



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 13-0431-RES

File Number: 13-0910

Enactment Number: 13-0431-RES

A Resolution Setting a Public Hearing to Determine Costs for
Abating a Public Nuisance at 118 W. Laurel Avenue

WHEREAS, the Code of Alabama, 1975, Sections 11-53B-1 et seq., permits the City, after meeting certain notice requirements, to repair or demolish unsafe buildings and to provide an effective means of collecting an assessment lien on the property for the costs of the work involved in abating the nuisance, and

WHEREAS, on December 1, 2008 the Foley City Council adopted Ordinance 1076-08 regarding the repair and demolition of dilapidated buildings and structures that constitute a public nuisance, and

WHEREAS, in accordance with the Code of Alabama and Ordinance 1076-08 Michael Hart, a representative of the Sutton family, as well as the estate of Clement Sutton, were advised of the condition of the vacant building located at 118 West Laurel Avenue, Foley, Alabama, and

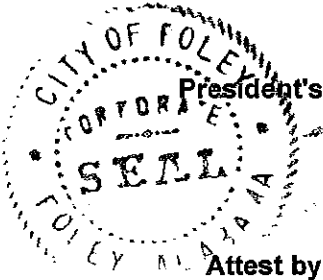
WHEREAS, after the permit for repairs expired and after the City made their inspection on October 26, 2012 and only one nuisance listed in the original violation was completed; two had not been addressed and the fourth had only partial work completed, the City declared the property a threat to the public's health and welfare and declared it to be a public nuisance, and

WHEREAS, under Resolution 13-0084 the City authorized going to bid to select a contractor to make the repairs and on April 1, 2013 accepted Highland Wake Construction, LLC lowest responsible bid, and

WHEREAS, the City Council of Foley will now give notice as prescribed by the State of Alabama Code, 1975, §11-53B-1, et seq. and Ordinance 1076-08, Sec 4-92-D of a meeting at which the fixing of the costs is to be considered by all persons or entities having an interest in the property.

NOW, THEREFORE BE IT RESOLVED by the Foley City Council in regular session 19th day of August, 2013, that notice of a public hearing on the matter shall be given by certified mail, return receipt requested to the Estate of Clement Sutton, owners, and the legal representatives. The public hearing shall be set for 5:30 p.m. Tuesday, September 3, 2013.

PASSED, APPROVED AND ADOPTED this 19th day of August, 2013.



President's Signature

[Handwritten Signature]

Date

8-20-13

Attest by City Clerk

[Handwritten Signature]

Date

8-20-13

Mayor's Signature

[Handwritten Signature]

Date

8/21/2013