence north along the east side of said alley, two hundred thirty-one (231) feet; thence east seventy-three (73) feet; thence south one hundred eleven (111) feet; thence west forty (40) feet; thence south one hundred twenty (120) feet to Magnolia Street; thence west along the north side of Magnolia Street thirty-three (33) feet to the point of beginning, being improved property known as No. 709 Magnolia Street, Northwest, according to the present system of numbering houses in the city of Atlanta, Georgia, and a vacant lot in the rear thereof.

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: March 29, 2001

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Costing
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:

MGF Acquisition Corp.

on **3-9-01** 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 174 of the 14th District of Fulton County, Georgia, being known as lot 19, Block 7 of Dixie Hills Subdivision per plat recorded in Plat Book 15, Page 99, Fulton County Records, and being more particularly described as follows:

BEGINNING at a point on the west side of Spelman Street at the point where same is joined by Morehouse Drive, said point being 723 feet southeasterly, measured along the west line of Spelman Street from the intersection of said street line with Simpson Street; thence southwesterly 167.9 feet; thence southeasterly 40 feet; thence easterly 151.5 feet to Spelman Street; thence northerly along the west side of Spelman Street 85 feet to the Point of Beginning; being known as #1963 Morehouse Drive, N. W. according to the present system of numbering in 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: March 9, 2001

BY:

Dale S. Haygood
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:

Ethel Hill Powell

on 1-12-01 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 109 of the 14th District of Fulton County, Georgia, commencing at a point on the south side of Parsons Street 126 feet west of Webster Street and running thence west along Parsons Street forty feet more or less; thence south one hundred feet more or less; thence Easterly forty two feet more or less; thence northerly one hundred feet more or less to the beginning point on Parsons Street. Being "known" as Lot 2 Block D on a plat of the property conveyed to W. T. Ashford by Young Mens Real Estate Investment Company in its deed recorded in book 173, folio 377 of the records of the Clerk of the Superior Court of Fulton County, Georgia.

being iknown as 862 Parsons Street, SW, 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: January 12, 2001

BY:

Dale L. Hayward
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
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:

Vincent R. Lucier
NationsBank, N.A.

on 3-9-01 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 140 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, BEING LOT 14, BLOCK C, WEST END PARK SUBDIVISION, AS PER PLAT RECORDED IN PLAT BOOK 4, PAGE 132, FULTON COUNTY, GEORGIA RECORDS, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE, BEING IMPROVED PROPERTY KNOWN AS 1501 SOUTH GORDON STREET, ATLANTA, GEORGIA 30310, ACCORDING TO THE PRESENT SYSTEM OF NUMBERING HOUSES IN THE CITY OF ATLANTA, 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: March 9, 2001

BY:

Dale S. Hugwood
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:

Willie S. Adams
The Associates Financial Services of America, Inc.
Internal Revenue Service

on 12-8-00 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 AND PARCEL of land lying and being in Land Lot 83 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

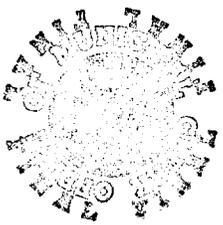
BEGINNING at a point on the east side of Vine Street 132 feet south of the southeast intersection of Foundry Street and Vine Street; running thence south along the east side of Vine Street 33.75 feet to a point; running thence east 74 feet to a point; running thence north 33.75 feet to a point; running thence west 74 feet to the east side of Vine Street and the Point of Beginning; being known as 153-A and 153-B Vine Street, N.W. according to the present system of numbering in 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: December 8, 2000

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

BY: Bill Cantup
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:

Betty Buffington
James H. Leathers, Jr. and Robert T. Leathers

on 3-9-01 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 119 of the 14th District, Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point on the southwesterly side of White Oak Avenue, 51 feet southeasterly from the southeastern corner of White Oak Avenue and Peoples Street; said point of beginning also being the easternmost corner of Lot 8 of Miss E. A. White Property according to plat hereinafter referred to; running thence southeasterly along the southwesterly side of White Oak Avenue, 52 feet to an iron pin and the northernmost corner of Lot 6 of said E. A. White Property according to said plat; running thence southwesterly along the northwesterly line of said Lot 6, 200 feet to an iron pin; running thence northwesterly 51 feet to an iron pin and the southernmost corner of the aforesaid lot 8; running thence northeasterly along the southeasterly line of said Lot 8, 200 feet to an iron pin on the southwesterly side of White Oak Avenue and the point of beginning; being known as Lot 7, according to plat of property belonging to the Estate of Miss E. A. White; being improved property having a one story frame house thereon known as No. 1100 White Oak Avenue, according to the present system of numbering houses in the City of Atlanta, Georgia; all as shown on survey prepared by Eston Pendley, dated July 24, 1970.

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: March 9, 2001

BY:

Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Costing
Assistant Real Estate City Attorney

RCS# 2950
6/18/01
2:46 PM

Atlanta City Council

Regular Session

MULTIPLE

01-0-0786; Clean & Close Premises
01-0-0787; Clean & Demolish Premises
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

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

MULTIPLE

01-O-0787

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 MARCH 29, 2001

- 484 Fletcher Street, SW 04
- 518 James P. Brawley Dr., NW 03
- 10 Jordan Street, SE 01
- 709 Magnolia Street, SE 03
- 1963 Morehouse Drive, NW 03
- 862 Parsons Street 04
- 1501 S. Gordon Street, SW 10
- 153 Vine Street, SW 02
- 100 White Oak Avenue, SW 04

ADOPTED BY JUN 18 2001

COUNCIL

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

Date Referred 6/4/01

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Committee

Date

Chair

Referred 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

First Reading

Date

Chair

Referred 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 JUN 18 2001

ATLANTA CITY COUNCIL PRESIDENT

Robert H. Pitts

CERTIFIED JUN 18 2001

Frank
DEPUTY MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED JUN 25 2001
John M. Adams
MAYOR