



# CITY OF LEEDS, ALABAMA

## REGULAR COUNCIL MEETING AGENDA

Leeds Municipal Annex - 1412 9th Street; Leeds, Alabama 35094

May 03, 2021 @ 6:00 PM

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### CALL COUNCIL MEETING TO ORDER

### ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

### PUBLIC HEARING

*Anyone wishing to address the Council during the Public Comment section of the meeting must sign in with the City Clerk to provide their name and address.*

1. Consider Determination of Certain Conditions to be a Public Nuisance and an Unsafe Building at 7580 Cahaba Avenue

### APPROVE COUNCIL MINUTES

2. Minutes from April 19, 2021

### REPORTS OF OFFICERS:

3. Mayor's Report: Mayor David Miller
4. Police Department: Chief Atkinson
5. Fire Department: Chief Parsons
6. Library: Library Director Carden
7. Municipal Court: Magistrate Roberts
8. Development Services Department: City Administrator Watson
9. Public Works Department: Public Works Director Warren

### OLD BUSINESS:

### NEW BUSINESS:

10. Resolution 2021-05-01: Consider Declaring Certain Conditions to be a Public Nuisance and an Unsafe Building at 7580 Cahaba Avenue
11. Resolution 2021-05-02: Consider Municipal Court Appointments

### PUBLIC COMMENTS

*All comments are to be limited to 2 minutes*

### ADJOURNMENT

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In compliance with the Americans with Disabilities Act, those requiring accommodation for Council meetings should notify the City Clerk's Office at least 24 hours prior to the meeting at 205-699-2585.

**File Attachments for Item:**

1. Consider Determination of Certain Conditions to be a Public Nuisance and an Unsafe Building at 7580 Cahaba Avenue

## INSPECTION NOTES – 7580 CAHABA AVE

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- TERMITE/DECAY OF SILL PLATE - CRITICAL
- FOUNDATION WALL – EAST – SHEAR CRACK WITH SEPERATION - CRITICAL
- FRONT FACE OF HOUSE HAS SHIFTED RESULTING IN PRONOUNCED RACKING OF STRUCTURE – CRITICAL
- HVAC/PLUMBING/ELECTRICAL SYSTEMS HAVE BEEN HEAVILY DAMAGED DUE TO THEFT OF COPPER. - CRITICAL
- MISSING FACIA WHICH HAS RESULTED IN ROOFING JOIST DECAY - MINOR

**The house has been left unsecured resulting in vagrants occupying the house who have damaged the interior components of the structure. There is significant damage to walls, floors and ceilings that is both cosmetic and structural. The structure was occupied by vagrants without proper sanitation facilities which has resulted in significant biological damage to the structure.**

.



Document:

**Date Taken:**04/29/2021

**Address:**7580 CAHABA AVE

Violation Code:

Short Description:

Full Description:

Corrective Action:

**Taken by:**Brad Watson

**Case Number:**21-000704

Sec 10-3(a) (9)

International Existing Building Code

International Existing Building Code

Failures of foundation, supporting walls, roofing, electrical systems, plumbing systems.



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**Date Taken:**04/29/2021

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Sec 10-3(a) (9)

International Existing Building Code

International Existing Building Code

Failures of foundation, supporting walls, roofing,  
electrical systems, plumbing systems.

8

THIS STRUCTURE IS CONSIDERED TO BE AN

**UNSAFE BUILDING**

**THE USE OR OCCUPATION OF THIS  
BUILDING FOR ANY PURPOSE IS  
PROHIBITED AND UNLAWFUL**

PURSUANT TO CITY OF LEEDS ORD 2010-10-04

Date: March 22, 2021

Address: 7580 CAHABA AVE

\_\_\_\_\_

BUILDING OFFICIAL  
1404 9TH ST  
LEEDS, AL 35094

THIS BUILDING IS CONDEMNED DUE  
TO\_\_Decay of structure\_\_\_\_\_

THE OCCUPATION OF THIS BUILDING OR REMOVAL OF THIS NOTICE  
SHALL CONSTITUTE A MISDEMEANOR PURSUANT TO CITY OF LEEDS  
ORDINANCE 2010-10-04

**NOTICE TO VACATE AND REPAIR UNSAFE BUILDING**

**To:** Wesley Sims  
500 Karley Dr  
Birmingham, AL 35215

**Date of Notice:** 05/03/2021

**RE:** 7580 CAHABA AVE LEEDS, AL 35094

**Legal Description:**

**THIS BUILDING IS UNSAFE, AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED AND IS ORDER TO BE DEMOLISHED BY THE BUILDING INSPECTOR OF THE CITY OF LEEDS**

The above-described building or structure, or parts of buildings and structures, party walls, and foundations has been declared unsafe by the Building Inspector of the City of Leeds to the extent of being a public nuisance, which renders this building or structure unsafe pursuant to the terms of the *Unsafe Building Ordinance of the City of Leeds*.

This is being served upon you to give you notice to:

1. Repair and/or rehabilitate the unsafe building, OR
2. Demolish the same within a reasonable time not less than 45 days from the date of this notice, OR
3. Suffer the building or structure to be demolished by the municipality and the cost thereof assessed against the Property.

Because of the unsafe nature of this building or structure, the problem must either be remedied/repared or the will take those actions necessary to protect the public. The premises must be vacated immediately from the date this notice was served upon you. All required permits for repair must be secured and demolition must be completed within 45 days from the date this notice was served upon you. If the actions required by this notice are not commenced within or completed by the time specified, the city may affect repairs to the building. The Cost of the repair shall be performed by the City and the cost thereof assessed against the property. The Building Inspector may cause the work to be done and all costs incurred will be charged against the property of the owner of record.

**RIGHT TO HEARING:**

You have the right to request a hearing by filing a written request before the City Council of the City of Leeds, together with any objection to the findings by the City Officials that such building is unsafe. This filing shall hold in abeyance any action by the City until a final determination is made. This hearing shall be held on 05/03/2021 at 6:00 PM in the Civic Center Meeting Room – Leed City Hall Annex - 1412 9th St, Leeds AL 35094.

**NO HEARING REQUESTED:**

If no request for hearing is made after thirty (30) days from this notice, then the decision of the City Council of the City of Leeds shall be final.

**APPEAL FROM DECISION:**

Any person aggrieved by the decision of the city council at the hearing may, within ten (10) days thereafter, appeal to the Circuit Court of Jefferson County, AL, Birmingham Division. You must file with the Clerk of Court notice of the appeal and bond for the security of costs in the form and in the amount approved by the Circuit Clerk. The Clerk will serve a copy of the notice of appeal on the clerk of the municipality and the appeal will be docketed in the court and will be a preferred case therein. Take Note that any trials WILL BE HELD WITHOUT JURY with respect to the determination of the City Council that the building or structure is unsafe to the extent that it is a public nuisance.

Brad Watson  
Zoning Administrator  
City of Leeds  
1404 9th St  
Leeds, AL 35094

3/22/2021

Letter View

## NOTICE TO VACATE AND REPAIR UNSAFE BUILDING

To:

Wesley Sims  
500 Karey Dr  
Birmingham, AL 35215

**Date of Notice:** March 22, 2021

**RE:** 7580 CAHABA AVE LEEDS, AL 35094

**Legal Description:** LOTS 13 THRU 18 BLK 23 RUSSELL HTS #2

### **THIS BUILDING IS UNSAFE, AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED AND IS ORDER TO BE DEMOLISHED BY THE BUILDING INSPECTOR OF THE CITY OF LEEDS**

The above-described building or structure, or parts of buildings and structures, party walls, and foundations has been declared unsafe by the Building Inspector of the City of Leeds to the extent of being a public nuisance, which renders this building or structure unsafe pursuant to the terms of the *Unsafe Building Ordinance of the City of Leeds*.

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This is being served upon you to give you notice to:

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Because of the unsafe nature of this building or structure, the problem must either be remedied/repared or the will take those actions necessary to protect the public. The premises must be vacated immediately from the date this notice was served upon you. All required permits for repair must be secured and demolition must be completed within 45 days from the date this notice was served upon you. If the actions required by this notice are not commenced within or completed by the time specified, the city may affect repairs to the building. The Cost of the repair shall be performed by the City and the cost thereof assessed against the property. The Building Inspector may cause the work to be done and all costs incurred will be charged against the property of the owner of record.

**RIGHT TO HEARING:**

You have the right to request a hearing by filing a written request before the City Council of the City of Leeds, together with any objection to the findings by the City Officials that such building is unsafe. This filing shall hold in abeyance any action by the City until a final determination is made. This hearing shall be held on 05/17/2021 at 6:00 PM in the Leeds City Hall Annex -1412 9th St, Leeds AL 35094.

**NO HEARING REQUESTED:**

If no request for hearing is made after thirty (30) days from this notice, then the decision of the City Council of the City of Leeds shall be final.

**APPEAL FROM DECISION:**

Any person aggrieved by the decision of the city council at the hearing may, within ten (10) days thereafter, appeal to the Circuit Court of Jefferson County, AL, Birmingham Division. You must file with the Clerk of Court notice of the appeal and bond for the security of costs in the form and in the amount approved by the Circuit Clerk. The Clerk will serve a copy of the notice of appeal on the clerk of the municipality and the appeal will be docketed in the court and will be a preferred case therein. Take Note that any trials WILL BE HELD WITHOUT JURY with respect to the determination of the City Council that the building or structure is unsafe to the extent that it is a public nuisance.

Brad Watson  
Zoning Administrator  
City of Leeds  
1404 9th St  
Leeds, AL 35094



|          |      |     |          |
|----------|------|-----|----------|
| 20120210 | 2011 | *** | \$831.14 |
| 20110103 | 2010 | *** | \$821.36 |
| 20091231 | 2009 | *** | \$815.55 |
| 20081231 | 2008 | *** | \$876.03 |
| 20071231 | 2007 | *** | \$846.38 |
| 20061231 | 2006 | *** | \$797.76 |
| 20051231 | 2005 | *** | \$762.18 |
| 20041231 | 2004 | *** | \$742.02 |
| 20031231 | 2003 | *** | \$711.18 |
| 20030128 | 2002 | *** | \$648.25 |
| 20011231 | 2001 | *** | \$637.65 |
| 20001231 | 2000 | *** | \$637.65 |
| 20000119 | 1999 | *** | \$644.41 |
| 19981231 | 1998 | *** | \$568.86 |
| 19980213 | 1997 | *** | \$582.71 |
| 19970304 | 1996 | *** | \$576.09 |



# MAGIC CITY TITLE



3535 Grandview Parkway, Suite 550  
Birmingham, Alabama 35243

Telephone: 205-326-0250  
Fax: 205-326-0251  
www.magiccitytitle.com

## INVOICE

To: **Brunson, Barnett and Sherrer**  
**8020 Parkway Drive**  
**Leeds, AL 35094**  
**Attn: Scott Barnett**

Date: **March 18, 2021**

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**FILE NUMBER 226377-A**

DESCRIPTION OF  
SERVICE(S):           **Title Report**

TOTAL DUE:           **\$300.00**

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LEGAL:               **Legal located in Jefferson County**

STREET ADDRESS:   **7580 Cahaba Avenue, Leeds, AL 35094**

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OWNER:               **Joe C. Pace and Barbara A. Rook, (Joint Survivorship)(Fee Title)**  
**Wesley Sims, (Tax Title)**

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\*\*\*PLEASE RETURN A COPY OF THE INVOICE WITH REMITTANCE\*\*\*

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# MAGIC CITY TITLE, INC.

3535 GRANDVIEW PARKWAY, SUITE 550 • BIRMINGHAM, ALABAMA 35243  
PHONE: (205)326-0250 • FAX: (205)326-0251

## TITLE REPORT

**ORDERED BY:** Brunson, Barnett and Sherrer  
**ATTN:** Scott Barnett

**TITLE VESTED IN:** Joe C. Pace and Barbara A. Rook, (Joint Survivorship)(Fee Title)  
Wesley Sims, (Tax Title)

**SOURCE OF TITLE:** Inst. No 9507/3805 (Fee Title)  
Inst. No. 2020041913 and Inst. No. 202041914 (Tax Title)

### LEGAL DESCRIPTION:

Lots 13, 14, 15, 16, 17 & 18, Block 23, according to the Survey of Russell Heights Number 2, as recorded in Map Book 12, Page 28, in the Probate Office of Jefferson County, Alabama.

**COUNTY:** Legal located in Jefferson County

### MORTGAGES, AGREEMENTS NOT TO ENCUMBER, VENDORS LIENS:

**NOTE:** Please be advised that our search did not disclose any open mortgages of record. If you should have knowledge of any outstanding obligation, please contact Magic City Title immediately for further review prior to closing.

### SUBJECT PROPERTY HAS BEEN SOLD AT A TAX SALE FOR DELINQUENT TAXES. WE REQUIRE PROPER REDEMPTION AND ALL PAST DUE AND PRESENT TAXES PAID UNDER:

Parcel No. 25-00-17-4-021-005.000

### PROPERTY ADDRESS GIVEN BY THE COUNTY TAX ASSESSOR:

7580 Cahaba Avenue, Leeds, Al 35094

**NOTE:** The above tax information is provided for informational purposes only. Tax information has been based on the present assessment rolls, but is subject to changes or future adjustments that may be made by the Tax Assessor or by the County's Board of Equalization. No Liability is assumed for the accuracy of the account of taxes paid or for any changes imposed by said county authority.

### RECORDED TAX LIENS, JUDGMENTS, AND OTHER POSSIBLE LIENS (Tax Liens and Judgments shown only as to identical title holder(s) and/or applicant(s).)

**Judgments:** none  
**Tax Liens:** none  
**Lis Pendens:** none  
**Demolition Liens:** Inst. No. 2018045812  
Inst. No. 2020110269

**Bankruptcy Proceedings:** NOT CHECKED  
**Title Exceptions:** SEE ATTACHED

**Other matters, listed below, if any:**

1. Statement from the Town Clerk of Leeds stating that there are no unpaid municipal improvement assessments against subject property or same will be excepted.

**NOTICE TO CUSTOMER:**

This title search is being made at the request of **Brunson, Barnett and Sherrer**; said search being solely for the benefit of said party. This report is not to be construed as an opinion of title, title guarantee, nor title insurance policy. This report only pertains to matters searched in the public records as shown in the Office of Judge of Probate, Tax Assessor, and Tax Collector of said county during the period of time searched.

It is agreed and understood by acceptance hereof that the liability for any error or omission in this search is limited to the amount paid for said search.

**Effective Date:** March 17, 2021 at 8:00 a.m.

Countersigned at:  
MAGIC CITY TITLE, INC.  
3535 Grandview Parkway  
Suite 550  
Birmingham, Alabama 35243  
License No: 0188020

By:  License No:   
Authorized Officer or Agent  
AGH

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## TITLE EXCEPTIONS

1. Easement(s), building line(s) and restriction(s) as shown on recorded map.
2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, are not insured herein.

9/30/2020

Letter View

## NOTICE TO VACATE AND REPAIR UNSAFE BUILDING

**To:**  
WESLEY SIMS  
500 KAREY DR  
BIRMINGHAM, AL 35215

**Date of Notice:** 11/16/2020

**RE:** 7580 CAHABA AVE LEEDS, AL 35094

**Legal Description:**

**THIS BUILDING IS UNSAFE, AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED AND IS ORDER TO BE DEMOLISHED BY THE BUILDING INSPECTOR OF THE CITY OF LEEDS**

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**RIGHT TO HEARING:**

You have the right to request a hearing by filing a written request before the City Council of the City of Leeds, together with any objection to the findings by the City Officials that such building is unsafe. This filing shall hold in abeyance any action by the City until a final determination is made. This hearing shall be held on 11/16/2020 at 6:00 PM in the Civic Center Meeting Room – Leed City Hall Annex - 1412 9th St, Leeds AL 35094.

**NO HEARING REQUESTED:**

If no request for hearing is made after thirty (30) days from this notice, then the decision of the City Council of the City of Leeds shall be final.

**APPEAL FROM DECISION:**

Any person aggrieved by the decision of the city council at the hearing may, within ten (10) days thereafter, appeal to the Circuit Court of Jefferson County, AL, Birmingham Division. You must file with the Clerk of Court notice of the appeal and bond for security of costs in the form and in the amount approved by the Circuit Clerk. The Clerk will serve a copy of the notice of appeal on the clerk of the municipality and the appeal will be docketed in the court and will be a preferred case therein. Take Note that any trials WILL BE HELD WITHOUT JURY with respect to the determination of the City Council that the building or structure is unsafe to the extent that it is a public nuisance.



Brad Watson  
 Zoning Administrator  
 City of Leeds  
 1404 9th St  
 Leeds, AL 35094

**CERTIFICATE OF TAX SALE**

01 19 1250

**THE STATE OF ALABAMA  
 JEFFERSON COUNTY**

I, the undersigned, TAX COLLECTOR for said County, in accordance with the General Revenue Laws of said State, hereby certify that the following described property, was as of October 1st, 2017, assessed by the TAX ASSESSOR of said County to the within named assessee and the amount of taxes, fees and costs due thereon for the year 2018 was TOTAL as follows, to wit:

Mun Code: 15 LEEDS Parcel ID: 25 00 17 4 021 005.000  
 Fire Dist: 00 Receipt / Bill#: 5154244  
 PACE JOE C & ROOKS BARBARA A ROOKS BARBARA A

LOTS 13 THRU 18 BLK 23 RUSSELL HTS #2

| CLASS 2              |        |        |                     |        |
|----------------------|--------|--------|---------------------|--------|
| STATE ASSESSED VALUE |        | 7820   | FOREST FEE          | 0.00   |
| STATE GROSS TAX      | 0.0065 | 50.83  | WEED LIEN           | 0.00   |
| STATE H/E            |        | 0.00   | CONDEMNATION FEE    | 0.00   |
| STATE-NET TAX        |        | 50.83  | FIRE SERVICE FEE    | 0.00   |
| COUNTY GROSS TAX     | 0.0135 | 105.57 | STORM WATER FEE     | 15.00  |
| COUNTY H/E           |        | 0.00   | ASSESSOR FEE        | 0.00   |
| COUNTY NET TAX       |        | 105.57 | COLLECTOR FEE       | 5.00   |
| COSCH GROSS TAX      | 0.0082 | 64.12  | CITATION FEE        | 5.00   |
| COSCH H/E            |        | 0.00   | ADVERTISING         | 49.29  |
| COSCH NET TAX        |        | 64.12  | BAD CHECK FEE       | 0.00   |
| SPSCH1 GROSS TAX     | 0.0051 | 39.88  | INTEREST            | 24.41  |
| SPSCH1 H/E           |        | 0.00   | TOTAL FEES-AND-COST | 98.70  |
| SPSCH1 NET TAX       |        | 39.88  |                     |        |
| SPSCH2 GROSS TAX     | 0.0168 | 131.38 | TOTAL               | 562.42 |
| SPSCH2 H/E           |        | 0.00   |                     |        |
| SPSCH2 NET TAX       |        | 131.38 |                     |        |
| SPSCH3 GROSS TAX     | 0.0000 | 0.00   |                     |        |
| SPSCH3 H/E           |        | 0.00   |                     |        |
| SPSCH3 NET TAX       |        | 0.00   |                     |        |
| LEEDS                | 0.0092 | 71.94  |                     |        |
| CITY H/E             |        | 0.00   |                     |        |
| CITY NET TAX         |        | 71.94  |                     |        |
| TOTAL TAX            |        | 463.72 | EXCESS BID          | 0.00   |

I further certify that notice of the sale of said real property was given for thirty days before the date of sale by publication once a week for three successive weeks in The Birmingham News a newspaper regularly published in said County; and I further certify that said notice described said real property and stated the amount for which the decree of sale by the Court of Probate was rendered on the 22ND DAY OF MARCH, 2019, against same, and against whom the taxes embraced in said decree were assessed; and also stated the time and place of sale. The said real property was offered for sale on the 4TH DAY OF JUNE, 2019, at the Courthouse of said County at BIRMINGHAM, Alabama at public outcry, to the highest bidder for cash, between the hours of 10 A.M. and 4 P.M. and that said real property was so offered that as practicable only such portion thereof was sold as was necessary to satisfy the decree under which it was sold, and the expenses for the sale and that at said sale at the sum of 562.42 STATE OF ALABAMA became the purchaser of said real property which was the highest bid therefore.

I further certify that report of said sale was filed with the Court of Probate within time required by law and that said report having lain over for more than five days was confirmed and ratified by said court on the 17TH DAY OF JUNE, 2019.

Given under my hand the 17TH DAY OF JUNE, 2019.

  
 TAX COLLECTOR

(1) The Class III tax status shall remain in effect for the property throughout the period allowed for redemption as long as the property is used as an owner-occupied residence, and (2) for any period or periods following the tax sale that the property is not used as Class III property, as defined in Section 40-8-1, the property will be classified, assessed and taxed as Class II property.

THE STATE OF ALABAMA  
JEFFERSON COUNTY

CERTIFICATE OF SALE  
For Tax Year

Tax Collector, Jefferson County, Alabama  
To

For value received I, the undersigned purchaser at the within described tax sale do hereby assign all my right, title and interest in this Certificate of Tax Sale, and the real property described therein, unto

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

STATE OF ALABAMA\*  
MONTGOMERY COUNTY\*

WHEREAS A&R DEVELOPING LLC of BIRMINGHAM, AL has paid into the State Treasury of the State of Alabama, the sum of ONE THOUSAND EIGHT HUNDRED THIRTY SIX DOLLARS & FIFTY ONE CENTS (\$1836.51) for the assignment of the within Certificate of Sale.

AND, WHEREAS, said sum appears to be sufficient amount to cover the charges now due on said certificate.

The amount bid by the state  
at the Tax Sale.

\$562.42

Subsequent taxes and interest  
(This amount does not include taxes for the  
current assessing year )

\$1274.09

NOW, THEREFORE, the State Land Commissioner of the State of Alabama, under and by virtue of the authority in him/her vested by law, does hereby transfer and assign to the said A&R DEVELOPING LLC the within Certificate of Sale.

DONE AT THE CAPITOL, Montgomery, Alabama, this the 18th of March, 2020.

  
STATE LAND COMMISSIONER

3200

Assignment of Tax Sale Certificate

KNOW ALL MEN BY THESE PRESENTS, that AER Developing LLC  
has transferred, sold, conveyed and assigned:

Parcel Number: 25 00 17 4 021 005, 000

and hereby assigns, transfers, conveys and sells, all of its right, title and interest, now owned or hereafter acquired, in and to a tax lien arising under the laws of the State of Alabama, and the certificate of purchase related thereto, as described in the attachments thereto, to:

Name AESLEY SIMS #P  
Address ~~205 876 0009~~ 500 KAREY DR  
City, ST, Zip BIRMINGHAM, AL, 35215  
Phone 205 876-3689

to own and treat as its sole and separate property, with all rights and powers arising upon ownership thereof.

By: X A. Ruffin  
(Authorized agent)

Company: AER DEVELOPING LLC

Sworn to and subscribed before me on  
This 4th day of April, 2020  
Rosal Waters NOTARY PUBLIC  
My Commission Expires: 4-11-2023

ROSAL WATERS  
NOTARY PUBLIC, ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES APR. 11, 2023

NOTE: THIS ORIGINAL, COMPLETED, NOTARIZED DOCUMENT MUST BE RETURNED TO LAND REDEMPTIONS IN ORDER FOR THE TRANSFER TO BE COMPLETE.

**NOTICE TO VACATE AND REPAIR UNSAFE BUILDING**

**To:** Mr. Joe C. Pace  
3128 Asbury Sq.  
Atlanta, GA 30346

**Date of Notice:** May 4, 2018

**RE:** 7580 Cahaba Ave, Leeds, AL 35094

**Legal Description:** LOTS 13 THRU 18 BLK 23 RUSSELL HTS #2

**THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED AND IS ORDER TO BE DEMOLISHED BY THE BUILDING INSPECTOR OF THE CITY OF LEEDS**

The above described building or structure, or parts of buildings and structures, party walls and foundations has been declared unsafe by the Building Inspector of the City of Leeds to the extent of being a public nuisance, which render this building or structure unsafe pursuant to the terms of the *Unsafe Building Ordinance of the City of Leeds*.

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**RIGHT TO HEARING:**

You have the right to request a hearing by filing a written request before the City Council of the City of Leeds, together with any objection to the findings by the City Officials that such building is unsafe. This filing shall hold in abeyance any action by the City until a final determination is made. This hearing shall be held on July 16, 2018 at 6:00 PM in the Civic Center Meeting Room – 1000 Park Drive, Leeds, AL 35094.

**NO HEARING REQUESTED:**

If no request for hearing is made after thirty (30) days from this notice, then the decision of the City Council of the City of Leeds shall be final.

**APPEAL FROM DECISION:**

Any person aggrieved by the decision of the city council at the hearing may, within ten (10) days thereafter, appeal to the Circuit Court of Jefferson County, AL, Birmingham Division. You must file with the Clerk of Court notice of the appeal and bond for security of costs in the form and in the amount approved by the Circuit Clerk. The Clerk will serve a copy of the notice of appeal on the clerk of the municipality and the appeal will be docketed in the court and will be a preferred case therein. Take Note that any trials WILL BE HELD WITHOUT JURY with respect to the determination of the City Council that the building or structure is unsafe to the extent that it is a public nuisance.



Brad Watson  
Zoning Administrator  
City of Leeds  
1404 9<sup>th</sup> St  
Leeds, AL 35094

FILING DOCUMENT

\$15,000.00

SEND TAX NOTICE TO:  
Joe C. Pace and Barbara A. Rooks  
Rt 4 Box 658  
Leeds, AL 35094

This instrument was prepared by:  
**VERNON N. SCHMITT, ATTORNEY AT LAW**  
**P. O. BOX 521, LEEDS, AL 35094**

9 5 0 7 / 3 8 0 5

Warranty Deed, Joint Tenants With Right of Survivorship

STATE OF ALABAMA)  
JEFFERSON COUNTY)

KNOW ALL MEN BY THESE PRESENTS,

That, in consideration of TEN AND NO/100 (\$10.00) DOLLARS and other good and valuable consideration to the undersigned grantor in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, I, GERTRUDE PACE, AN UNMARRIED PERSON (herein referred to as grantor) do grant, bargain, sell, and convey unto JOE C. PACE AND BARBARA A. ROOKS, (herein referred to as GRANTEES) as joint tenants, with right of survivorship, the following described real estate situated in Jefferson County, Alabama, to-wit:

Lots 13, 14, 15, 16, 17 and 18 in Block No. Twenty Three (23) in Russell Heights -  
Number Two (2) According to the Ethel Whitmire Survey by John R. Peavy.

TO HAVE AND TO HOLD unto the said GRANTEES as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee, and if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

And I do for myself (ourselves) and for (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set my hand and seal this 23<sup>rd</sup> day of June 1995.

WITNESS:

Gertrude Pace  
GERTRUDE PACE

STATE OF ALABAMA)  
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that GERTRUDE PACE, 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 the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23<sup>rd</sup> day of June 1995.

Vernon N. Schmitt  
Notary Public.

State of Alabama - Jefferson County  
I certify this instrument filed on:  
1995 JUL 05 A.M. 10:22  
Recorded and \$ 15.00      Mig. Tax  
and \$ 4.50      Deed Tax and For Amt. 19.50  
\$ Total \$  
GEORGE L. REYNOLDS, Judge of Probate



9507/3805

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wesley Sims  
 500 Karey Dr.  
 Centerpoint, AL 35215-5823



9590 9402 3167 7166 7922 54

2. Article Number (Transfer from service label)

9489 0090 0027 6305 8744 65

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature **X** Agent  Addressed   
 B. Received by (Printed Name) **Wesley Sims** C. Date of Delivery **3/25**

D. Is delivery address different from item 1?  Yes  No  
 If YES, enter delivery address below:

MAR 28 9:12:45

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail®
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Priority Mail Express®
  - Registered Mail™
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation™
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING #



9590 9402 3167 7266 7922 54



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

United States  
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

AMY OF LEEDS  
1400 9th Street  
LEEDS, AL 35094



**File Attachments for Item:**

2. Minutes from April 19, 2021



# CITY OF LEEDS, ALABAMA

## REGULAR COUNCIL MEETING MINUTES

Leeds Municipal Annex - 1412 9th Street; Leeds, Alabama 35094

April 19, 2021 @ 6:00 PM

### CALL COUNCIL MEETING TO ORDER

Mayor David Miller called the meeting to order at 6:04 pm.

### ROLL CALL / INVOCATION / PLEDGE OF ALLEGIANCE

#### PRESENT

Mayor David Miller  
Council member Kenneth Washington  
Council member Eric Turner  
Council member Johnny Dutton  
Council member Angie Latta  
Council member Devoris Ragland-Pierce

#### INVOCATION

Council member Eric Turner

#### PLEDGE OF ALLEGIANCE

Mayor David Miller

### PUBLIC HEARING

1. Revocation of A Business License Pursuant to The City Code of Ordinances at 7310 Parkway Drive

Mr. Clarence Dortch III, attorney for Green Wave Collision and its owners, asked for a continuance. Mr. Johnny Brunson, City Attorney, states that he has previously spoken with Green Wave's counsel prior to tonight's meeting and is ok with the continuance if the Council approves it. Mr. Scott Barnett, City Attorney, asked for anyone in the audience to be allowed to speak. Mr. Jeff Hilley, a Green Wave Collision customer, stated he dropped off his car at Green Wave Collision over 6 months ago and paid for the estimate given. He further states there has been delay after delay, and he still does not have his car. He would like his car returned and money refunded. Mr. Dortch states that his car is ready for pick up. A motion to continue was made by Mr. Washington. Motion fails due to lack of a second. There was no other comment made. The matter is referred to Council.

2. Revocation Of A Business License Pursuant To The City Code Of Ordinances at 1234 Markeeta Spur Road

Mr. Jonathan Hayes, owner of Hayes Construction, stated that he is a state licensed home builder. Regarding the structure at 2133 Montevallo Road, Mr. Hayes thought the property owner obtained variance approval. Mayor asked Mr. Watson for clarification. Mr. Watson

referred to his inspector, Kathy Capps. Ms. Capps stated that Mr. Hayes did not have a permit nor variance approval. Mr. Watson stated that Mr. Hayes has started work without a permit on another project. There was no other comment made. The matter was referred to Council.

3. B21-000004: Request for an Alcoholic Beverage License to Himalaya Leeds Corporation, trade name Lucky 7s at 7502 Parkway Drive

Mr. Watson reported there were no issues with this application from other departments. There was no other comment made. The matter was referred to Council.

Public Hearing closed at 6:18 pm.

### **APPROVE COUNCIL MINUTES**

4. Minutes from April 05, 2021

Motion to approve minutes from April 05, 2021 made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Ragland-Pierce and Council member Latta.

Voting Abstaining: Council member Washington

### **REPORTS OF OFFICERS:**

5. Mayor's Report: Mayor David Miller

Mayor Miller announced 2 new business openings: Cell Phone Repair and Blossom Spa.

6. Police Department: Chief Atkinson

No report.

7. Fire Department: Chief Parsons

Chief Parsons thanked everyone for coming early to view Alabaster's new fire truck which is identical to the one we just ordered except for the color scheme. He will be traveling to Ohio in May for a pre-construction meeting with Sutphen Fire Trucks. Also, there will be a Live Burn Trailer for department training this week at Station 1.

8. Library: Library Director Carden

No report.

9. Municipal Court: Magistrate Roberts

Ms. Roberts announced that since cameras have been installed on the school buses there have been 36 citations issued for passing a stopped school bus. The cameras are front and rear-facing.

10. Development Services Department: City Administrator Watson

No report.

11. Public Works Department: Public Works Director Warren

Absent

### **OLD BUSINESS:**

There was none.

**NEW BUSINESS:**

12. Ordinance 2021-04-01: Consider Re-approval of Spectrum Franchise Renewal

Motion for Unanimous Consent to consider Ordinance 2021-04-01 made by Council member Dutton, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

Mr. Barnett explained the changes: Spectrum is giving the City the full franchise fee of 5% and there will be no free services for City buildings.

Motion to approve Ordinance 2021-04-01 made by Council member Turner, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

13. Resolution 2021-04-04: Consider Approving 2021 "Back-to-School" Sales Tax Holiday

Motion to approve Resolution 2021-04-04 made by Council member Washington, Seconded by Council member Dutton. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

14. Resolution 2021-04-05: Consider Approval to Make Certain Budget Amendments to Purchase Various Equipment

Motion to approve Resolution 2021-04-05 made by Council member Dutton, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

15. Resolution 2021-04-06: Consider Revocation Of A Business License Pursuant To The City Code Of Ordinances at 7310 Parkway Drive

Mr. Watson advised the Mayor and Council that in addition to the complaints heard tonight he has received several public nuisance complaints, and they are non-compliant in their zoning and previous variance approval from 2003.

Ms. Roberts advised the Mayor and Council that she has received many complaints at Court which have been pre, during and post pandemic. The complaints are similar: their vehicle is never repaired or it's not repaired correctly. She is concerned that when the complainants make a complaint to the Jefferson County DA's office or the Attorney General's office that they will think she's not doing her job. However, this is a private matter between each complainant and Green Wave Collision. She's had to refer complainants to get an attorney to handle their issues with Green Wave Collision. This is not an isolated incident.

Mr. Dortch presented their case with multiple exhibits to request that the license not be revoked. Mr. Dortch called upon Mr. Alan Spradlin, 4725 Woodfield Lane-Trussville, to give his expert knowledge on salvage auto parts. He has managed one for over 40 years.

Mr. Watson showed the Mayor and Council pictures from previous abatements in 2019. Engines and leaking oil are violation to our Storm Water regulations as they are harmful to our MS4. He read to them the 2003 definition of vehicle repair-major and the limitations of the 2003 variance approval. His recommendation is to revoke the business license.

No motion was made. Resolution 2021-04-06 fails for lack of a motion.

- 16. Resolution 2021-04-07: Consider Revocation of a Business License Pursuant to The City Code of Ordinances at 1234 Markeeta Spur Road

Mr. Jonathan Hayes, spoke and wants his 2021 business license in order to complete the 2 open jobs mentioned earlier. After their completion, he will leave Leeds.

Mr. Watson offered no recommendation. Mr. Hayes has not obtained any permits, and the property owners are at their own expense of removing his unpermitted work by a Municipal Court ruling. Mayor Miller makes a recommendation to revoke his business license.

No motion was made. Resolution 2021-04-07 fails for lack of a motion.

- 17. Resolution 2021-04-08: Consider Approval of Alcohol License to Himalaya Leeds Corporation, trade name Lucky 7s at 7502 Parkway Drive

Motion to approve Resolution 2021-04-08 made by Council member Ragland-Pierce, Seconded by Council member Turner. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

**PUBLIC COMMENTS**

There was none.

**ADJOURNMENT**

Motion to adjourn made by Council member Washington, Seconded by Council member Ragland-Pierce. Voting Yea: Mayor Miller, Council member Turner, Council member Dutton, Council member Washington, Council member Ragland-Pierce and Council member Latta.

The meeting adjourned at 7:34 pm.

\_\_\_\_\_  
David Miller, Mayor

Attest:

\_\_\_\_\_  
Toushi Artbitelle, City Clerk

**File Attachments for Item:**

8. Development Services Department: City Administrator Watson

# Department Hours- OT

04/06/21 to 04/19/21

| Department | OT     | COM  | Totals |
|------------|--------|------|--------|
|            | 299:34 | 1:30 | 301:04 |

|          |        |      |        |
|----------|--------|------|--------|
| ADM-1    | 4:12   |      | 4:12   |
| CRT-11   | 8:31   |      | 8:31   |
| DEV-50   | 10:38  |      | 10:38  |
| FIRE1-26 | 46:00  |      | 46:00  |
| POL-22   | 170:25 | 1:30 | 171:55 |
| STR-80   | 59:48  |      | 59:48  |

**File Attachments for Item:**

10. Resolution 2021-05-01: Consider Declaring Certain Conditions to be a Public Nuisance and an Unsafe Building at 7580 Cahaba Avenue

**RESOLUTION NO. 2021-05-01**

**RESOLUTION DETERMINING STRUCTURE TO BE UNSAFE AND AUTHORIZING AND DIRECTING ITS DEMOLITION**

**Record Owner: Joe C. Pace & Barbara Rooks**

**Wes Sims**

**Property: 7580 Cahaba Ave , Leeds, AL 35094**

**Tax ID: 2500174021005000**

**CITY OF LEEDS, ALABAMA**

**WHEREAS**, Brad Watson Building Inspector of City of Leeds, is and has been designated by the Mayor of the City of Leeds as the “appropriate city official” (the “Official”), under Alabama Code §§ 11-53B-1 to 11-53B-16 (the “Act”).

**WHEREAS**, pursuant to the Act, the Official determined the structure (the “Structure”), which was located at the address listed above in the City of Leeds (the “Property”), to be unsafe to the extent that it constituted a public nuisance;

**WHEREAS**, the Official gave the person(s), who is the record owner(s) of the Property, and any applicable mortgagees of record, proper notice to remedy the unsafe condition of the Structure within 45 days, and a copy of such notice was properly posted at the Structure;

**WHEREAS**, after a public hearing held on November 16, 2020, the matter came before the Council for a determination of whether the Structure was unsafe to the extent that it constituted a public nuisance and whether to order its demolition;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Leeds as follows:

1. All of the Whereas Clauses set forth above are incorporated herein by reference.
2. The Structure is declared unsafe to the extent that it constitutes a public nuisance.
3. The demolition of the Structure is ordered after the time for appeal to the circuit court has expired. The Official is hereby authorized to have the

Structure demolished in compliance with state law at such time and to sell or otherwise dispose of all salvaged material from the Structure.

**ADOPTED and APPROVED this May 3, 2021.**

CITY OF LEEDS, ALABAMA:

\_\_\_\_\_  
DAVID MILLER, MAYOR

\_\_\_\_\_  
DATE

ATTEST:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT FROM VOTING: \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

ABSTAIN: \_\_\_\_\_

In my capacity as City Clerk of the City of Leeds, I hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on May 3, 2021.

\_\_\_\_\_  
Toushi Arbitelle, City Clerk

**File Attachments for Item:**

11. Resolution 2021-05-02: Consider Municipal Court Appointments

**RESOLUTION NO: 2021-05-02**

**APPOINTMENT OF CITY MUNICIPAL COURT JUDGE**

**WHEREAS**, § 12-14-30 Code of Alabama 1975 sets forth the requirements related to the appointment of a Municipal Court Judge; and

**WHEREAS**, it is necessary that the City Council appoint a part-time Municipal Judge to serve a term of two (2) years or until his successor is appointed; and

**WHEREAS**, current circumstances have necessitated that the City Council address the appointment of someone to fill the Municipal Judgeship within the City; and

**WHEREAS**, Moses Stone, Esq. has long sense served with distinction as the City of Leeds Public Defender, and his appointment as the next City Municipal Judge would also provide a seamless transition for our Court system.

**WHEREAS**, § 15-12-2 Code of Alabama 1975 generally states that the appointment of a municipal public defender is determined by the City Council; and

**WHEREAS**, considering Mr. Stone’s judicial appointment, it is necessary that the City Council appoint a part-time public defender to serve a term of two (2) years or until a successor is appointed; and

**WHEREAS**, Ms. Brooks Burdette, Esq. has significant experience and service in municipal court proceedings, and her appointment as the next City Public Defender would serve as a significant benefit to or our Court system and those who are in need of the services of a public defender.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the City of Leeds, Alabama, as follows:

1. Mr. Moses Stone, Esq. is hereby appointed to serve as Municipal Judge of the City of Leeds, Alabama.
2. Brooks Burdette, Esq. is hereby appointed to serve as the Public Defender for the City of Leeds, Alabama.
3. Both the Municipal Judge and the Public Defender for the City of Leeds shall be appointed for a period of two years or until a successor is appointed.
4. Both the Municipal Judge and the Public Defender shall serve with an annual salary in an amount as heretofore established and budgeted as the current pay rate for the municipal judgeship and public defender within the City.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF LEEDS, ALABAMA** on this 3rd day of May 2021.

CITY OF LEEDS, ALABAMA

\_\_\_\_\_  
DAVID MILLER, MAYOR                      DATE

ATTEST:

**AYES:** \_\_\_\_\_

**NAYS:** \_\_\_\_\_

**ABSENT FROM VOTING:** \_\_\_\_\_

**ABSTAIN:** \_\_\_\_\_

\_\_\_\_\_  
CITY CLERK

In capacity as City Clerk of the City of Leeds, I hereby certify that the above Resolution was duly adopted by the City Council of the City of Leeds at a regular meeting held on the 3<sup>rd</sup> day of May 2021.

\_\_\_\_\_  
Toushi Arbitelle, City Clerk