



## City of Foley, AL

407 E. Laurel Avenue  
Foley, AL 36535

### Signature Copy

Resolution: 13-0400-RES

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**File Number: 13-0851**

**Enactment Number: 13-0400-RES**

A RESOLUTION SETTING A PUBLIC HEARING  
DECLARING WEEDS TO BE A PUBLIC NUISANCE  
AND ORDERING ITS ABATEMENT AT 528 VERBENA LOOP

WHEREAS, there have been complaints about the growth of grass, weeds and other vegetative growth located at 528 Verbena Loop, Foley, Alabama, Tax Parcel ID# 54-08-28-3-000-088.028, and

WHEREAS, investigations by City forces have substantiated the growth is of the type and character that can be a public nuisance as defined in the State of Alabama Code, 1975, §11-67-21, and City Ordinance 1095-09, and

WHEREAS, the City Council of Foley will now give notice as prescribed by the State of Alabama Code, 1975, §11-67-22 and §11-67-23, of a Public Hearing to be held to determine if the area should be declared a public nuisance and give the property owners an opportunity to remove the growth of grass, weeds and other vegetative growth.

NOW, THEREFORE BE IT RESOLVED by the Foley City Council in regular session July 15, 2013, as follows:

Section 1: Notice of public hearing on the matter shall be given by certified mail, return receipt requested to the property owners. The notice shall be set for 5:30 p.m. Monday, August 19, 2013.

Section 2: Notice shall also be given in The Onlooker once a week for two consecutive weeks. The first notice shall be published at least fourteen (14) days prior to the date scheduled for the public hearing in Section 1 of this resolution.

Section 3: Two signs shall be conspicuously posted on the properties described in this resolution. The wording of the signs shall be not less than one inch in height and shall be substantially in the form of the notice contained in Section 11-67-23 of the State of Alabama Code. The notice shall be posted at least seven days prior to the time for the public hearing to hear objections to declaring the property, as described in this resolution, a public nuisance.



President's Signature

JW Tramm

Date 7-17-13

Attest by City Clerk

Victoria Smith

Date 7-17-2013

Mayor's Signature

[Signature]

Date 7/18/13

| Summary                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                      |                            |                  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------|------------------|
| <b>Parcel</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 05-54-08-28-3-000-088.028            | <b>Zoning</b>              | R-1C             |
| <b>PIN</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 052424                               | <b>Flood Zone</b>          | X                |
| <b>Tax District</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | N/A                                  | <b>Voter District</b>      | District 2       |
| <b>Property Address</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 528 VERBENA LOOP                     | <b>Historic District</b>   | No               |
| <b>Neighborhood</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | FOLEY                                | <b>City Limits</b>         | Yes              |
| <b>Subdivision</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 05PV                                 | <b>3-Mile Jurisdiction</b> | Yes              |
| <b>Sec/Twp/Rng</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 28/75/4E                             | <b>Garbage Route</b>       | Tuesday & Friday |
| <b>Lot Dimension</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 74.9X150IRR                          | <b>Recycle Route</b>       | Friday           |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                      | <b>Yard Debris Route</b>   | Friday           |
| <a href="#">View Property Appraisal</a><br><a href="#">View Tax Record</a>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                      |                            |                  |
| Owner                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                      |                            |                  |
| <b>Owner Name:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | SIMS, BRANDON ETAL SIMS, BRITTNEY F  | <b>Deed Type</b>           | IN               |
| <b>Owner Address</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 528 VERBENA LOOP                     | <b>Book</b>                | 0000             |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | FOLEY, AL 36535                      | <b>Page</b>                | 092861           |
| <b>Previous Owner</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | BARTL, CALVIN F ETAL BARTL, SHARON M | <b>Last Deed Date</b>      | 9/30/2           |
| <p>The data referenced in this online mapping and GIS application is derived from the GIS Division of the City of Foley Community Development Department, the Seale Regional Planning Commission, the Baldwin County Geographic Database and other public and private sources. These sources are generally considered to be deemed accurate by the City of Foley. The City of Foley makes no attempt to verify or confirm any information provided by any source, and the City of Foley makes no warranties, expressed or implied, as to the accuracy, completeness, currentness, reliability, or suitability for any particular purpose of the information displayed on this map. Independent verification is advised. The City of Foley and its servants, and employees assume no liability or responsibility for the use of this map and expressly disclaim any liability and any damages that may arise from the use of this map. The City of Foley expressly disclaims any representation as to the validity, accuracy, and currentness of any municipal corporate limits, 3-mile jurisdiction lines, and/or planning jurisdiction lines displayed on this map.</p> |                                      |                            |                  |
| Last Data Upload: 4/19/2013 12:20:52 AM                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                      |                            |                  |

CITY OF FOLEY  
COMPLAINT FORM

incident  
76487 #

ENVIRONMENTAL:

- ☒ GRASS/WEEDS  
☐ TRASH/DEBRIS  
☐ TREES  
☐ PUBLIC NUISANCE  
☐ CONSTRUCTION  
☐ LITTER  
☐ ENVIRONMENTAL  
☐ SMOKING  
☐ RIPARIAN

BUILDING:

- ☐ DILAPIDATED BUILDING  
☐ NO PERMIT

ZONING:

- ☐ HISTORIC DISTRICT  
☐ ZONING  
☐ SIGNS

ENGINEERING:

- ☐ DRAINAGE

☐ OTHER

3-22-12 City Hall  
7-30-12 IC  
1-31-13 NV  
3-13-13 NV

R-1C  
52424

DATE:

4/19/13

LOCATION:

528 Verhara Loop

NOTES: (COMPLAINANT NAME & COMPLAINT)

Grass

CONTACT:

INSPECTION DATE:

4/19/13

STAFF:

LG

☒ PHOTOS TAKEN

FINDINGS:

Grass Overgrown/letter

4/29/13 letter sent (ASD)

Re-inspect 5-16-13

4/30/13. Notified AMAC Mortgage took over ownership of property.

letter mailed to AMAC mortgage (ASD)

Re-inspect 5-16-13

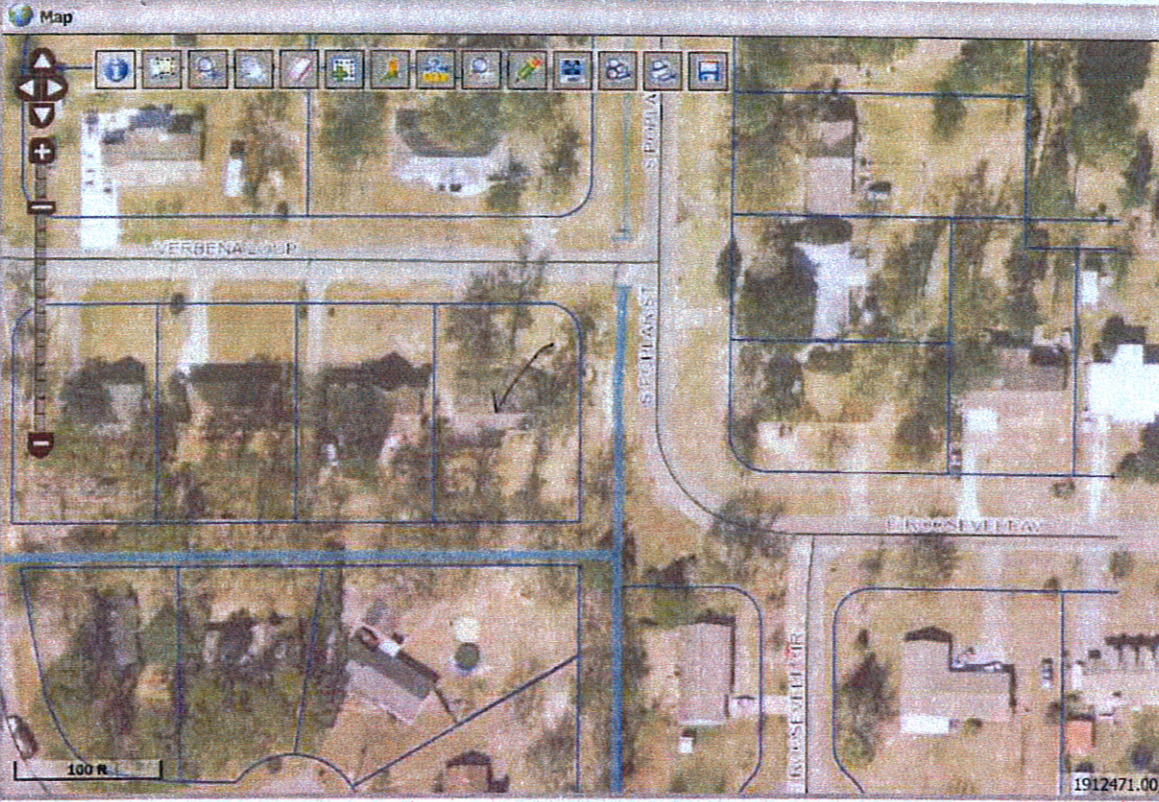
Reinspected on 5/16/13; grass was not cut. (ASD) - COUNCIL LEVEL

TASK:

- ☐ 1 PERSONAL CONTACT ☒ 2 LETTER ☐ 3 STOP WORK ☐ 4 CITATION ☐ NO VIOLATION

DATE CLOSED:





**PIN** - 52424  
**Par Num** - 088.028  
**Acreage** - 0.341  
**Subdivision** - OSPV  
**Lot** -  
**Street Name** - VERBENA LOOP  
**Street Number** - 528  
**Improvement** - RES

**Name** - SIMS, BRANDON ETAL SIMS, BRITTNEY F  
**Address1** - 528 VERBENA LOOP  
**Address2** -  
**Address3** -  
**City** - FOLEY  
**State** - AL  
**Zip** - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geograph. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Last Data Update: 4/19/2013 17:26:52 AM



528 VERBENA LOOP





City of

FOLEY

COMMUNITY DEVELOPMENT DEPARTMENT  
200 NORTH ALSTON STREET

Foley, Alabama 36535  
[www.cityoffoley.org](http://www.cityoffoley.org)

(251) 952-4011  
FAX (251) 971-3442

April 29, 2013

Brittney and Brandon Sims  
528 Verbena Loop  
Foley, AL 36535

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at 528 Verbena Loop in Foley, Alabama. This lot is further described as PIN 52424 on the Baldwin County Tax Maps.

The City of Foley Ordinance No. 1095-09 Regarding the Clearing and Maintenance of Lots that Constitute a Public Nuisance Section 4-104 states that a nuisance may be declared when grass and weeds which bear seeds of a wingy or downy nature, which attain a large growth so as to become a fire menace when dry, or otherwise noxious or dangerous. Private property owners should take regular steps to maintain the property in a manner to prevent the nuisance.

A visual inspection, conducted on April 19, 2013 revealed that the above described property was overgrown by grass and weeds which may constitute a public nuisance. Please be advised that as of this date you are placed on notice that this violation must be corrected within 10 days from your receipt of this letter. Failure to do so may result in a Resolution by the City Council that finds and declares that the weeds, grass and other vegetation are a public nuisance and orders the abatement of the nuisance subject to its findings after a public hearing.

If you have any questions or concerns please contact our office at 251-952-4011.

Sincerely,

Austin B. Duffie  
Environmental Assistant  
City of Foley

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III



City of  
**FOLEY**  
PLANNING • GIS  
ZONING • ENGINEERING  
INSPECTION DEPARTMENT  
200 NORTH ALSTON STREET  
FOLEY, ALABAMA 36535

Brittney and Brandon Sims  
528 VERBENA LOOP  
FOLEY, AL 36535



36535 52400





City of

# FOLEY

COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

[www.cityoffoley.org](http://www.cityoffoley.org)

(251) 952-4011

FAX (251) 971-3442

May 1, 2013

GMAC Mortgage Corporation  
1230 Montlimar Drive  
Mobile, AL 36609

Dear Sir/Madam:

A complaint has been received concerning the overgrown grass and weeds becoming a public nuisance at 528 Verbena Loop in Foley, Alabama. This lot is further described as PIN 52424 on the Baldwin County Tax Maps.

The City of Foley Ordinance No. 1095-09 Regarding the Clearing and Maintenance of Lots that Constitute a Public Nuisance Section 4-104 states that a nuisance may be declared when grass and weeds which bear seeds of a wingy or downy nature, which attain a large growth so as to become a fire menace when dry, or otherwise noxious or dangerous. Private property owners should take regular steps to maintain the property in a manner to prevent the nuisance.

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407 East Laurel Ave.  
Foley, AL 36535

(251) 943-1545  
Fax (251) 952-4014  
www.cityoffoley.org



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|                                                   |    |
|---------------------------------------------------|----|
| Postage                                           | \$ |
| Certified Fee                                     |    |
| Return Receipt Fee<br>(Endorsement Required)      |    |
| Restricted Delivery Fee<br>(Endorsement Required) |    |
| Total Postage & Fees                              | \$ |



|                                    |      |
|------------------------------------|------|
| Sent To                            | GMAC |
| Street, Apt. No.,<br>or PO Box No. |      |
| City, State, ZIP+4                 |      |

PS Form 3800, August 2006

See Reverse for Instructions

June 24, 2013

GMAC Mortgage Corp.  
1230 Montlimar Drive  
Mobile, AL. 36609

CERTIFIED

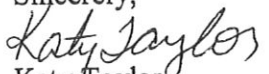
RE: Violation of Ordinance 1095-09 528 Verbena Loop in Foley, Alabama.

Dear Sir/Madam:

The Foley City Council, in regular session June 3, 2013 approved Resolution 13-13-0346 declaring the above property in violation of the Lot Clearing and Weed Removal Ordinance. Enclosed is a copy of the Notice of Public Hearing pursuant to the Code of Alabama Sections 11-67-20 through 11-67-28. The public hearing will be held on **Monday, July 15, 2013** at 5:30 p.m. in the City of Foley's Council Chambers located at 407 East Laurel Avenue, Foley Alabama to discuss the violation.

The City of Foley is supplying you with a list of Alabama Agriculture and Industries Board Certified contractors who also hold business licenses with the City of Foley. The City does not guarantee or recommend their work. If you remove the weeds, grass or other vegetative growth, the City will stop the abatement proceedings. However, failure to do so will ensure that City forces will remove the nuisance and the costs incurred by the City will result in a lien against your property.

Your cooperation in this matter is greatly appreciated.

Sincerely,  
  
Katy Taylor  
Assistant City Clerk

Enclosures



407 East Laurel Ave.  
Foley, AL 36535

(251) 943-1545  
Fax (251) 952-4014  
www.cityoffoley.org

*City*  
**Foley**  
CLERKS

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**OFFICIAL USE**

|                                                   |    |
|---------------------------------------------------|----|
| Postage                                           | \$ |
| Certified Fee                                     |    |
| Return Receipt Fee<br>(Endorsement Required)      |    |
| Restricted Delivery Fee<br>(Endorsement Required) |    |
| Total Postage & Fees                              | \$ |

Sent To: Brandon & Brittney Sims  
Street, Apt. No., or PO Box No. 528 Verbena Loop  
City, State, ZIP+4<sup>®</sup> Foley AL 36535

Postmark: 81 JUL 18 2013

PS Form 3800, August 2006 See Reverse for Instructions

July 17, 2013

Brandon and Brittney Sims  
528 Verbena Loop  
Foley, AL 36535

RE: Violation of Ordinance 1095-09 528 Verbena Loop in Foley, Alabama.

Dear Sir/Madam:

The Foley City Council, in regular session July 15, 2013 approved Resolution 13-0400 declaring the above property in violation of the Lot Clearing and Weed Removal Ordinance. Enclosed is a copy of the Notice of Public Hearing pursuant to the Code of Alabama Sections 11-67-20 through 11-67-28. The public hearing will be held on **Monday, August 19, 2013** at 5:30 p.m. in the City of Foley's Council Chambers located at 407 East Laurel Avenue, Foley Alabama to discuss the violation.

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Your cooperation in this matter is greatly appreciated.

Sincerely,

*Katy Taylor*  
Katy Taylor

Assistant City Clerk

Enclosures



0  
ima 36536

**CERTIFIED MAIL**



U.S. POSTAGE >> PITNEY BOWES



ZIP 36535 \$ 006.11<sup>0</sup>  
02 1W  
0001371169 JUL 18 2013

JUL 31 2013 7010 1060 0000 7216 6203

AUG 15

Brandon and Brittney Sims  
528 Verliena Loop  
Joley, AL. 36535

051k

NIXIE 322 DC 1 0007/29/13

RETURN TO SENDER  
NOT DELIVERABLE AS ADDRESSED  
UNABLE TO FORWARD

36536@1750

BC: 36536175050 \*0987-00551-29-21

