

RESOLUTION NO. 2025-27

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOXLEY, ALABAMA FIXING AND ASSESSING THE COSTS
REASONABLY INCURRED IN THE DEMOLITION OF THE NORTH STRUCTURE
LOCATED ON 1056 HOLLEY STREET**

WHEREAS, the City of Loxley is authorized pursuant to Ala. Code §§ 11-40-30, et seq. (1975) to declare a structure unsafe to the extent that it creates a public nuisance;

WHEREAS, on February 10, 2025, the City Council for the City of Loxley, Alabama passed Resolution No. 2025-03 declaring the north structure located at 1056 Holley Street (Parcel No.: 05-42-01-11-3-000-021.000), in Loxley, Alabama (“the Property”) a public nuisance that could not be repaired, and therefore, ordered the north structure to be demolished;

WHEREAS, in Resolution No. 2025-03, the City Council for the City of Loxley ordered that the owner of the Property demolish the north structure and abate the public nuisance within sixty (60) days from the date of the Resolution; and

WHEREAS, Resolution No. 2025-03 further stated that failure by the owner to demolish the north structure within sixty (60) days from the date of the passed Resolution would result in the City demolishing the unsafe structure and abating the public nuisance.

WHEREAS, the owner of the Property failed to demolish the structure within sixty (60) days from February 10, 2025; and

WHEREAS, pursuant to the passed Resolution and Ala. Code § 11-40-32 (1975), the City had authority to contract with Chris Brewer Contracting, Inc. and Hernandez Demolition & Remediation, LLC for the demolition and asbestos abatement services.

WHEREAS, in accordance with Ala. Code § 11-40-33 (1975), the City Clerk provided notice to the owner and all entities having an interest in the Property that the City Council for the City of Loxley would consider fixing the reasonable demolition costs incurred by the City to the Property as a special assessment against the Property, and thus, shall constitute a lien on the Property for the amount of the assessment;

WHEREAS, in accordance with Ala. Code § 11-40-33 (1975), the Acting Building Official and Building Inspector for the City of Loxley presented a report to the City Council for the City of Loxley listing the reasonable costs incurred in removing the asbestos and demolishing the north structure;

WHEREAS, as part of his report to the Council, the Acting Building Official and Building Inspector confirmed that no materials were salvaged from the demolition; the city did not conduct a sale of the salvaged materials; and no proceeds of any sale of salvaged materials were used or applied against the cost of demolition incurred by the City;

WHEREAS, as part of the Acting Building Official and Building Inspector’s report, the City Council for the City of Loxley were provided itemized invoices from Chris Brewer Contracting, LLC and Hernandez Demolition & Remediation, LLC listing the reasonably incurred costs; and

WHEREAS, the City Council for the City of Loxley considered the information presented in the Acting Building Official and Building Inspector’s report and determined that the amount of \$4,890.02 dollars paid to Hernandez Demolition and Remediation, LLC and the amount of \$7,995.02 dollars paid to Chris Brewer Contracting were both reasonably incurred by the City and therefore, the total amount of \$12,885.04 shall be fixed and assessed against the Property as a special assessment and constitute a lien on the Property.

NOW THEREFORE, be it resolved by the City Council for the City of Loxley, Alabama as follows:

1. That the costs paid by the City of Loxley for the demolition and asbestos

abatement services for the north structure were reasonably incurred and a total sum of \$12,885.04 dollars shall be fixed and shall constitute a special assessment against 1056 Holley Street, Loxley, Alabama and thus shall constitute a lien on the Property for the amount of the special assessment.


2. A certified copy of this signed and executed Resolution shall be filed in the Baldwin County Judge of Probate Office.
3. Upon filing of the certified copy of the Resolution, the Baldwin County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the Property and shall collect the amount as if it were a tax and remit the amount to the municipality.

ADOPTED AND APPROVED by the City of Loxley on this 30th day of June 2025.



Richard Teal
Mayor


ATTEST:



Melissa Lawrence
City Clerk/Treasurer

CERTIFICATION

I, the undersigned qualified and acting Clerk of the City of Loxley, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City of Loxley Council, at a regular meeting of such council, held on the 30th day of June, 2025, and that said Resolution is on file in the office of the City of Loxley Clerk.



Melissa Lawrence
City Clerk/Treasurer