

TOWN COUNCIL OF THE TOWN OF MULGA, ALABAMA

RESOLUTION NO. 2024- 25

A RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 322 RAILROAD AVENUE, MULGA ALABAMA, PARCEL ID NO. 21-00-17-1-001-012.000, 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* (1975), AND IN COMPLIANCE WITH ORDINANCE NO. 2017-03 OF MULGA, ALABAMA; AND CALLING FOR THE TOWN TO CAUSE SAID DEMOLITION TO BE PERFORMED AND DIRECTING THE TOWN ATTORNEY AND THE TOWN 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 Mulga, Alabama, determined that the condition of the building or structure located at 322 Railroad Avenue, Mulga, Alabama, Parcel ID No. 21-00-17-1-001-012.000 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 October 3, 2024, 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 Jefferson County Tax Collector'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 Jefferson 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 Jefferson 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 Jefferson 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; and

E. Such other persons who are otherwise known to the Town 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 Town: Mulga Town Hall Bulletin Board, Mulga Post Office, and the Mulga Convenience Store;

**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 *Alabama Messenger*;

**WHEREAS**, a public hearing was noticed before the Town Council of the Town of Mulga, Alabama (the "Town Council") on Tuesday, December 3, 2024, at 6:30 p.m., but due to a lack of quorum, said hearing was adjourned until Tuesday, December 17, 2024, at 6:30 p.m.;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of Mulga, Alabama, while in regular session on Tuesday, December 17, 2024, at 6:30 p.m. as follows:

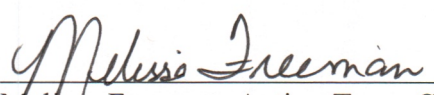
**Section 1.** A public hearing was held on Tuesday, December 17, 2024, at 6:30 p.m. and after due deliberation, the Town Council finds that the structure standing at 322 Railroad Avenue, Mulga, Alabama, Parcel ID No. 21-00-17-1-001-012.000 is unsafe to the extent of becoming a public nuisance to the citizens of the Town 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 No. 2017-03 of the Town;

**Section 2.** That the Town shall cause said demolition to be performed by its own employees and/or by contractor(s); and

**Section 3.** That the Town Attorney and the Town 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 17<sup>th</sup> day of December, 2024.

  
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W. KEITH VARNER, MAYOR

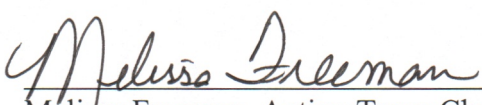
ATTEST:   
Melissa Freeman, Acting Town Clerk

**CERTIFICATION OF CLERK**

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, Melissa Freeman, Acting Town Clerk of Mulga, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the Town Council of Mulga, Alabama, on the 17<sup>th</sup> day of December, 2024.

Witness my hand and seal of office this 17<sup>th</sup> day of December, 2024.

  
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Melissa Freeman, Acting Town Clerk