



**Monday, December 21, 2020
4:00 PM**

**City Council
Monday Meeting Agenda**

**Jackie Dole Community Center
220 W. Front Street**

Call to Order

Public Hearing

1. **2020-904** Hold Public Hearing to determine if certain properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

Attachments: 1. Hold Public Hearing-CE 12 14 2020
 2. 6563 Highway 49 N

Agenda Review

Citizens' Forum

Meeting Recess



Memorandum

To: Mayor Toby Barker and Members of City Council
From: Andrew Ellard, Director
cc: Wiley Quinn, Code Enforcement Division Manager
Date: Monday, December 21, 2020
Re: Hold Public Hearing to determine if certain properties are in such a state of uncleanness so as to be a menace to the health and safety of the community, according to the provision of MS Code 1972, Section 21-19-11.

File Number: 2020-904
Minute Book #

Summary

Public Hearing 12 14 2020, Unsafe Properties

Recommendation Statement

I recommend a Public Hearing for the listed properties to determine if said properties are in such a state of uncleanness so as to be a menace to the health and safety of the community.

Please place this on the December 21, 2020 City Council meeting for consideration.



MAYOR
Toby Barker

COUNCIL - WARD ONE
Jeffrey George

COUNCIL - WARD TWO
Deborah Denard Delgado

COUNCIL - WARD THREE
Carter Carroll

COUNCIL - WARD FOUR
Mary Dryden

COUNCIL - WARD FIVE
Nicholas Brown

MEMORANDUM

TO: Mayor and City Council

FROM: Wiley Quinn, Code Enforcement Manager

DATE: December 14, 2020

RE: Hold Public Hearing

The Code Enforcement Division requests that the City Council hold a Public Hearing on Monday, December 14, 2020 to determine if the following properties are in such a state of uncleanliness so as to be a menace to the health and safety of the community, according to the provisions of MS Code 1972, Section 21-19-11.

	Address	PPIN	Ward	Violations	Proposed Actions	Estimated Cost	Estimated Penalty
1.	6563 Highway 49	27502	1	DS, 2018 IPMC 108.1.5(3) AS, 2018 IPMC 108.1.5(7)	Demo	\$200,000	\$100,000

Garbage & Rubbish=GAR/RUB
Dilapidated Building=DB
Dangerous Structure=DS
Imminent Danger=ID
Overgrown Lot=OGL
Open Storage=OS
Unsafe Structure=US
Abandoned Vehicle=AV
Abandoned Structure=AS
Vacant Structure=VS
Owner Responsibility=OR

**Case History For
6563 Highway 49 N**

Ward: 1

Action Center: 01-20-007483

Date: 2-7-2020

PPIN: 27502

**Owner: Prospera Growth Fund,
LLC, Luke Loveland**

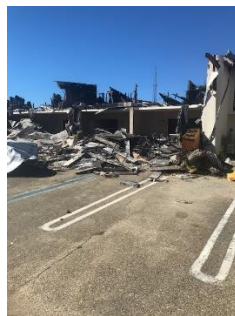
**Violations: DS, 2018 IPMC
108.1.5(3) AS, 2018 IPMC 108.1.5(7)**

Case History: This property was previously brought to public hearing primarily to seek authorization to clean, close, secure. In the last eight months at least 2 fires have occurred causing even greater damage. Code Enforcement seeks Council Resolution to condemn this structure and proceed with the demolition of the structures and removal of debris.

Inspector:

Wiley Quinn

601-554-1027





MAYOR
Toby Barker

COUNCIL - WARD ONE
Jeffrey George

COUNCIL - WARD TWO
Deborah Denard Delgado

COUNCIL - WARD THREE
Carter Carroll

COUNCIL - WARD FOUR
Mary Dryden

COUNCIL - WARD FIVE
Nicholas Brown

**NOTICE OF HEARING BEFORE THE CITY COUNCIL OF THE CITY OF
HATTIESBURG, MISSISSIPPI TO CONDEMN DILAPIDATED BUILDING (S)
AND/OR TO CLEAR ALL CODE VIOLATIONS**

To: Prospera Growth Fund LLC, 126 W Sego Lily Dr. STE 270, Sandy, UT, 84070, Prospera Growth Fund LLC, Attn: Luke Loveless, 2600 West Executive Parkway, STE 120, Lehi, UT 84043 and all unknown persons claiming any right, title or interest in or to the hereinafter described property.

PLEASE TAKE NOTICE PURSUANT TO §21-19-11 of the Mississippi Code of 1972, as annotated and amended, the City Council of the City of Hattiesburg will hold a public hearing at 4:00 p.m. on Monday, December 21, 2020 in the Council room of the City Hall, Hattiesburg, MS to determine whether or not the hereinafter-described property is in such a state of uncleanness to be a menace to the public health and safety of the community. You have a right to file an answer and to appear at said hearing in person or otherwise and to offer your defense, if any. If, at such hearing, the City Council shall adjudicate the property in its then condition to be a menace to the health and safety of the community, the City of Hattiesburg shall, if the owner will not do so themselves, proceed to have the land cleared pursuant to the aforesaid statute. The City of Hattiesburg may then adjudicate the costs plus penalty of cleaning said property and the costs may become assessment against the property, which shall be a lien against said property all as provided by statute, to wit:

PARCEL: 2-024M-31-006.00, 6563 Hwy 49 N, Hattiesburg, MS, 39401 and better described as Commencing at the Southwest Corner of the Northeast ¼ of the Southwest ¼ of Section 31, Township 5 North, Range 13 West, Forrest County, Mississippi; run thence North 250.6 feet; thence North 68 degrees 51 minutes East a distance of 812.94 feet; thence South 43 degrees 21 minutes East a distance of 40.4 feet along the Southwest right-of-way line U.S. Highway 49; thence North 46 degrees 39 minutes East along said right-of-way line a distance of 20.0 feet; thence run Southeasterly and along said right-of-way line a distance of 377.6 feet to the Point of Beginning; thence continue Southeasterly and along said Southwest right-of-way line a distance of 250 feet; thence South 43 degrees West a distance of 928 feet; thence North 43 degrees East a distance of 654.7 feet to the Point of Beginning. Being a part of the East ½ of the Southwest ¼ of Section 31, Township 5 North, Range 13 West, Forrest County, Mississippi; together with all improvements thereon and appurtenances thereunto belonging.

Publication December 3, 2020

6563 Highway 49 N

PPIN: 27502

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage \$

Total Postage and Fees \$

Send to:
Prospera Growth Fund, LLC, Attn: Luke Louless
2100 West Executive Parkway, Ste 180
Sandy, Utah 84043

U.S. Postal Service, April 2015 PSN 1504-000-0007 See Reverse for Instructions

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee \$

Extra Services & Fees (check box, add fee as appropriate)

☐ Return Receipt (hardcopy)	\$
☐ Return Receipt (electronic)	\$
☐ Certified Mail Restricted Delivery	\$
☐ Adult Signature Required	\$
☐ Adult Signature Restricted Delivery	\$

Postage \$

Total Postage and Fees \$

Send to:
POSPERA GROWTH FUND, LLC
C/O GRADEN P. JACKSON
126 W SEGO LILY DR., STE 270
SANDY, UT 84070

U.S. Postal Service, April 2015 PSN 1504-000-0007 See Reverse for Instructions