



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 8/8/2024

**File ID:** TMP-4459

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**Department:** Legal

**Subject:**

**Type of Action:** Approval/Action

Resolution authorizing the City Attorney to seek a forfeiture of the surety bond issued by Western Surety Company.

Resolution No.

**Finance Information:**

**Account Number:** N/A

**City Cost Amount:** \$ N/A

**Total Cost:** \$ N/A

**Special Circumstances:**

**Grant Funded:** \$ N/A

**Grant Title - CFDA or granting Agency:** N/A

**Resolution #:** N/A

**Location: (list below)**

**Address:** N/A

**District:** District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

**Additional Comments:** N/A

**RESOLUTION NO. 24-\_\_\_\_**

**WHEREAS**, Western Surety Company issued a surety bond in the amount of EIGHT THOUSAND AND 00/100 DOLLARS (\$8,000.00) for the payment of liquor and other taxes to a certain taxpayer.

**WHEREAS**, the Principal failed to pay taxes in the amount of SEVEN THOUSAND ONE HUNDRED SEVENTY AND 41/100 DOLLARS (\$7,170.41) for the taxing period of November 2021 through January 2023 and interest through June 2023; and

**WHEREAS**, the Finance Department has made every possible effort to collect the taxes due from the Principal.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama, that the City Attorney's Office is hereby authorized, requested, and directed to seek a forfeiture of the surety bond issued by Western Surety Company; and

**BE IT FURTHER RESOLVED** by the City Council of the City of Huntsville, Alabama, that the Mayor, upon payment by Western Surety Company and in accordance with its bond, is hereby authorized, requested, and directed to execute a release and assignment agreement substantially in words and figures as Attachment "A", an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

**ADOPTED** this the 8<sup>th</sup> day of August, 2024.

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President of the City Council of  
the City of Huntsville, Alabama

**APPROVED** this 8<sup>th</sup> day of August, 2024.

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Mayor of the City of  
Huntsville, Alabama

## ATTACHMENT "A"

KNOW ALL MEN BY THESE PRESENTS that the undersigned, for the sole consideration of SEVEN THOUSAND ONE HUNDRED SEVENTY AND 41/100 DOLLARS (\$7,170.41) to be paid by Western Surety Company from the bond of Case No. 397 (Bond Number 65618665), to the City of Huntsville, Alabama, releases and discharges Western Surety Company from the obligation of the bond to the extent of SEVEN THOUSAND ONE HUNDRED SEVENTY AND 41/100 DOLLARS (\$7,170.41) for the taxing period of November 2021 through January 2023 and interest through June 2023.

In further consideration of payment of SEVEN THOUSAND ONE HUNDRED SEVENTY AND 41/100 DOLLARS (\$7,170.41) of the above noted bond, the City of Huntsville, Alabama, hereby assigns to Western Surety Company any claim the City of Huntsville, Alabama, may have against Case No. 397, for delinquent or deficient taxes or license fees to the extent of the remitted amount of SEVEN THOUSAND ONE HUNDRED SEVENTY AND 41/100 DOLLARS (\$7,170.41) for the taxing period of November 2021 through January 2023 and interest through June 2023. The City of Huntsville, Alabama, retains any claim it may have against Case No. 397 for delinquent or deficient taxes or license fees greater than the amount of SEVEN THOUSAND ONE HUNDRED SEVENTY AND 41/100 DOLLARS (\$7,170.41) received from Western Surety Company for the taxing period of November 2021 through January 2023 and interest through June 2023.

**IN WITNESS WHEREOF**, the City of Huntsville, Alabama, has caused this document to be executed by its duly sworn officer this the 8<sup>th</sup> day of August, 2024.

**CITY OF HUNTSVILLE, ALABAMA**

BY: \_\_\_\_\_  
Tommy Battle  
Its Mayor

ATTEST:

By: \_\_\_\_\_  
Shaundrika Edwards  
Its City Clerk