



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 CLEAN AND CLOSE 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.

734 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 February 28, 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, on February 28, 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 clean the premises and close the various structures following real property, upon which structure(s) are located:

Proper Street Address

734 Woodson Street, SE

City Council District

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) 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,

Shonda 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:

Citifinancial Mortgage Company

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, City of Atlanta, Georgia, said property being more particularly described as follows:

Beginning at an iron pin found on the easterly right of way of Woodson Street (30' r/w) 50.0' northerly along the easterly right of way of Woodson Street from the intersection of the easterly right of way of Woodson Street and the northeasterly right of way of Love Street; from said point of beginning running thence easterly a distance of 100.0' feet to an iron pin found; running thence northerly, said course forming an interior angle of 88 degrees 41' with the previous course, a distance of 45.0' to an iron pin found running thence westerly said course forming an interior angle of 91 degrees 19' with the previous course, a distance of 100.0' to an iron pin found on the easterly right of way of Woodson Street; running thence southerly along the easterly right of way of Woodson Street, said course forming an interior angle of 88 degrees 41' with the previous course a distance of 45.0' to an iron pin found said point being the true point of beginning. Said property being the same as that shown on a plat of survey dated September 5, 1984, prepared for Robert Sullivan and William Robinson, as said survey having been prepared by Perry E. McClung, registered land surveyor no. 1541

being improved property known as 734 Woodson Street 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 L. Haygood
Bureau of Neighborhood Conservation, Official Agent
(404) 330-6195
BY: Bill Cantey
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

03-0-0027

(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 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 OCTOBER 31, 2002

734 Woodson Street, SE 01

ADOPTED BY

FEB 03 2003

COUNCIL

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

Date Referred 1/21/03

Referred To: CD/HR

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
 Date 02/11/03
 Chair Duane S. ...
 Referred to CD/HR

Committee CD/HR
 Date 2/3/03
 Chair Duane S. ...
 Action: Fav, Adv, Hold (see rev. side)
 Other:
 Members: Wanda Aubrey, ...
 Refer To

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

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

CERTIFIED

CERTIFIED
 FEB 03 2003
 [Signature]

CERTIFIED

FEB 03 2003

[Signature] MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

FEB 11 2003

MAYOR