



**AN ORDINANCE**

**02-0-1014**

**BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE  
AS AMNEDED BY COUNCILMEMBER IVORY YOUNG  
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 25,2002.**

1851 Lakewood Terrace, SE 01  
2300 Thomas Road, NW 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 April 25, 2002 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 25, 2002, 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>
1851 Lakewood Terrace, SE	01
2300 Thomas Road, 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) 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.

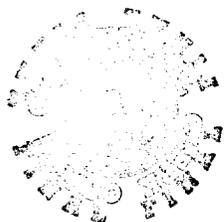
**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

*Rhonda Dauphin Johnson*  
Municipal Clerk, CMC

ADOPTED as amended by the Council  
APPROVED by the Mayor

JULY 01, 2002  
JULY 09, 2002



**TO WHOM IT MAY CONCERN: LIS PENDENS**

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

Ona Warnick Yarbrough  
First Union Home Equity Bank, NA  
Republic Land & Investment Co.

on 3-8-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,  
seeking relief against the following described real estate, to-wit:

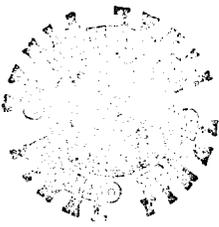
All that tract or parcel of land lying and being in Land Lot Fifty Eight (58) of the Fourteenth (14th) District, of Fulton County, Georgia, being Lot No. Five (5) of the plat of the P.S. Hopkins property, said plat recorded in Plat Book 4-page 78 in the office of the Clerk of Superior Court, Fulton County, and more particularly described as follows;

BEGINNING at a point on the North side of Lakewood Terrace, formerly Old Water Works Road, fifty three (53) feet Southwesterly from the Northwestern corner of Owens Street and Lakewood Terrace and running thence Southwesterly fifty three (53) feet along the Northwestern side of Lakewood Terrace; thence Northwesterly two hundred twenty and one tenth (220.1) feet to Lot #7 of said plat; thence Northeasterly forty five (45) feet to Lot #6 of said plat; thence Southeastwardly one hundred and ninety eight (198) feet to the point of beginning on Lakewood Terrace. The house thereon is known as 1851 Lakewood Terrace.

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 8, 2002

BY: [Signature]  
Bureau of Neighborhood Conservation, Official Agent  
(404) 330-6195  
BY: [Signature]  
Assistant Real Estate City Attorney



**TO WHOM IT MAY CONCERN: LIS PENDENS**

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

Reed B. Swart

on 3-8-02 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

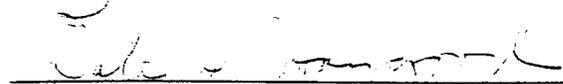
All that tract or parcel of land lying and being in Land Lot 253, of the 17th District of Fulton County, Georgia and being more particularly described as follows: BEGINNING at a point on the northwesterly side of Thomas Road a distance of one hundred sixty nine (169) feet northeasterly from the corner formed by the intersection of the northwesterly side of Thomas Road with the northeasterly side of Paul Avenue; running thence northeasterly and northerly along the northwesterly side of Thomas Road and following the curvature thereof, a distance of two hundred thirty-three and five tenths (233.5) feet to a point; running thence south 35 degrees 38 minutes 26 seconds west a distance of one hundred forty and thirty one hundredths (140.31) feet to a point; running thence north 18 degrees 50 minutes 12 seconds west a distance of fifty (50) feet to a point; running thence south 52 degrees 53 minutes 48 seconds west a distance of fifty-seven (57) feet to a point; running thence south 38 degrees 32 minutes 37 seconds east a distance of one hundred seventy four and seventy four one hundredths (174.74) feet to the northwesterly side of Thomas Road and the point of beginning, being improved property having a one-story frame house thereon and being more particularly shown on survey prepared by A.S. Giometti & Associates, Inc., dated January 31, 1970.

Being improved property known as 2300 Thomas Rd., NW, 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.

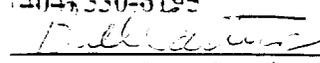
Dated: March 8, 2002

BY:

  
Bureau of Neighborhood Conservation, Official Agent

404-330-6195

BY:

  
Assistant Real Estate City Attorney



**TO WHOM IT MAY CONCERN: LIS PENDENS**

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

Jeffery M. Dockweiler  
Regions Bank

on 3-8-02 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 14<sup>th</sup> District, Fulton County, Georgia and being more particularly described as follows:

Beginning at a point 68.07 feet northwest from the intersection of Western Avenue and Maple Street; thence along the south side of Western Avenue North 89 degrees, 30 minutes, 15 seconds East a distance of 68.07 feet; thence along the west side of Maple Street South 26 degrees, 47 minutes, 38 seconds East a distance of 110 feet; thence South 89 degrees, 46 minutes, 22 seconds West a distance of 123.08 feet; thence North 3 degrees, 10 minutes, 7 seconds East a distance of 98.14 feet to the point of beginning. Said property being also known as 558 Western Avenue, Atlanta, Georgia according to the present system of naming streets and 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: March 8, 2002

BY: [Signature]  
Bureau of Neighborhood Conservation, Official Agent  
Phone 330-6195  
BY: [Signature]  
Assistant Real Estate City Attorney

RCS# 3864  
7/01/02  
3:37 PM

Atlanta City Council

Regular Session

MULTIPLE

~~02-0-1014; Demolish & Clean~~  
~~02-0-1015; Demolish & Clean~~  
ADOPT AS AMEND

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

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	Y Fauver	NV Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Boazman	NV Woolard

MULTIPLE

02-0-1014

(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 April 25, 2002

1851 Lakewood Terrace, SE 01  
2300 Thomas Road, NW 09  
558 Western Avenue, NW -03

ADOPTED BY  
JUL 01 2002  
COUNCIL

AS AMENDED

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

Date Referred 6/17/02

Referred To: Community Development / Human Resources

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee CD/HR  
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
- Consent
- V Vote
- RC Vote

CERTIFIED

CERTIFIED  
JUL 01 2002

ATLANTA CITY COUNCIL PRESIDENT

*Colton W. Workard*

CERTIFIED  
JUL 01 2002

*Ronald Davidson Johnson*  
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED:  
*Stanley*  
JUL - 9 2002  
MAYOR