



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 5/14/2026

**File ID:** TMP-6948

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**Department:** Community Development

**Subject:**

**Type of Action:** Approval/Action

Resolution to declare a public nuisance located at 809 Cross St Nw, Huntsville, AL and to set the date for when objections will be heard (Set for May 28, 2026 Regular Council Meeting)

Resolution No.

**Finance Information:**

**Account Number:** N/A

**City Cost Amount:** \$0

**Total Cost:** \$0

**Special Circumstances:**

**Grant Funded:** \$0

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

**Resolution #:** N/A

**Location: (list below)**

**Address:** 809 Cross St Nw

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

**Additional Comments:**

This resolution declares a junk public nuisance at 809 Cross St Nw and sets the date for a public hearing when comments can be made.

## **RESOLUTION NO. 26-**

**WHEREAS**, the Manager of Community Development of the City of Huntsville, Alabama ("Director") has reported in a Report and Affidavit, a copy of which is attached hereto and incorporated herein by reference, that upon and/or in front of the property situated at 809 Cross St Nw, Huntsville, AL, 35801, there exists certain conditions as those enumerated in Acts 1971 , Reg. Sess., No. 71-1320, p. 2269, §2, which constitutes a public nuisance; and

**WHEREAS**, the Report and Affidavit of the Manager proves to the satisfaction of the City Council that the conditions that exist upon and/or in front of the referenced property constitute a public nuisance in accordance with Acts 1971, Reg. Sess., No. 71-1320, p. 2269.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Huntsville, Alabama ("City Council") as follows:

1. That, in accordance with Acts 1971 , Reg. Sess., No. 71-1320, p. 2269, the conditions as described in the Manager's Report and Affidavit existing upon and/or in front of the property at 809 Cross St Nw, Huntsville, AL 35801, more particularly described as follows wit: PT OF NW1/4 OF SEC 36 DES AS BEG ON W MAR OF CROSS ST TH N 6 DEG E 218.50 FT FR INT OF N MAR OF BEIRNE AVE WI W MAR CROSS ST TH N 38 DEG W 110 FT TH N 6 DEG E 64.99 FT TH E 110.51 FT TO W MAR OF CROSS ST TH S 6 DEG W 75.32 FT BEING PT OF LOTS 2 4 & 6 BL 4 NORTH ALABAMA IMPROVEMENT CO ADD (11 HEIRS OLLIE PRICE JR, HERMAN PRICE, WALTER PRICE, MILTON PRICE, JIMMY PRICE, FRANCES JONES, GLORIA GARTON, NELLIE GRAHAM, RUTH POTTER, PATRICIA BRANDON, PEGGY SUE PRICE) SEC 36 T3 R1W PB 1 PG 18 are found and hereby declared to be a public nuisance, which must be abated by the removal of said public nuisance.
2. That a meeting of the City Council shall be held at at 5:30 pm, on 28th day of May, 2026, in the City Council Chambers in the Municipal Building of the City of Huntsville, Alabama, in order to hear and consider all objections or protests, if any, to the proposed removal of said nuisance.
3. Community Development hereby appointed to cause to be conspicuously posted in front of the property on which or in front of which the aforesaid nuisance exists, at not more than 100 feet in distance apart, but not less than two in all, notices headed, "Notice to Remove Public Nuisance", such heading to be in words not less than 1 inch in height and substantially in the following form:

### **NOTICE TO REMOVE PUBLIC NUISANCE**

Notice is hereby given that on the 28th day of May, 2026, the City Council of the City of Huntsville, Alabama, passed a resolution declaring that a public nuisance exists upon or in front of the property at 809 Cross St Nw, Huntsville, AL 35801 in said City of Huntsville, Alabama, and more particularly described in said resolution, and that the same constitutes a public nuisance, which must be abated by the removal of said public nuisance, otherwise they will be removed and the nuisance will be abated by the

**RESOLUTION NO. 26- (Cont'd)**

municipal authorities, in which case the cost of such removal shall be assessed upon the lots and lands from which and/or in front of which such public nuisance is removed, and such cost will constitute a lien upon such lots or lands until paid. Reference is hereby made to said resolution for other particulars.

All property owners having any objections to the proposed removal of said public nuisance are hereby notified to attend a meeting of the City Council of the City of Huntsville, Alabama, to be held at 5:30 pm on 28th day of May, 2026, in the City Council Chambers in the Municipal Building of the City of Huntsville, Alabama, when their objections will be heard and given due consideration.

Dated this the 15th day of May, 2026.

City of Huntsville, Alabama

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By: Scott Erwin  
Manager, Community Development  
of the City of Huntsville, Alabama  
Phone: (256) 427-5400

4. That the said notice shall be posted at least five days prior to the time set therein for hearing objections by the City Council of the City of Huntsville, Alabama. In addition, Community Development, is hereby ordered to mail a copy of said notice to the owner(s) of the property at least five days before the meeting at which objections will be heard, such notice to be mailed to the person last assessing the property for taxes according to the records of the Madison County Tax Assessor as well as to the current owner(s) of record according to the Madison County Probate Records if different than the owner(s) last assessed.

**ADOPTED** this the 14th day of May, 2026.

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

**APPROVED** this the 14th day of May, 2026.

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Mayor  
of the City of Huntsville, Alabama

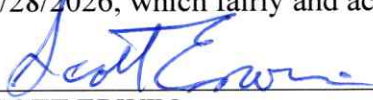
**REPORT AND AFFIDAVIT**  
COMMUNITY DEVELOPMENT DIVISION  
CITY OF HUNTSVILLE, ALABAMA

TO: THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA  
DATE: April 28, 2026  
RE: Public Nuisance

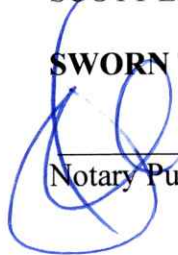
Before me, the undersigned, a notary in and for said County in said State, personally appeared Scott Erwin, who, after being by me duly sworn, deposes and says on oath as follows:

1. My name is Scott Erwin. My business address is 305 Fountain Cir, Third Floor, Huntsville, Alabama 35801. I am over the age of nineteen (19) years and am competent to make this affidavit. I have personal knowledge of the matters set out herein.
2. My current title is Manager of the Community Development Division of the City of Huntsville, Alabama ("City").
3. Upon and/or in front of the following described property within the city limits of Huntsville: 809 Cross St Nw, Huntsville, AL, 35801 more particularly described as follows to-wit:  
PT OF NW1/4 OF SEC 36 DES AS BEG ON W MAR OF CROSS ST TH N 6 DEG E 218.50 FT FR INT OF N MAR OF BEIRNE AVE WI W MAR CROSS ST TH N 38 DEG W 110 FT TH N 6 DEG E 64.99 FT TH E 110.51 FT TO W MAR OF CROSS ST TH S 6 DEG W 75.32 FT BEING PT OF LOTS 2 4 & 6 BL 4 NORTH ALABAMA IMPROVEMENT CO ADD (11 HEIRS OLLIE PRICE JR, HERMAN PRICE, WALTER PRICE, MILTON PRICE, JIMMY PRICE, FRANCES JONES, GLORIA GARTON, NELLIE GRAHAM, RUTH POTTER, PATRICIA BRANDON, PEGGY SUE PRICE) SEC 36 T3 R1W PB 1 PG 18

I have found to exist, as of April 28, 2026, a white Chevrolet SUV located on driveway full of items with tow rope attached to front, not in road operable condition, a green utility trailer full of items, tires flat, located in rear yard, not in road operable condition, scrap wood, scrap metal items, aluminum cans, plastic buckets and cans, plastic buckets and cans full of items, concrete blocks, bricks, pallets, auto rims, auto tires, auto ramps, gas cans, exercise equipment, chain link fencing material, wooden fencing material, metal chairs, plastic chairs, tarp material, blankets, clothing, dolly's, propane gas containers, glass, pvc piping, siding, interior furniture and other debris located in front, left and right sides and rear of property and under open carport in rear of property and have determined that the stated conditions constitute a public nuisance (attached hereto and incorporated herein by reference photographs of the subject property taken on 04/28/2026, which fairly and accurately shows how the property appeared on said date).

  
\_\_\_\_\_  
SCOTT ERWIN

**SWORN TO AND SUBSCRIBED BEFORE ME** this the 28th day of April, 2026.

  
\_\_\_\_\_  
Notary Public

My commission expires: 02/07/2028



# 809 Cross St Nw



Apr 7, 2026 at 10:0  
809 Cros  
Huntsville A  
Unite

# 809 Cross St Nw

Apr 7, 2026 at 10:0  
809 Cros  
Huntsville A  
Unite



# 809 Cross St Nw



Apr 7, 2026 at 10:0  
809 Cros  
Huntsville A  
Unite

# 809 Cross St Nw



# 809 Cross St Nw



# 809 Cross St Nw



Apr 7, 2026 at 10:0  
809 Cros  
Huntsville A  
Unite

# 809 Cross St Nw



# 809 Cross St Nw



2026 at 10:0  
809 Cros  
Huntsville, A  
Unit

# 809 Cross St Nw



# 809 Cross St Nw



# 809 Cross St Nw



Apr 7, 2026 at 9:5  
809 Cros  
Huntsville A  
Unite

# 809 Cross St Nw



# 809 Cross St Nw

