

RESOLUTION NO. 2026-23

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF LOXLEY, ALABAMA FIXING AND ASSESSING THE COSTS
REASONABLY INCURRED IN THE DEMOLITION OF THE STRUCTURE
LOCATED ON 4095 4TH AVENUE**

WHEREAS, the City of Loxley ("City") 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 9, 2026, the City Council for the City of Loxley, Alabama (the "City Council") passed Resolution No. 2026-11 declaring the structure located at 4095 4th Avenue (Parcel No.: 05-42-01-11-3-000-083.000) in Loxley, Alabama ("the Property") to be unsafe to the extent that it creates a public nuisance that cannot be repaired and ordered the structure to be demolished;

WHEREAS, pursuant to the passed Resolution and Ala. Code § 11-40-32 (1975) that failure by the owner of the Property to appeal the City Council's determination to the Circuit Court of Baldwin County, Alabama, ten (10) 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 appeal the City Council's determination to the Circuit Court of Baldwin County, Alabama ten (10) days from February 9, 2026;

WHEREAS, pursuant to Ala. Code § 11-40-32 (1975), the City had authority to contract with Chris Brewer Contracting, Inc. for the demolition of the structure and the closure of the septic tank located on the Property;

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 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 City's Building Official and Building Inspector presented a report to the City Council listing the reasonable costs incurred by closing off the septic tank and demolishing the structure;

WHEREAS, as part of their report to the City Council, the 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 reasonable costs incurred by the City;

WHEREAS, as part of the Building Official and Building Inspector's report, the City Council was provided with itemized invoices from Chris Brewer Contracting, LLC showing a balance due of \$12,500.00 for the demolition of the structure and another balance of \$2,360.00 due for the closure of the septic tank on the Property; and

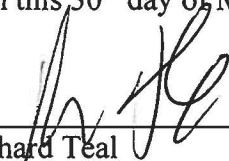
WHEREAS, the City Council considered the information presented in the Building Official and Building Inspector's report and determined that the amount of \$14,860.00 dollars paid to Chris Brewer Contracting was reasonably incurred by the City, and therefore, shall be fixed and assessed against the Property 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 closure of the septic tank were reasonably incurred and \$14,860.00 dollars shall be fixed and shall constitute a special assessment against 4095 4th Avenue (Parcel No.: 05-42-01-11-3-000-083.000) in 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.

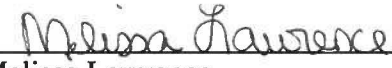
3. Upon filing the certified copy of the Resolution, the Baldwin County Revenue Commissioner shall add the amount of the lien to the ad valorem tax bill on the Property and shall collect the amount as if it were a tax and remit the amount to the municipality.

ADOPTED AND APPROVED by the City of Loxley on this 30th day of March 2026.



Richard Teal
Mayor

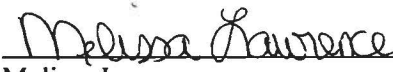
ATTEST:



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 March, 2026, and that said resolution is on file in the office of the City of Loxley Clerk.



Melissa Lawrence
City Clerk/Treasurer