

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Joe Belles, Code Enforcement Officer  
**Through:** Patty Huffman, Grants and Project Manager  
Chandra Nicholson, Planning and Economic Development Director  
**Date:** August 11, 2014  
**Subject:** 2209 Laurel Glen Road Gautier Mississippi 39553  
Lien/Council Order Request to Adjudicate Private Property Clean Up Costs.

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**REQUEST:**

Pursuant to the Mississippi Codes Annotated, 1972 § Title 21, Chapter 19, Section 11, the private property identified below was cleaned to the satisfaction of the Planning and Economic Development Director.

Per the attached invoice from TRI-STAR Demolition Service, who was authorized to demolish the dilapidated structure and remove exterior trash/debris. The City of Gautier, incurred a cost of \$1900.00 combined with a penalty fee of \$1,500.00 equals a sum of \$3,400.00.

**Legal Description:** PIDN 85700107.000  
COM NEC Lot 20 Dellwood Hgts S/D N 66 Deg E 81.7' E 310' to POB  
E 75' S 150' W 75' N 150' to POB PT Lot 5 James Martin EST S/D  
Deed Book 1631, page 830

**Property Address:** 2209 Laurel Glen Road Gautier Mississippi 39553

**Owners of Record:** Diana Musick  
**Last Known Address:** 3800 NE 23 RD  
Amarillo, Texas 79107

**BACKGROUND:**

This property was approved for private property clean up during the City of Gautier, Council Meeting and Public Hearing held on February 4, 2014. The Mayor and Council after considering staff comments during the public hearing, approved the recommendation of staff to clean up the private property after the statutory 10-day appeal period from the date of council action and adjournment (March 4, 2014). At the request of Ward 5 councilperson, the mayor and council concurred with his request to allow the owner until March 31, 2014, to have the property cleaned before staff could proceed to clean the property. Staff continued to work with the property owner after the March 31, 2014 date and provided the owner an additional ninety days to resolve the manufactured home deed/ownership concerns. Consequently, in late July 2014, staff proceeded with the prior authorization to demolish and remove the dilapidated structure.

TRI-STAR Demolition Service started the authorized demolition of the dilapidate structure on July 30, 2014, and completed the operation on July 31, 2014, to the satisfaction of the Planning and Economic Development Department.

**DISCUSSION:**

Mississippi Statute provides procedures for municipalities to clean private property determined to be a menace to the municipal community thus:

The governing authority may by resolution adjudicate the actual cost of cleaning the property and may impose a penalty not to exceed One Thousand Five Hundred Dollars (\$1,500.00) or fifty percent (50%) of the actual cost, whichever is more. The cost and any penalty may become a civil debt against the property owner, or, at the option of the governing authority, an assessment against the property. The "cost assessed against the property" means either the cost to the municipality of using its own employees to do the work or the cost to the municipality of any contract executed by the municipality to have the work done, and administrative costs and legal costs of the municipality.

(1) If the governing authority does not declare the cost and any penalty shall be collected as a civil debt, then the assessment above provided for shall be a lien against the property and may be enrolled in the office of the circuit clerk of the county as other judgments are emrolled, and the tax collector of the municipality shall, upon order of the board of governing authorities, proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes.

(2) All decisions rendered under the provisions of this section may be appealed in the same manner as other appeals from municipal boards or courts are taken.

**RECOMMENDATION:**

The City of Gautier, Code Enforcement Officer be authorized to place a lien against the property in accordance with the attached ORDER and the provisions set forth pursuant of Mississippi Code Annotated, 1972 § 21-19-11, Cleaning and Clearing of Private Property.

**ATTACHMENTS 6:**

1. Decision Letter from Public Hearing, February 5, 2014
2. Property tax document
3. Parcel information
4. Invoice
5. Photos
6. Revised Order Request

Mayor  
Gordon F. Gallott

*City of Gautier*  
Gautier, Mississippi

City Manager  
Samantha D. Abell

City Clerk  
Cynthia Russell

3330 Highway 90  
Gautier, MS 39553  
Phone: (228) 497-8000  
Fax: (228) 497-8028  
Email: [gautier@gautier-ms.gov](mailto:gautier@gautier-ms.gov)  
Website: [www.gautier-ms.gov](http://www.gautier-ms.gov)

Council  
At Large Mary F. Martin  
Ward 1 Johnny Jones  
Ward 2 Hurley Ray Guillotte  
Ward 3 Casey C. Vaughan  
Ward 4 Charles "Rusty" Anderson  
Ward 5 Adam D. Colledge



February 5, 2014

Diana Musick  
3800 NE 23 Road  
Amarillo, Texas 79107

COPY  
mailed 2-05-14  
JB

Reference: 2209 Laurel Glen Road Gautier, Mississippi 39553

Ms Musick,

The City of Gautier, Mayor and City Council held a public hearing on February 4, 2014 pursuant to Mississippi Code Annotated 1972 § Title 21, Chapter 19, Section 11, concerning the above referenced property. After hearing, comments from staff the mayor and city council found the above referenced property to be in such a state of uncleanliness as to be a menace to the public health, safety and welfare of the community. Your attorney was not present at the hearing.

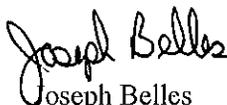
Based on the decision of the governing authority, if the owner does not do so by March 31, 2014, the city shall proceed to remove or demolish the manufactured home by the use of municipal workers or by contract. The scope of the work may include cutting grass and weeds, filling cisterns; removing rubbish, dilapidated fences, dilapidated building, personal property, and debris from the property. The mayor and council voted to provide you an additional thirty days since you have maintained communication with code enforcement regarding the status of the property.

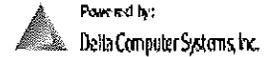
Additionally, the municipality may reenter the property or parcel of land for a period of one (1) year after the hearing without any further hearings. Notice will be posted on the property or parcel of land and at city hall or another place in the municipality where such notices are generally posted at least seven (7) days before the property or parcel of land is reentered for cleaning.

Again, you have until March 31, 2014, to clean the property as specified above and save yourself any additional expenses associated with this clean up and removal or demolition process of the structure. You also have the right to appeal in the same manner as other appeals from municipal decisions.

If you have any questions you can contact the City of Gautier, Code Enforcement Office, Monday – Thursday, 8:00 AM - 5:00 PM at (228) 497-1878, ext 318 or cell number (228) 219-7035.

Yours truly,

  
Joseph Belles  
Code Enforcement Officer



# Property Link

## JACKSON COUNTY, MS

Current Date 12/ 5/2013

Tax Year 2013  
Records Last Updated 12/ 4/2013

### PROPERTY DETAIL

**OWNER**           MUSICK DIANA  
                          3800 NE 23RD  
  
                          AMARILLO TX 79107

**ACRES** : .26  
**LAND VALUE** : 9300  
**IMPROVEMENTS** : 2550  
**TOTAL VALUE**: 11850  
**ASSESSED** : 1778

**PARCEL**           85700107.000  
**ADDRESS**        2209 LAUREL GLEN

### TAX INFORMATION

YEAR 2013	TAX DUE	PAID	BALANCE
COUNTY	91.33	0.00	91.33
CITY	61.41	0.00	61.41
SCHOOL	82.48	0.00	82.48
<b>TOTAL</b>	<b>235.22</b>	<b>0.00</b>	<b>235.22</b>

To Pay Online, [WWW.MSISTOP.COM](http://WWW.MSISTOP.COM)

**LAST PAYMENT DATE** \*\*NA\*\*

**TAXES DELINQUENT PRIOR YEAR**

**MISCELLANEOUS INFORMATION**

<b>EXEMPT CODE</b>		<b>LEGAL</b> COM NEC LOT 20 DELLWOOD HGTS
<b>HOMESTEAD CODE</b>	None	S/D N 66 DEG E 81.7' E 310' TO
<b>TAX DISTRICT</b>	5840	POB E 75' S 150' W 75' N 150'
<b>PPIN</b>	070337	TO POB PT LOT 5 JAMES MARTIN
<b>SECTION</b>	12	EST S/D DB 1631-830
<b>TOWNSHIP</b>	7S	(34 Map771.12-02)
<b>RANGE</b>	7W	

**Book**                   **Page**

### TAX SALES

#### PURCHASE COUNTY TAX SALE FILES

<u>Year</u>	<u>Sold To</u>	<u>Redeemed Date/By</u>
2012	STATE OF MISSISSIPPI	NOT REDEEMED
2010	WALTER H YATES JR	7/16/2012 MUSICK DIANA & YOUNG JAMES
2009	THE MAINE REASON LLC	7/16/2012 MUSICK DIANA & YOUNG JAMES
2007	JASWANT KAUR	11/12/2008 MUSICK DIANA L

[Back](#)

**Jackson County Dashboard**  
Powered by ArcGIS Server

Home Search Help

Parcel Search Tool

Parcel Search

Parcel Search

Parcel ID: 2200 14000 0000  
Area: 0.0000  
Permit: 0000000000

Jackson County Seal

## Parcel Information

PIDN: 85700107.000  
GISP: 771.12-02-0034.00

### Owner Information

Name: MUSICK DIANA Percent of Ownership: 100  
Name2:  
Mailing Address: 3800 NE 23RD Physical Address: 2209 LAUREL GLEN RD GAUTIER  
AMARILLO TX 79107

### Land Information

Section, Township, Range: 12 7S 7W Acreage: 0.25999999  
Street Name: LAUREL GLEN RD

### Value and Tax Information

Total Assessed Value: 1395 Total Appraised Value: 9300  
Improvement Value: 0 Land Value: 9300  
Tax Amount: 181 SQ. FT: 0 Year Built: 1980

### Legal Description

Description: COM NEC LOT 20 DELLWOOD HGTS S/D N 66 DEG E 81.7' E 310' TO POB E 75' S 150' W 75' N 150' TO POB  
PT LOT 5 JAMES MARTIN EST S/D DB 1631-830 (34 Map771.12-02)

Deed Book / Page: 1631 / 830

# TRI-STAR



**DEMOLITION SERVICE, LLC**

**228-219-6995**

Date 7/31/2014	07312014-01
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<b>BILL TO:</b>
<p><b>City of Gautier</b>  <b>3330 HWY 90</b>  <b>Gautier, MS 39553</b></p>

<p><u>Please Remit:</u>                  Tri-Star Demolition                  3736 Baywood Drive                  Moss Point, MS 39563                  228-219-6995</p>
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<b>Service Location:</b>
<p>2209 Laurel Glenn                  Gautier, MS 39553</p>

<b>Phone Number:</b>	<b>Project</b>
Joe Belles-Code Enforcement Officer 228-219-7035	Demolition of Trailer

Service Date	Item	Description	Amount
7/30-7/31/2014	<ul style="list-style-type: none"> <li>Demolition of trailer and clean lot complete</li> </ul>		\$1,900.00

Tri-Star Demolition has completed the following as of July 21,2014:

- Demo existing trailer and haul debris to proper landfill
- Clean lot complete
- All salvage to become property of Tri-Star
- Contractor will secure the necessary permits
- Call 811 for utility cutbacks

<b>DELIVERY FEE</b>	
<b>TAX RATE</b>	
<b>SUBTOTAL</b>	\$1,900.00
<b>TOTAL</b>	<b>\$1,900.00</b>

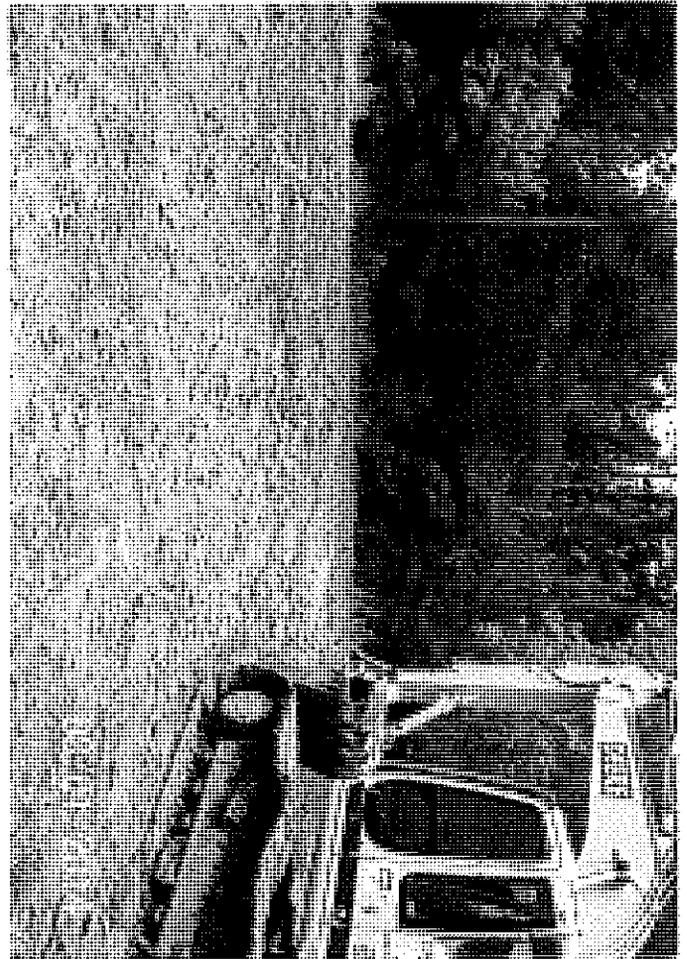
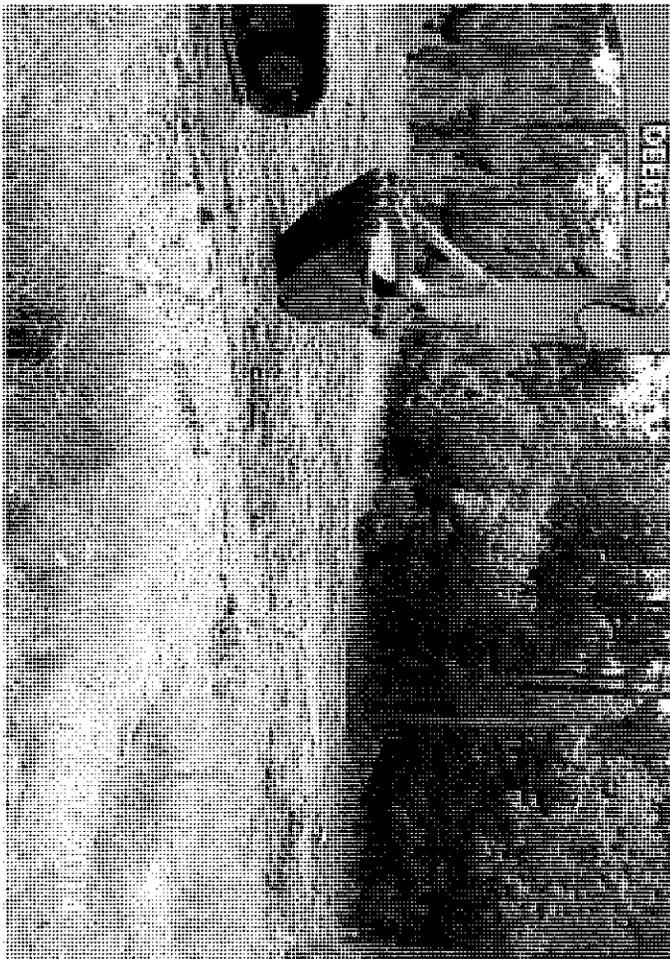
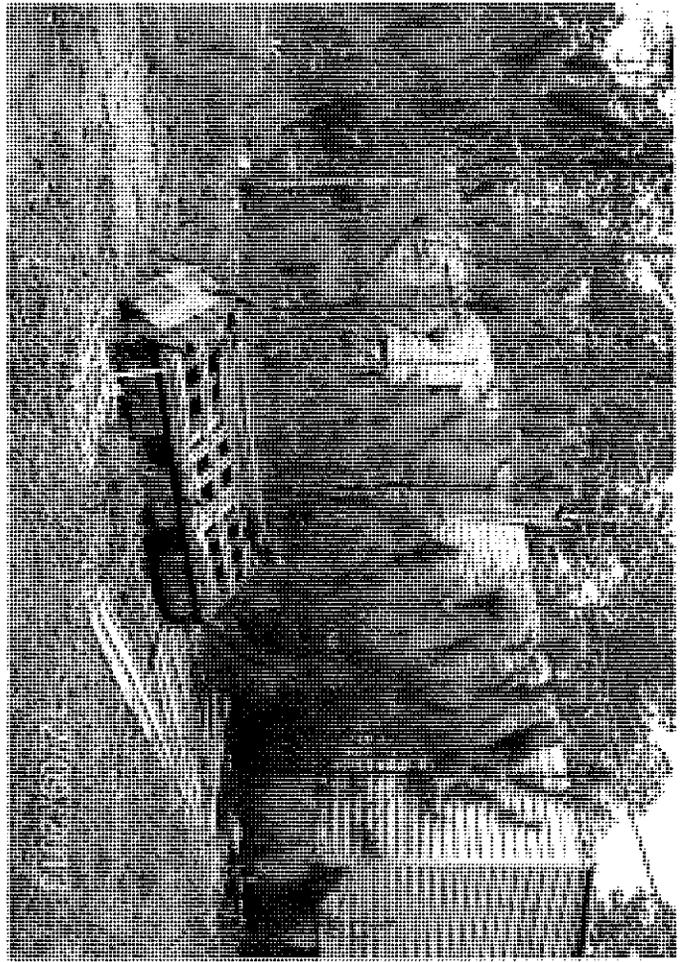
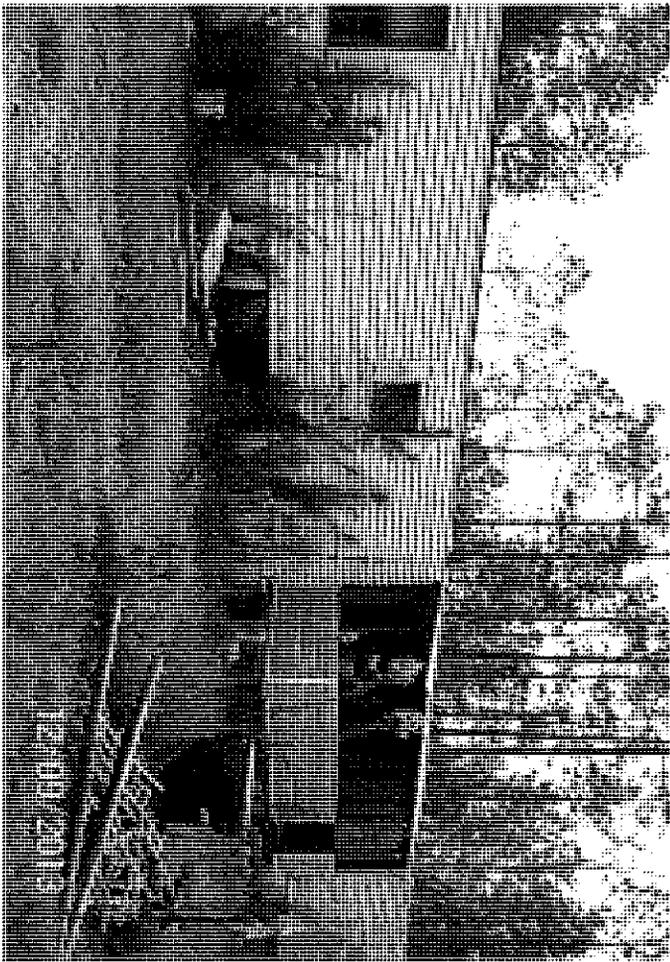
Client's Signature

Date

  
 Tri-Star Roll Demolition Service, LLC

Date

**THANK YOU FOR  
YOUR BUSINESS!**



There came for consideration of the Mayor and Members of the Council of the City of Gautier, Mississippi, the following:

**ORDER NUMBER 000-2014**

**AN ORDER DIRECTING THE PLACEMENT OF A LIEN ON PROPERTY LOCATED AT 2209 LAUREL GLEN ROAD GAUTIER, MS 39553 FOR FEES AND CHARGES INCURRED BY THE CITY OF GAUTIER TO DEMOLISH THE DILAPIDATED STRUCTURE AND ABATE THE UNSAFE CONDITIONS OF THIS PROPERTY**

WHEREAS, the City of Gautier, in accordance with procedures established under 21-19-11 of the Codes of Mississippi of 1972, as amended, incurred expenses in the amount of \$1,900.00 for the (demolition and removal of a derelict residential structures, considered a menace to the public health, safety, and welfare of the community) located at 2209 Laurel Glen Road, in the City of Gautier, Jackson County, Mississippi; and

WHEREAS, the City of Gautier is entitled to administrative fee of \$1,500.00

NOW THEREFORE, IT IS HEREBY ORDERED by the Mayor and Council of the City of Gautier, Mississippi that a lien in the amount of \$3,400.00 is hereby placed on the following described property at 2209 Laurel Glen Road, Gautier, Mississippi.

That certain property listed on the Jackson County land rolls as  
COM NEC Lot 20 Dellwood Hgts S/D, N 66 Deg E 81.7' E 310' to POB E 75' S 150' W 75'  
N 150' to POB PT Lot 5 James Martin EST S/D Deed Book 1631, page 830

Name and Address:

Diana Musick  
3800 NE 23RD  
Amarillo, Texas 79107

Parcel Identification Number 85700107.000

IT IS FURTHER ORDERED that said lien shall be a lien against the property and enrolled in the office of the tax collector of the municipality shall, upon order of the board of governing authorities proceed to sell the land to satisfy the lien as now provided by law for the sale of lands for delinquent municipal taxes, following passage of this order and the filing of said lien; or by other means as determined by the Mayor and Council to be necessary in order to protect the well-being of the City of Gautier.

IT IS FURTHER ORDERED that the City Manager or City Clerk is authorized to execute any and all documents necessary.

**Motion was made by BLANK, seconded by BLANK and the following vote was recorded:**

**AYES:**

**NAYS:**

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**BLANK by the Mayor and Members of the Council of the City of Gautier, Mississippi, at the meeting of August 19, 2014.**