

RESOLUTION NO. 2019-5

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF FLOYD  
COUNTY, INDIANA, CONCERNING UNSAFE BUILDING OR  
STRUCTURE AT 3306 CORYDON PIKE, NEW ALBANY, IN 47150**

Whereas, a hearing was conducted by the Floyd County Commissioners concerning an unsafe building or structure located at 3306 Corydon Pike, New Albany, IN 47150 on December 4, 2018.

Whereas, Alfred Williamson as been identified as the record owner of interest in the real estate.

Whereas, Kelly Lang, Floyd County Building Commissioner testified regarding the integrity of the structure.

Whereas, Kelly Lang testified as to the recommendations regarding the requested proposed resolution of the case.

Whereas, Exhibits A through E were admitted as evidence in the case.

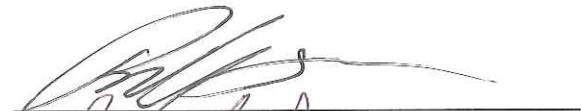
NOW, THEREFORE, AFTER HEARING TESTIMONY AND BEING DULY ADVISED, THE BOARD OF COMMISSIONERS OF FLOYD COUNTY, INDIANA, hereby adopt the following findings of fact and conclusions of law:

1. That a Notice of Violation was issued on August 8, 2018, respecting a determination that the structure located at 3306 Cordon Pike, New Albany, IN 47150 violated the Unsafe Building or Structure law pursuant to the cited law. See Exhibit "A".
2. That the identified building or structure has been declared a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal.
3. That the Respondent shall make the corrections within 30 days.
4. That the Respondent was given notice by USPS first class mail which was returned to sender and unable to forward. That Kelly Lang also sent notice to the Respondent on 11/14/18 to the property address.
5. That a letter was sent with the Notice of Violation as referenced by Exhibit "B".
6. That a chronological summary of site visits and initial notice attempts as referenced in Exhibit "C".
7. That the Ordinance to Establish an Unsafe Building Law, FCO-2012-XIV, adopting IC 36-7-9-1 through 36-7-9-28 was submitted as Exhibit "D".
8. That the investigation report including pictures of the structure or unsafe building were submitted as Exhibit "E".
9. That information was obtained that the Respondent lives at 4850 Foxshire Circle, Tampa, Florida 33624-4316. That notice was sent to the Respondent at this address but information from the USPS indicated that the mail was being returned as undeliverable.
10. The Floyd County Auditor's office has reported that "Yes this property has been in the tax sale since before 2013, 2015, and 2017 and it has never sold."

11. The Commissioners hereby find that there has been a willful failure to comply with the Order. The Commissioners further find that the premises has a negative effect on the property values or the quality of life. Further, the Commissioners find that the premises requires the provision of services by local government in excess of the services required by ordinary properties.
12. That the Commissioners hereby adopt the findings of fact as described herein and conclude that the Building located at 3306 Corydon Pike, New Albany, IN 47150 is an unsafe building as contemplated by the Ordinance to Establish an Unsafe Building Law, FCO-2012-XIV.
13. That the Commissioners hereby find that adequate attempts have been made to locate the owner of the real estate and that based on the facts, the owner has abandoned the real estate.
14. That the Commissioners authorize and order the Floyd County to pursue, in their discretion, all remedies allowed pursuant to IC 36-7-9-5 including but not limited to demolition of the building that is the subject of this action.
15. That the Commissioners hereby impose a civil penalty of \$5000.00 pursuant to IC 36-7-9-7(e).

Passed and adopted by the Board of Commissioners of Floyd County, Indiana on the 15 day of January, 2019.

BOARD OF COMMISSIONERS OF  
FLOYD COUNTY, INDIANA



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President



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Member



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Member

ATTEST:



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County Auditor