

RESOLUTION

Sponsored by: Mayor Samuel L. Jones

WHEREAS, by Resolution No. 40-713 adopted November 20, 2007, the Mobile City Council authorized a Redevelopment Plan for the City of Mobile targeting blighted properties and authorizing use of the City's eminent domain power to clear title to and return such blighted properties to productive use and the tax roll; and,

WHEREAS, because a great number of such blighted properties are tax delinquent and because the then current Alabama law did not afford an effective means to create marketable title to such properties, the City was unable to successfully implement the program envisioned by such Plan; and,

WHEREAS, in the last legislative session, the City of Mobile was successful in having legislation passed which provides a fair and expedited procedure for clearing title and redeveloping tax delinquent parcels and abandoned properties, such legislation being codified at *Code of Alabama*, § 11-70-1, *et seq.*; and,

WHEREAS, the Mobile City Council, by this Resolution, hereby endorses and authorizes the necessary policies and procedures to implement a comprehensive program to acquire tax delinquent parcels of property in blighted areas and to otherwise return to productive use and to the tax rolls any number of properties in such a state of disrepair as to constitute a blight on the surrounding neighborhood and a threat to public health, safety and welfare;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Executive branch of City government is hereby authorized to create and administer a comprehensive program to quiet title to abandoned, tax delinquent properties and to otherwise acquire properties located within the City of Mobile utilizing the quiet title procedure outlined in *Code of Alabama*, § 11-70-1, *et seq.*, and to otherwise acquire, market, and convey any such properties in a manner consistent with the “Mission Statement” which is attached as Exhibit “A” and made a part hereof, said program to be known as the “City of Mobile Neighborhood Renewal Program,” hereafter (“NRP”). In developing and implementing the NRP, the Executive branch of City government is hereby authorized to pursue a quiet title action against any tax delinquent real property which is described in that certain statement of “Eligible Properties,” a copy of which is marked as Exhibit “B” and appended hereto. In returning any such properties to productive use, the Executive branch of City government is authorized to deal with any individual, non-profit corporation, for-profit corporation or other entity, as such persons or entities are described in the statement of “Eligible Developers,” which is marked as Exhibit “C” and appended hereto. The Executive branch of City government is hereby authorized to enter into agreements with “Eligible Developers” pursuant to “Private Public Partnership Agreements,” as such agreements are better defined in that document marked as Exhibit “D” and appended hereto. In determining the purchase price the developer shall pay pursuant to a private public partnership agreement, the Executive branch of City government shall determine the price in a manner consistent with that document entitled “Purchase Price,” which is

marked as Exhibit “E” and appended hereto. In administering the program, the Executive branch of City government is authorized to establish, supplement and amend procedures using as a guide the statement of “Acquisition Procedures,” marked as Exhibit “F” and appended hereto. In dealing with unique situations involving small side lots, the Executive branch of City government is hereby authorized to administer a program regarding acquisition disposition of side lots in substantial compliance with the document entitled “Side Lot Disposition Policies and Procedures,” which is marked as Exhibit “G” and appended hereto.

In dealing with property suitable for use as a community garden, the Executive Branch of City Government is hereby authorized to administer a program regarding working with neighborhood groups to make suitable properties available for this purpose, in substantial compliance with the document entitled “Community Gardens,” which is marked as Exhibit “H” and appended hereto.

In administering the NRP, the Executive Branch of City Government is hereby authorized to establish, supplement and amend those procedures described and referenced herein, to negotiate and enter in to all such agreements and conveyances described herein, and to otherwise execute all documents and to do all other actions necessary to implement and administer the NRP in a manner consistent with this Resolution provided, however, that nothing contained herein shall be deemed to authorize a taking of private property by eminent domain, such authority to remain vested in the City Council.

Adopted:

City Clerk

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