

CITY OF FOLEY ENVIRONMENTAL DEPARTMENT

Complaint form

Date: 6/17/2022 7/5/2022

Follow up Date: 7/5/2022 8/1/2022

Complainant:	Complaint Information:	
Name:	Address/location: Vacant lot located east of Mallard Point Mobile Home Park	
Phone:	Complaint: Overgrown grass & weeds creating a fire hazard	
Address: 22300 US HWY 98	Complaint type: (check one)	
File # ENV22-0088	Building Nuisance <input type="checkbox"/>	Weed Abatement <input checked="" type="checkbox"/>
Property Pin 120260	Construction <input type="checkbox"/>	Public Nuisance <input type="checkbox"/> Further describe below
	Other <input type="checkbox"/>	

Inspection Findings:	Violation of Ordinance #: 1095-09
6/17/2022 Property overgrown grass & weeds exceeding 12" in height. 50' maintained buffer required.	
7/5/2022- Re-inspected buffer remains uncut. A county record check was conducted property was sold in February of 2022. New complaint letter sent to property owner.	
8/1/2022 Re-inspected no change Buffer remains uncut. County record check conducted no change in ownership indicated.	
Sent to 8/15/2022 council agenda.	

Action: 6/17/2022 Letter sent to owner indicated on County records

7/11/2022 Letter sent to new owner indicated on Warranty Deed

Inspector Name Allie Quinley / Angie Eckman



Baldwin County Revenue Commissioner

Property Appraisal Link

BALDWIN COUNTY, AL

Current Date 6/17/2022

Tax Year 2022

Valuation Date October 1, 2021

OWNER INFORMATION

PARCEL	54-07-26-0-000-027.013	PPIN 120260	TAX DIST 07
NAME	HINTON, BETTY SUE		
ADDRESS	11634 STUCKI RD ELBERTA AL 36530		
DEED TYPE	BOOK 0562	PAGE 0001519	
PREVIOUS OWNER			
LAST DEED DATE	/ /0000		

DESCRIPTION

5 AC (C) COM AT THE NE COR OF THE SW1/4 SEC 26 RUN SW 52.26'
TH W 874.45' FOR THE POB TH S 1296.18', TH W 168.08', TH N
1296.32', TH E 168.08' TO THE POB SEC 26-T7S-R-4E

PROPERTY INFORMATION

PROPERTY ADDRESS	US HWY 98
NEIGHBORHOOD	FOLEY
PROPERTY CLASS	FOLEY AREA
LOT BLOCK	SUB CLASS
SECTION/TOWNSHIP/RANGE	00-00 -00
LOT DIMENSION	ZONING

PROPERTY VALUES

LAND:	133200	CLASS 1:	TOTAL ACRES: 5.00
BUILDING:		CLASS 2:	TIMBER ACRES:
		CLASS 3: 133200	
TOTAL PARCEL VALUE:	133200		
ESTIMATED TAX:	\$439.56		

DETAIL INFORMATION

<u>CODE</u>	<u>TYPE</u>	<u>REF</u>	<u>METHOD</u>	<u>DESCRIPTION</u>	<u>LAND USE</u>	<u>TC</u>	<u>HsPn</u>	<u>MARKET</u>	<u>USE</u>
								<u>VALUE</u>	<u>VALUE</u>
M	LAND	1	ST	AC9	5.00 acres	9100-UNDEVELOP LAND	3	N N	133200

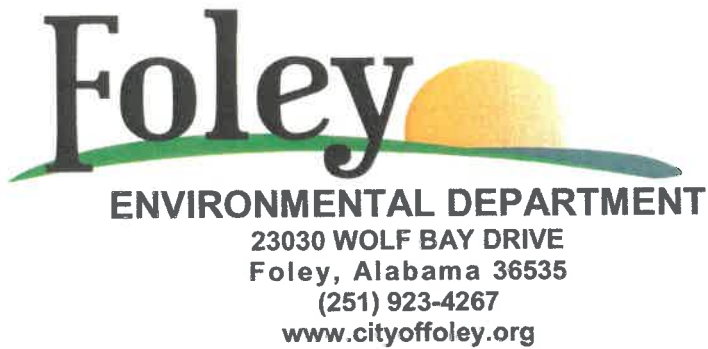
[View Tax Record](#)



[View Map](#)

[Back](#)





6/17/2022

Betty Hinton
11634 Stucki Road
Elberta, AL 36530

Dear Sir or Madam:

A complaint has been received concerning the overgrown grass vegetation becoming a public nuisance on the property addressed US Highway 98, Foley, Alabama. This lot can be further described as PIN # 120260 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 June 17, 2022 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. Since this lot is undeveloped, only a cut buffer of 50 feet is required between the private property lines and this parcel.

If you have any questions or concerns please contact our office at 251-923-4267.

Sincerely,

Allie Quinley
Environmental Clerk
City of Foley

MAYOR: Ralph G. Hellmich

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Katherine Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Richard Dayton; Cecil R. Blackwell; Charles Ebert III



REAL ESTATE SALES VALIDATION FORM

The following information is provided pursuant to Code of Alabama §40-22-1 (1975).

The undersigned Grantor does attest, to the best of Grantor's knowledge and belief that the information in this document is true and accurate. The Grantor understands that any false statement claimed on this form may result in the imposition of the penalties indicated in Code of Alabama §40-22-1 (h) (1975).

Grantor's Name Betty Sue Hartzog
Mailing Address 263 Colony Acres
Talladega AL 35160

Property Address 0 Hwy 98
Foley AL 36535

Grantee's Name L & V, Inc.
Mailing Address 65 Juniper Court
Dothan AL 36305

Date of Sale 2-28-2022
Total Purchase Price \$ 247,500

or
Actual Value \$ _____

or
Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one)
(Recordation of documentary evidence is not required) _____ Bill of Sale; _____ Appraisal; _____ Sales Contract;
☒ Closing Statement; _____ Other _____

STATE OF ALABAMA :

COUNTY OF BALDWIN :

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **BETTY SUE HARTZOG /k/a BETTY SUE HINTON**, an unmarried woman, ("Grantor"), for and in consideration of the sum of TEN DOLLARS (\$10.00) in cash and other good and valuable consideration, in hand paid to the Grantor by **L & V, INC.**, a Corporation, ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Being a parcel of land lying in the Southwest Quarter of Section 26, Township 7 South, Range 4 East, Baldwin County, Alabama, and also being more particularly described as follows: Commencing at the Northeast corner of said Southwest Quarter of said Section 26; thence South 38 degrees 00 minutes 32 seconds West, 52.36 feet to the South right of way of U.S. Highway No. 98 and the West right of way of Barin Field Road; thence North 89 degrees 54 minutes 39 seconds West, along said South right of way 874.45 feet to the Point of Beginning of the parcel herein described; thence South 00 degrees 04 minutes 02 seconds East, 1296.18 feet; thence North 89 degrees 57 minutes 34 seconds West, 168.08 feet; thence North 00 degrees 04 minutes 02 seconds West, 1296.32 feet to said South right of way; thence South 89 degrees 54 minutes 39 seconds East, along said South right of way 168.08 feet to the Point of Beginning of the parcel herein described.

LESS AND EXCEPT such oil, gas, and other mineral interests and all rights and privileges in connection therewith as may have been reserved or conveyed by prior owners, if any.

THIS CONVEYANCE AND THE WARRANTIES CONTAINED HEREIN ARE MADE SUBJECT TO THE FOLLOWING:

1. Oil, gas and mineral lease set out in Real Property Book 73, page 1981.
2. Right-of-Way deed granted to the Utilities Board of the City of Foley, dated February 21, 1967 and recorded May 8, 1967 at Deed Book 375, Page 190.
3. Easement granted to the Utilities Board of the City of Foley, dated July 7, 2013 and recorded February 10, 2014 at Instrument 1440936.
4. Rules, Regulations, including Subdivision Regulations, Ordinances, and other matters relating to the City of Foley, Alabama, including but not limited to: (a) Subdivision Regulations dated January 7, 2008, and recorded at Instrument 1098026,

as may be amended. (b) Tree and Natural Feature Preservation Ordinance Number 1009-07, recorded at Instrument 1079685, as the same may have been modified at Instrument 1556660, Heritage Tree Preservation Ordinance Number 15-1003 as recorded at Instrument 1508545, and Ordinance Number 15-1003 Regulating Environmental Permits Related to Land Disturbance within the City of Foley recorded at Instrument 1508544. (c) City of Foley Ordinance No. 986-07, adopting the 2006 International Building (ICC) codes and supplemental provisions to upgrade the various codes relating to the inspection activities of the City of Foley and enforcement of the building provisions and fire safety as provided in said codes, dated June 18, 2007, as amended at Instruments 1110234, 1118864, 1198497; Ordinance No. 1200-12 adopting the 2009 codes, dated July 2, 2012 and recorded at Instrument 1348178; Ordinance No. 13-1025 approving the amendments to the City of Foley Building Codes, dated January 7, 2013, and recorded at Instrument 1380798; Ordinance No. 13-1043 adopting and amending the 2009 codes, dated November 4, 2013 and recorded at Instrument 1429467, as amended in Ordinance 13:1054 at Instrument 1436249; Ordinance No. 15-1013 adopting the 2012 codes, dated June 1, 2015 and recorded at Instrument 1517983; and Ordinance No. 16-2020-ORD adopting the 2012 codes, dated September 6, 2016 and recorded at Instrument 1594654. (d) City of Foley Ordinance 13-1052-ORD, dated December 4, 2013 and recorded December 16, 2013 at Instrument 1433524.

5. Zoning, if any, planning, subdivision regulations, and other ordinances, laws, restrictions or regulations upon the use or division of the land comprising the Subdivision as may be legally imposed by the County of Baldwin, Alabama, any municipality in which the property may lie, the State of Alabama, or any other governmental authorities having jurisdiction over the land in the subdivision.

Any reference above to recorded documents include any amendments or additions thereto.

Any reference above to restrictive covenants omits any covenant, condition or restriction based on race, color, religion, sex, handicap, familial status or national origin as provided in 42 U.S.C § 3604, unless and only to the extent that the covenant (a) is not in violation of state or federal law, (b) is exempt under 42 U.S.C. § 3607, or (c) relates to a handicap, but does not discriminate against handicapped people.

The recording references refer to the records in the Office of the Judge of Probate of Baldwin County, Alabama, unless otherwise indicated.

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the above described property unto the said Grantee, in fee simple, and to its successors and assigns, FOREVER.

And except as to the above and taxes hereafter falling due which are assumed by the Grantee, Grantor does, for Grantor and the heirs and assigns of Grantor, hereby covenant with the Grantee that Grantor is seized of an indefeasible estate in fee simple in said property, is in peaceable possession thereof, that said property is free and clear of all encumbrances, and that Grantor does hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the peaceable possession thereof, unto the Grantee, and to the successors and assigns of Grantee, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal on this the 28th day of February, 2022.

 (SEAL)
BETTY SUE HARTZOG
f/k/a BETTY SUE HINTON

STATE OF Alabama :
COUNTY OF Baldwin :

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that BETTY SUE HARTZOG f/k/a BETTY SUE HINTON, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, she has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 28th day of February, 2022.

Lisa Hannah Walker

NOTARY PUBLIC

My Commission Expires: 7-29-25

THE SCRIVENER OF THIS DEED REPRESENTS NEITHER
GRANTOR NOR GRANTEE AND RECOMMENDS
EACH PARTY RETAIN INDEPENDENT LEGAL COUNSEL
TO REVIEW SAID DOCUMENT.

THIS INSTRUMENT PREPARED BY:
G. DAVID CHAPMAN III, P.C.
Attorney at Law
Post Office Box 1508
Gulf Shores, Alabama 36547
File 22.0654





ENVIRONMENTAL DEPARTMENT

23030 WOLF BAY DRIVE
Foley, Alabama 36535
(251) 923-4267
www.cityoffoley.org

July 11, 2022

L&V, INC
65 Juniper Court
Dothan, AL 36305

Dear Sir/Madam:

A complaint was received concerning the overgrown grass and weeds becoming a public nuisance at the vacant lot on Highway 98 located east of the Mallard Point Mobile Home Park in Foley, Alabama. This lot is further described as PIN 120260 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 July 11, 2022, revealed that the above described property is undeveloped and 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. Since this property is undeveloped, only a 50 ft. cut buffer between your property and neighboring private properties is required.

If you have any questions or concerns please contact our office at 251-923-4267.

Sincerely,

Angie Eckman
Environmental Programs Manager
City of Foley





