



ORDINANCE

03- 0 -0026

COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (BUREAU OF HOUSING AND CODE COMPLIANCE) 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 October 31,2002.

147	Griffin Street, NW	03
287	Troy Street, NW	03
1634	Woodland Avenue, SE	01
714	Woodson Street, SE	01

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>
147 Griffin Street, NW	03
287 Troy Street, NW	03
1634 Woodland Avenue, SE	01
714 Woodson Street, SE	01

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.

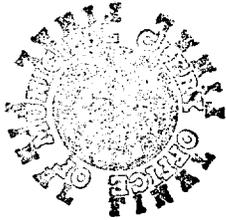
SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

FEB 03, 2003
FEB 11, 2003



TO WHOM IT MAY CONCERN: LIS PENDENS

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

Mary Belle Johnson

on **10-7-02** 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 Lots 118 and 142 of the 14th District of Fulton County, Georgia, more particularly described as follows:

BEGINNING at a point marked by an iron pin on the East side of Troy Street, N. W., one hundred ninety (190) feet South of the Southeast corner of Troy and Simpson Streets; running thence South along the East side of Troy Street thirty-eight (38) feet to an iron pin, which iron pin is also seventy-two (72) feet North of the Northeast corner of Troy and Mobile Streets; thence East one hundred (100) feet to an iron pin; thence North thirty-eight (38) feet to an iron pin; thence West one hundred (100) feet to the East side of Troy Street to the iron pin at the point of beginning; being improved property known as No. 287 Troy Street, N. W., according to the present numbering of 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: **October 7, 2002**

BY: *Dale S. Haggard*
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: *Bill Cantup*
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:

Juliet Kilby

on **10-7-02** 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 8 of the 14th District of Fulton County, Georgia, being part of the Moreland Drive Subdivision, as same appears of record in Plat Book 20, Page 3, Fulton County Records, and more particularly described as follows:

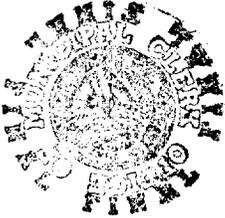
Beginning at a point on the easterly side of Woodland Avenue two hundred fifty feet (250) north from the northeastern corner of the intersection of Woodland Avenue and Moreland Drive and running thence easterly two hundred four (204) feet; running thence northerly one hundred (100) feet to a point; thence westerly one hundred ninety-seven (197) feet to a point on the easterly side of Woodland Avenue; running thence southerly and continuing along the easterly side of Woodland Avenue one hundred (100) feet to an iron pin and the point of beginning.

being improved property known as 1634 Woodland Avenue, SE according to the present numbering system in 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: **October 7, 2002**

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

**Barbara Gibson and John Gibson
City of Atlanta Designation under Historic Preservation**

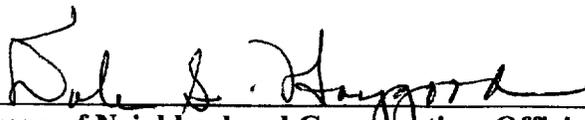
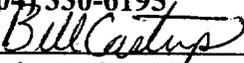
on **10-7-02** in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

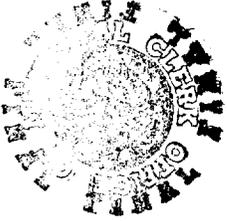
All that tract or parcel of land lying and being in Land Lot 54 of the 14th District of Fulton County, Georgia, being more particularly described as follows:

BEGINNING at a point on the East side of Woodson Street 134 feet south, as measured along the east side of Woodson Street, from the southeast corner of the intersection of Woodson Street and Bass Street; running thence south along the east side of Woodson Street 39 feet; thence east 79.6 feet; thence north 39 feet; thence west 80 feet to the East side of Woodson Street and the point of beginning; being improved property known as 714 Woodson Street, S.E., 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: **October 7, 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:

The Heirs At Law of Carrie Witherspoon and The Heirs of All Deceased Heirs of Carrie Witherspoon
Witherspoon Heirs at Law: Charles Witherspoon, Eva Witherspoon, Alfred Witherspoon, Valerie Witherspoon, Charrise Witherspoon, Cookie Witherspoon, James Witherspoon, Willie Witherspoon, Willie Mae Witherspoon, James W. Witherspoon, Harold Witherspoon, McKinley Witherspoon, Thomas Witherspoon, Barbara Witherspoon, Norman Witherspoon, Carrie Witherspoon, Vicki Witherspoon and Eddie Witherspoon and Mattie W. Navarro, Birdie W. Warner, Louise W. Young, Lucille Heard and Carrie Roseberry
William Witherspoon I, Bessie Mae Holts Witherspoon, Eddie D. Witherspoon, Jr.
Barbara Witherspoon O'Neal, Anita Witherspoon Humphries, James H. Wilson and I.R.S.
on **10-7-02** 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 110 of the 14th District of Fulton County, Georgia, and more particularly described as follows:

BEGINNING two hundred twelve and four-tenths (212.4) feet North of the Northeast corner of Griffin and Magnolia Streets; thence North along the East side of Griffin Street forty-two (42) feet; thence East one hundred twenty (120) feet to a ten (10) foot alley; thence South forty-two (42) feet along the West side of said alley; thence West one hundred twenty (120) feet to the beginning point on the East side of Griffin Street; being Lot 46 as per plat of this property made by W. J. Nalley, C. E., for Emile Breitenbueher, February 16, 1924.

being known as 147 Griffin Street, NW according to the present numbering system 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: October 7, 2002

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

RCS# 4424
2/03/03
2:46 PM

Atlanta City Council

Regular Session

MULTIPLE

03-O-0026
03-O-0027
ADOPT

YEAS: 14
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 0

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

MULTIPLE

03-0-0026

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT (BUREAU OF HOUSING AND CODE COMPLIANCE) 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 OCTOBER 31, 2002

- 147 Griffin Street, NW 03
- 287 Troy Street, NW 03
- 1634 Woodland Avenue, SE 01
- 714 Woodson Street, SE 01

ADOPTED BY
FEB 0 3 2003
COUNCIL

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

Date Referred 1/21/03

Referred To: CDHR

Date Referred

Referred To:

Date Referred

Referred To:

Committee _____

Date _____

Chair _____

Referred to _____

First Reading CDHR

CDHR

Committee CDHR

Date 2/3/03

Chair Nichill Stevens

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 _____

FINAL COUNCIL ACTION

2nd

1st & 2nd

3rd

Readings

Consent

V Vote

RC Vote

CERTIFIED

CERTIFIED

FEB 0 3 2003

[Signature]

CERTIFIED

FEB 0 3 2003

[Signature]

MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 11 2003

MAYOR