

RESOLUTION NO. 06-15-01

A RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 304 OLD HIGHWAY 25, COLUMBIANA, ALABAMA, PARCEL ID# 21-6-24-4-001-019.000, IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH ORDINANCE NUMBER 05-14-06 OF COLUMBIANA, ALABAMA; AND CALLING FOR THE CITY TO CAUSE SAID DEMOLITION TO BE PERFORMED AND DIRECTING THE CITY ATTORNEY AND THE CITY CLERK TO CAUSE THE COST OF SUCH DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING OR STRUCTURE EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER OR OWNERS

WHEREAS, the Appropriate Municipal Official of Columbiana, Alabama, determined that the condition of the building or structure located at 304 Old Highway 25, Columbiana, Alabama, Parcel I.D. Number 21-6-24-4-001-019.000 is in such a condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

WHEREAS, contemporaneously with the filing of “Finding of Public Nuisance, Notice and Order to Remedy and Notice of Lis Pendens” on February 13, 2015, a copy of same was sent via certified mail, properly addressed and postage prepaid, to:

A. All person or persons, firm, association, or corporation last assessing the subject property for state taxes to the address on file in the Shelby County Revenue Commissioner's Office,

B. The record property owner or owners (including any owner or owners of an interest in the subject property) as shown from a search of records of the office the Judge of Probate of Shelby County, Alabama, at the owner or owners' last known address and at the address of the subject property,

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official,

D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Shelby County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official,

E. Such other persons who are otherwise known to the City Clerk or to the Appropriate Municipal Official who could have an interest in the subject property.

WHEREAS, contemporaneously with the filing of the “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of Lis Pendens”, a copy of the same was posted at or within three feet of an entrance to the building on the subject property and posted in three public places located within the City: Columbiana City Hall, Columbiana Public Library, and Columbiana Water Works.

WHEREAS, notice that the Appropriate Municipal Official has made a finding that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was also given to all interested parties and to the public at large by publication in the Shelby County Reporter.

BE IT RESOLVED by the City Council of Columbiana, Alabama while in regular session on Tuesday, April 7, 2015, at 6:00 p.m. as follows:

Section 1. A Public Hearing was held on Tuesday, April 7, 2015, at 6:00 p.m. and after due deliberation the Council of the City finds that the structure standing at 304 Old Highway 25, Columbiana, Alabama, Parcel ID# 21-6-24-4-001-019.000 is unsafe to the extent of becoming a public nuisance to the citizens of the City and is due to be demolished in compliance with Sections 11-40-30 through 11-40-36 and Sections 11-53B-1 through 11-53B-16, inclusive, of the Code of Alabama (1975), and Ordinance Number 05-14-06 of the City;

Section 2. That the City shall cause said demolition to be performed by its own employees and/or by contractor(s) subject to and limited by the Demolition Postponement Agreement attached hereto as Exhibit 1 hereof, which the Mayor is hereby authorized to execute on behalf of the City; and

Section 3. That the City Attorney and the City Clerk are hereby directed to cause the cost of such demolition to be charged against the land on which the building or structure is located and shall constitute a lien on the property for the amount of the assessment or cause such cost to be recovered in a suit at law against the owner or owners.

ADOPTED this the 2nd day of June, 2015.

APPROVED: _____
Stancil Handley, Mayor

ATTEST: _____
J. Mark Frey, Clerk

CERTIFICATION OF CLERK

STATE OF ALABAMA)
SHELBY COUNTY)

I, J. Mark Frey, Clerk of Columbiana, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of Columbiana, Alabama, on the 2nd day of June, 2015.

Witness my hand and seal of office this June 2, 2015.

J. Mark Frey, Clerk