



CITY COUNCIL
ATLANTA, GEORGIA

ORDINANCE

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

02-1732

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 August 29, 2002

2160	Spinks Street, NW	09
292	Hasty Place NW (aka 1626 Hasty Pl.)	03

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 27, 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, September 27, 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>
2160 Spinks Street, NW	09
292 Hasty Place NW(aka 1626 Hasty Pl)	03

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.

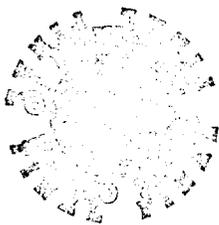
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Shonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

NOV 04, 2002
NOV 08, 2002



TO WHOM IT MAY CONCERN: LIS PENDENS

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

Mrs. Ivory Jackson and Ms. Lakisha King
Mrs. Helen N. Gilmer

on **8-9-02** 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 the City of Atlanta in Land Lot 146 of the 14th District of Fulton County, Georgia, and being a part of Lot 6 of the Subdivision of the Elizabeth Johnson Property made by Ransom Rogers, C.E., dated September, 1915, recorded in Plat Book 7, page 35-a. Fulton County Records, and more particularly described as follows:

BEGINNING at a point on the southerly side of Hasty Place 85 feet easterly, as measured along the southerly side of Hasty Place, from the southeast corner of Hasty Place and West Lake Avenue, said point being a northeasterly corner of the property conveyed to Mrs. Helen N. Gilmer by warranty deed dated August 20, 1962, recorded in Deed Book 3931, page 86, Fulton County Records; running thence easterly along the southerly side of Hasty Place 60 feet to the easterly line of the property conveyed to O. M. Bennett by warranty deed, dated July 15, 1943, recorded in Deed Book 1960, page 177, aforesaid records; running thence southerly along the easterly line of the property conveyed to said O. M. Bennett, 50 feet to a northeasterly corner of the property conveyed to said Mrs. Helen N. Gilmer by deed recorded in Deed Book 3931, page 86, aforesaid records, mentioned above; running thence westerly along a northerly line of said Gilmer property, said line being parallel to Hasty Place, 60 feet to a corner of said Gilmer property; running thence northerly along an easterly line of said Gilmer property, 50 feet to the southerly side of Hasty Place, and the point of beginning; being improved property known as No. 292 Hasty Place, N.W., according to the present system of numbering houses in the City of Atlanta, Georgia.

(This property is now known as 1626 Hasty Place, N.W.)

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: August 9, 2002

BY: Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: Bill Castings
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:

Jim E. DeVore

Mrs. W. A. Brown (aka Mary A. Brown), G. H. Arnold (aka Glenn Arnold),

Mrs. R. H. Burkhart (aka Hazel A. Burkhart), Mrs. J. B. Watson (aka Sara H. Arnold Watson)

Robert J. Lipshutz

Charles E. Paschal and National Tax Funding, L.P.

on 8-9-02 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 the City of Atlanta in Land Lot 253 of the 17th District of Fulton County, Georgia, and being more fully described as follows:
BEGINNING at a point on the west side of Spink Street 200 feet north from Forrest Avenue, and running thence northwestwardly along the western side of Spink Street 128 feet; thence west along the south line of the Jim E. DeVore property 343 feet; thence south 186 feet; thence northeastwardly 412 feet to the beginning point, being unimproved property.

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: August 9, 2002

BY: Dale S. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: Bill Carstys
Assistant Real Estate City Attorney

RCS# 4171
11/04/02
2:41 PM

Atlanta City Council

Regular Session

MULTIPLE

02-O-1731 Clean & Close
02-O-1732 Demolish & Clean
ADOPT

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

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

MULTIPLE

02-0-1732

(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 August 29, 2002

2160 Spinks Street, NW 09
292 Hasty Place NW (aka 1626 Hasty Pl.) 03

ADOPTED BY
NOV 0 4 2002
COUNCIL

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

Date Referred 10/21/02

Referred To: *Community Development / Human Resources*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee CP/HAR
Date 10/15/02
Chair [Signature]
Referred to CP/HAR

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee CP/HAR

Date 10/19/02

Chair

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

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

3rd

1st & 2nd

Readings

2nd

Consent V Vote RC Vote

CERTIFIED

NOV 0 4 2002

CERTIFIED
NOV 0 4 2002

[Signature]
MUNICIPAL CLERK

MAYOR'S ACTION

[Signature]
NOV 0 8 2002

MAYOR