



## RESOLUTION 2022-35

**A RESOLUTION EXERCISING THE AUTHORITY PROVIDED BY 11-40-10, 11-47-117, 11-47-131, 11-47-140, AND TITLE 11, CHAPTER 53 OF THE CODE OF ALABAMA 1975 AND ORDERING THE TOWN OF MAGNOLIA SPRINGS DESIGNATED REPRESENTATIVE TO ABATE NUISANCES TO REMOVE A PUBLIC NUISANCE LOCATED AT 14322 LIVE OAK AVENUE IN MAGNOLIA SPRINGS, ALABAMA.**

**WHEREAS**, pursuant to Section 11-47-117 of Code of Alabama 1975, the Town of Magnolia Springs has the power to prevent injury or annoyances from anything dangerous or offensive or unwholesome and to cause all nuisances to be abated and assess the cost of abating the same against the person creating or maintaining the same;

**WHEREAS**, during the April 27<sup>th</sup>, 2021, regular meeting, the Town Council of Magnolia Springs designated Councilmember Steve Mobley as the Town Representative to inspect, notify, and abate nuisances in the Town as set for in Ordinance No. 2007-14;

**WHEREAS**, on September 22, 2022, property owner Federal National Mortgage Association ("Property Owner") was notified that the junked and/or automotive vehicles without current license plates were a nuisance and necessitated removal due to the unsightly condition;

**WHEREAS**, Property Owner failed to comply with the notice to abate the nuisance;

**WHEREAS**, on November 8, 2022, a public hearing was held by the Town Council due to the Property Owner's refusal to comply with the notice to abate nuisance;


**BE IT RESOLVED** by the Town Council of Magnolia Springs, during the regular meeting, that, pursuant to the authority granted the Town of Magnolia Springs in 11-40-10, 11-47-117, 11-47-131, 11-47-140, and Title 11, Chapter 53 of the Code of Alabama 1975, and to protect the general public from any lot or tract of land in the Town of Magnolia Springs that is unlawfully unsightly or dangerous, producing material annoyance, inconvenience, discomfort, or hurt, so as to interfere with the comfortable enjoyment of life and/or property, it is ORDERED that the Town Representative to Abate Nuisances remove the junked and/or automotive vehicles without current license plates located at 14322 Live Oak Avenue in Magnolia Springs, Alabama, and otherwise known as parcel number 05-55-08-28-0-000-026.001 in the records of the Office of Revenue Commissioner of Baldwin County, Alabama in accordance with Ordinance No. 2007-14, An Ordinance Defining Real Property Nuisances and Unsafe Buildings, Establishing a Procedure for

the Abatement of Said Nuisances and Unsafe Buildings, and Providing Penalties for Violations of its Provisions within 14 days.

**Approved and adopted this 8<sup>th</sup> day of November 2022.**

  
**Kim Koniari, Mayor**

**ATTEST:**

  
**Hannah Driskell, Town Clerk**