

**NOTICE OF REGULAR MEETING
OF THE BIRMINGHAM LAND BANK AUTHORITY BOARD**

As Chairman of the Birmingham Land Bank Authority Board, I am calling a regular virtual meeting of the Board to occur:

Date: Thursday, December 10 , 2020

Time: 2:00pm

The purpose of and agenda for the meeting will be for the BLBA Board to accomplish limited business that is necessary to perform essential minimum functions of the BLBA, including, but not limited to, the approval of acquisitions from the Alabama Department of Revenue, Authorization to enter into program agreements, professional services agreements, sales agreements, and presentation of an operations update.

On March 18, 2020, Governor Ivey issued a Proclamation authorizing the BLBA Board to meet by telephone conference under certain circumstances. In accordance with the Governor's Proclamation, I am directing that the meeting be held by telephone conference through the Cisco Webex platform as set forth by following the link below below, which shall serve as the place of the meeting:

Meeting number:

146 916 6753

Password:

PTu7wCEtm77

<https://birmingham.webex.com/birmingham/j.php?MTID=mf5d3e70b71566a1b5402187be7f6dcf3>

+1-415-655-0002 United States Toll

+1-312-535-8110 United States Toll (Chicago)

Access code: 146 916 6753

The communication equipment identified above allows all persons participating in the meeting to hear one another at the same time. Anyone other than a member of the Board or an official or employee recognized by the Chairman is asked to mute their telephone.

The BLBA Administrator is directed, no more than twelve hours following the conclusion of the meeting conducted pursuant to this notice, to post a summary of the meeting in a prominent location on the BLBA's website. The summary shall recount the deliberations conducted and the actions taken with reasonable specificity to allow the public to understand what happened.



Marshall Anderson, Chairman



Memorandum

DATE: November 9, 2020

TO: Board of Directors of the City of Birmingham Land Bank Authority

**Lonnie Hannon
Lyord Watson
Nolanda Hatcher
Brad Green
Robert Burton
Marshall Anderson
Carol Clarke**

FROM: Eric Fancher, Administrator

SUBJECT: Agenda for the Special Meeting of the Birmingham Land Bank Authority Board of Directors via Cisco Webex, 2:00pm on Thursday December 10, 2020.

**ROLL CALL
AGENDA**

- 12.20.1** Authorizing a Request to the Land Commissioner for the transfer of the state's interest of two tax delinquent properties located in the corporate limits of the City of Birmingham to the Birmingham Land Bank Authority.
- 12.20.2** Resolution authorizing the Board Chair to execute Property Transfer Agreement with the City of Birmingham for Parcel 012200341028002000.
- 12.20.3** Resolution Approving Applications and Authorizing Board Chair to Execute Agreements with Applicants for Lot Lease Program.
- 12.20.4** Resolution Approving Applications and Authorizing Board Chair to Execute Agreements with Applicants for Quiet Title Program.
- 12.20.5** Resolution Approving Applications and Authorizing Board Chair to Execute Agreements with Applicants for Immediate Acquisition Agreement.

12.20.6 Resolution authorizing the Board Chair to execute an Engagement Letter with Hand Arendall Harrison Sale for Services related to proposed amendments to the Alabama Land Bank Authority Act and other necessary amendments for the continued function of the Birmingham Land Bank Authority during the 2021 Alabama Legislative Session.

12.20.7 Resolution setting the January 7, 2020 Board meeting as the Fiscal Year 2021 Annual Meeting for the Birmingham Land Bank Authority Board of Directors.

12.20.8 Operations Update

OLD BUSINESS

NEW BUSINESS

ADJOURNMENT

RESOLUTION 12.20.1
AUTHORIZING A REQUEST TO THE LAND COMMISSIONER FOR THE TRANSFER OF
THE STATE’S INTEREST OF TWO TAX DELINQUENT PROPERTIES LOCATED IN
THE CORPORATE LIMITS OF THE CITY OF BIRMINGHAM TO THE BIRMINGHAM
LAND BANK AUTHORITY.

WHEREAS, the Birmingham Land Bank Authority (the “Authority”) is a local land bank authority created and organized by the City pursuant to Act. No. 2013-249 of the Alabama Legislature (the “Act”) (Code of Alabama (1975) § 24-9-1 et seq.) and Resolution No. 928-14 of the Birmingham City Council to acquire tax delinquent properties in the City of Birmingham in order to foster the public purpose of rehabilitating land which is in a nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide housing, new industry, new commercial and economic development, other productive uses, jobs for the citizens, and to assemble parcels of real property for redevelopment, stabilize property values, and remove blight; and

WHEREAS, the Act permits the Birmingham Land Bank Authority to submit a written request to the Land Commissioner of the Alabama Department of Revenue for the transfer of certain tax delinquent properties; and

WHEREAS, the Act limits the transfer of such tax delinquent properties to parcels that have been tax delinquent for at least five years; and

WHEREAS, upon receipt of such written request, the Land Commissioner will issue tax deeds conveying the state’s interest to the land bank authority at no cost; and

WHEREAS, the Birmingham Land Bank Authority wishes to exercise its authority under the Act to request tax deeds for two eligible tax delinquent property(ies) located within the corporate limits of the City of Birmingham in order that the Birmingham Land Bank Authority may clear title to such properties and return them to productive use as part of a plan involving the redevelopment and revitalization of blighted properties in Birmingham’s neighborhoods; and

WHEREAS, the approval of acquisitions from the Alabama Department of Revenue that must occur before the next tax sale, is necessary to perform essential minimum functions of the BLBA.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Birmingham Land Bank Authority as follows:

1. The Birmingham Land Bank Authority requests the Land Commissioner of the Alabama Department of Revenue to transfer two deed(s) for properties listed in **Appendix “A”** to the Birmingham Land Bank Authority at no cost.
2. The Chairman of the Board is hereby authorized to sign a letter requesting the transfer of the state’s interest to the Birmingham Land Bank Authority and to take any and all other actions necessary for the Birmingham Land Bank Authority to obtain the tax deeds.
3. This Resolution shall be effective immediately upon passage

RESOLUTION 12.20.1 EXHIBIT A

1. Tax parcel identification number 012200153006027000

Name of the owner who last assessed the property for taxes: HOLLAND WILBER JEAN

Year of the tax sale: 1999

Legal Description: LOT 9 BLK 9 A J HOOPRT SUB EXCS 5 FT

Address: 517 37TH CT W

2. Tax parcel identification number 012900164030004000

Name of the owner who last assessed the property for taxes: GREEN MARILYN RILEY

Year of the tax sale: 2011

Legal Description: LOT 4 BLK 9 PLAT A - ISHKOODA

Address: 1612 PINE AVE SW

RESOLUTION 12.20.2
RESOLUTION AUTHORIZING THE BOARD CHAIR TO EXECUTE
PROPERTY TRANSFER AGREEMENT WITH THE CITY OF BIRMINGHAM FOR
PARCEL 012200341028002000.

WHEREAS, the Birmingham Land Bank Authority (the “Authority”) is a local land bank authority created and organized by the City pursuant to Act. No. 2013-249 of the Alabama Legislature (the “Act”) (Code of Alabama (1975) § 24-9-1 et seq.) and Resolution No. 928-14 of the Birmingham City Council to acquire tax delinquent properties in the City of Birmingham in order to foster the public purpose of rehabilitating land which is in a nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide housing, new industry, new commercial and economic development, other productive uses, jobs for the citizens, and to assemble parcels of real property for redevelopment, stabilize property values, and remove blight; and

WHEREAS, the Authority adopted the following as its Mission Statement (“Mission”): The mission of the Birmingham Land Bank Authority is to serve the citizens of Birmingham by working collaboratively and transparently with community stakeholders and the City of Birmingham to steward vacant, abandoned, and tax delinquent properties and dispose of them to the best use as defined by the needs of the community to reduce community blight, stabilize neighborhoods, facilitate community, civic, and commercial redevelopment, and to increase community and overall City of Birmingham property values while returning such properties back to the tax rolls; and

WHEREAS, the Act permits the Birmingham Land Bank Authority to clear title to such properties as part of the process in acquiring tax-delinquent properties; and

WHEREAS, the Authority has acquired a tax deed to parcel 012200341028002000, located at 200 9th Avenue West and cleared title to the Property by filing a quiet title action, and will transfer title to the Property to the applicant identified by the Board; and

WHEREAS, Purchaser has provided a proposal for the CHOICE Neighborhoods Project, which proposal is attached hereto as Exhibit B (“Choice Project”); and

WHEREAS, the Authority has determined that Purchaser’s proposal for the property as set forth in the Choice Project is consistent with the Authority’s Mission.

NOW, THEREFORE, in consideration of all the covenants, terms and conditions herein contained, the BLBA and Purchaser hereby agree as follows::

1. Board Chair is Authorized to execute the Property Transfer Agreement once the City of Birmingham has provided project information as Exhibit B of the Property Transfer Agreement.
2. The Price shall be project costs of the acquisition and conveyance.
3. This Resolution shall be effective immediately upon passage.

RESOLUTION 12.20.3
RESOLUTION APPROVING APPLICATIONS AND AUTHORIZING BOARD CHAIR
TO EXECUTE AGREEMENTS WITH APPLICANTS FOR LOT LEASE PROGRAM.

WHEREAS, the Birmingham Land Bank Authority (the “BLBA”) is a local land bank authority created and organized by the City pursuant to Act. No. 2013-249 of the Alabama Legislature (the “Act”) (Code of Alabama (1975) § 24-9-1 et seq.) and Resolution No. 928-14 of the Birmingham City Council to acquire tax delinquent properties in the City of Birmingham in order to foster the public purpose of rehabilitating land which is in a nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide housing, new industry, new commercial and economic development, other productive uses, jobs for the citizens, and to assemble parcels of real property for redevelopment, stabilize property values, and remove blight; and

WHEREAS, the BLBA adopted the following as its Mission Statement (“Mission”): The mission of the Birmingham Land Bank Authority is to serve the citizens of Birmingham by working collaboratively and transparently with community stakeholders and the City of Birmingham to steward vacant, abandoned, and tax delinquent properties and dispose of them to the best use as defined by the needs of the community to reduce community blight, stabilize neighborhoods, facilitate community, civic, and commercial redevelopment, and to increase community and overall City of Birmingham property values while returning such properties back to the tax rolls; and

WHEREAS, the Applicant has supplied information that they are a owner occupant in the neighborhood where the property identified in the applicant sits; and

WHEREAS, the BLBA will acquire a tax deed to certain property identified in the application and grant the applicant a lease agreement which is provided in the standard program Agreement; and

WHEREAS, the lease agreement will provide applicant with a two year term to maintain and utilize property; and

WHEREAS, at the end of the lease agreement term or at any time prior to, the applicant will be able to participate in the Quiet Title Program to obtain fee simple ownership.

NOW, THEREFORE, in consideration of all the covenants, terms and conditions herein contained, the BLBA and Purchaser hereby agree as follows:

1. The Board Chair or other Officer is authorized to execute a Lot Lease Program Agreement with the applicants outlined in Exhibit A upon receipt of all information required to populate contractual documents.
2. This Resolution shall be effective immediately upon passage.

12.20.3 EXHIBIT A

5622	Person	012900164030004000	1612 PINE AVE SW	Powderly	Maintain Lot
5588	Person	012200313046003000	2119 AVENUE F	Ensley	Garden
5589	Person	012200313046005000	2121 AVENUE F	Ensley	Garden
5619	Person	012200153006027000	517 37TH CT W	Hooper City	Maintain Lot
5623	Person	012300121005001000	541 Maple St	Roebuck	Garden
5617	Person	012200304040001000	701 AVENUE G	South Pratt	Maintain Lot

RESOLUTION 12.20.4

RESOLUTION APPROVING APPLICATIONS AND AUTHORIZING BOARD CHAIR TO EXECUTE AGREEMENTS WITH APPLICANTS FOR QUIET TITLE PROGRAM.

WHEREAS, the Birmingham Land Bank Authority (the “BLBA”) is a local land bank authority created and organized by the City pursuant to Act. No. 2013-249 of the Alabama Legislature (the “Act”) (Code of Alabama (1975) § 24-9-1 et seq.) and Resolution No. 928-14 of the Birmingham City Council to acquire tax delinquent properties in the City of Birmingham in order to foster the public purpose of rehabilitating land which is in a nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide housing, new industry, new commercial and economic development, other productive uses, jobs for the citizens, and to assemble parcels of real property for redevelopment, stabilize property values, and remove blight; and

WHEREAS, the BLBA adopted the following as its Mission Statement (“Mission”): The mission of the Birmingham Land Bank Authority is to serve the citizens of Birmingham by working collaboratively and transparently with community stakeholders and the City of Birmingham to steward vacant, abandoned, and tax delinquent properties and dispose of them to the best use as defined by the needs of the community to reduce community blight, stabilize neighborhoods, facilitate community, civic, and commercial redevelopment, and to increase community and overall City of Birmingham property values while returning such properties back to the tax rolls; and

WHEREAS, the Act permits the Birmingham Land Bank Authority to clear title to such properties as part of the process in acquiring tax-delinquent properties; and

WHEREAS, the BLBA will (i) acquire a tax deed to certain property identified, (ii) clear title to the Property by filing a quiet title action, and (iii) will transfer title to the Property to the Purchaser, all as provided in the standard program Agreement; and

WHEREAS, Purchaser has provided a proposal for the maintenance and/or development of the Property; and

WHEREAS, the BLBA has determined that Purchaser’s proposal for the maintenance and/or development of the Property as set forth in the Maintenance/Development Plan is consistent with the BLBA’s Mission.

WHEREAS, as a material component of the consideration for the acquisition, clearing title and sale of the Property, Purchaser has agreed to improve, develop and use the Property in a manner specified in the Maintenance/Development Plan; and

NOW, THEREFORE, in consideration of all the covenants, terms and conditions herein contained, the BLBA and Purchaser hereby agree as follows:

3. The Board Chair or other Officer is authorized to execute a Property Transfer Agreement with the applicants outlined in “Exhibit A” upon receipt of all information required to populate contractual documents.
4. This Resolution shall be effective immediately upon passage.

12.20.4 EXHIBIT A

4938	Organization	012300213003043000	213 53RD ST N	Woodlawn	Garden
4898	Person	012300154013013000	7118 2ND AVE S	East Lake	Rental
4923	Person	012300151026002000	7329 1ST AVE S	East Lake	Renovate or Build Home To Sell
4924	Person	012300151021009000	7404 1ST AVE S	East Lake	Renovate or Build Home To Sell
5613	Person	012200334019018000	1134 4Th Ter W	Bush Hills	Maintain Lot
5618	Person	012300114007017000	629 83RD PL S	South East Lake	Owner Occupy

RESOLUTION 12.20.5
RESOLUTION APPROVING APPLICATIONS AND AUTHORIZING BOARD CHAIR
TO EXECUTE AGREEMENTS WITH APPLICANTS FOR IMMEDIATE
ACQUISITION PROGRAM.

WHEREAS, the Birmingham Land Bank Authority (the “BLBA”) is a local land bank authority created and organized by the City pursuant to Act. No. 2013-249 of the Alabama Legislature (the “Act”) (Code of Alabama (1975) § 24-9-1 et seq.) and Resolution No. 928-14 of the Birmingham City Council to acquire tax delinquent properties in the City of Birmingham in order to foster the public purpose of rehabilitating land which is in a nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide housing, new industry, new commercial and economic development, other productive uses, jobs for the citizens, and to assemble parcels of real property for redevelopment, stabilize property values, and remove blight; and

WHEREAS, the BLBA adopted the following as its Mission Statement (“Mission”): The mission of the Birmingham Land Bank Authority is to serve the citizens of Birmingham by working collaboratively and transparently with community stakeholders and the City of Birmingham to steward vacant, abandoned, and tax delinquent properties and dispose of them to the best use as defined by the needs of the community to reduce community blight, stabilize neighborhoods, facilitate community, civic, and commercial redevelopment, and to increase community and overall City of Birmingham property values while returning such properties back to the tax rolls; and

WHEREAS, the Act permits the Birmingham Land Bank Authority to clear title to such properties as part of the process in acquiring tax-delinquent properties; and

WHEREAS, the BLBA has (i) acquired a tax deed to certain property as identified in application (“Property”), (ii) clear title to the Property by filing a quiet title action, and (iii) will transfer title to the Property to the Purchaser, all as provided in the program Agreement; and

WHEREAS, Purchaser has provided a proposal for the maintenance and/or development of the Property; and

WHEREAS, the BLBA has determined that Purchaser’s proposal for the maintenance and/or development of the Property as set forth in the Maintenance/Development Plan is consistent with the BLBA’s Mission.

WHEREAS, as a material component of the consideration for the acquisition, clearing title and sale of the Property, Purchaser has agreed to improve, develop and use the Property in a manner specified in the Maintenance/Development Plan; and

NOW, THEREFORE, in consideration of all the covenants, terms and conditions herein contained, the BLBA and Purchaser hereby agree as follows:

1. The Board Chair or other Officer is authorized to execute a Property Transfer Agreement with the applicants outlined in Exhibit A upon receipt of all information required to populate contractual documents.
2. This Resolution shall be effective immediately upon passage.

12.20.5 EXHIBIT A

5262	Organization	012200261016014000	1509 20TH ST N	Druid Hills	Renovate or Build Home To Sell
5644	Organization	012200322006008000	1904 10TH ST	Central Pratt	Renovate or Build Home To Sell
5264	Organization	012300213008005000	5028 9TH AVE N	Woodlawn	Renovate or Build Home To Sell
5263	Organization	012900023031037000	724 DELTA ST	Titusville	Renovate or Build Home To Sell
5611	Person	012900031022005000	821 1ST ST SW	Arlington- West End	Renovate or Build Home To Sell

RESOLUTION 12.20.6
RESOLUTION AUTHORIZING BOARD CHAIR TO EXECUTE ENGAGEMENT LETTER WITH HAND ARENDALL HARRISON SALE FOR SERVICES RELATED TO PROPOSED AMENDMENTS TO THE ALABAMA LAND BANK ACT AND OTHER AMENDMENTS NECESSARY FOR THE CONTINUED FUNCTION OF THE BIRMINGHAM LAND BANK AUTHORITY FOR THE 2021 ALABAMA LEGISLATIVE SESSION.

WHEREAS, the Birmingham Land Bank Authority (the “Authority”) is a local land bank authority created and organized by the City pursuant to Act. No. 2013-249 of the Alabama Legislature (the “Act”) (Code of Alabama (1975) § 24-9-1 et seq.) and Resolution No. 928-14 of the Birmingham City Council to acquire tax delinquent properties in the City of Birmingham in order to foster the public purpose of rehabilitating land which is in a nonrevenue-generating, nontax-producing status to an effective utilization status in order to provide housing, new industry, new commercial and economic development, other productive uses, jobs for the citizens, and to assemble parcels of real property for redevelopment, stabilize property values, and remove blight; and

WHEREAS, the Authority seeks to make certain amendments to the Alabama Land Bank Act and support other necessary amendments during the 2021 Alabama Legislative Session; and

WHEREAS, the Authority requires assistance related to the legal and governmental affairs needs related to those amendments; and

WHEREAS, Hand Arendall Harrison Sale, the Authority’s current General Counsel, has proposed additional services, described in EXHIBIT A, that are to be rendered in support of the Authority’s efforts in the Alabama Legislature.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Birmingham Land Bank Authority as follows:

1. The Birmingham Land Bank Authority accepts the terms of the Engagement Letter proposed by Hand Arendall Harrison Sale.
2. The Chair or other Officer of the Board is hereby authorized to execute the engagement letter between the Authority and Hand Arendall Harrison Sale.
3. This Resolution shall be effective immediately upon passage.

RESOLUTION 12.20.7
RESOLUTION DESIGNATING THE JANUARY 7, 2021 BOARD MEETING AS THE
FISCAL YEAR 2020 ANNUAL MEETING FOR THE BIRMINGHAM LAND BANK
AUTHORITY BOARD OF DIRECTORS.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Birmingham Land Bank Authority as follows:

1. The Birmingham Land Bank Authority Board shall elect all officers of the Board at the designated Annual Meeting.
2. The Board shall select committee members during this meeting.
3. Officer terms shall run until the next Annual Meeting, which shall take place on the first meeting of Fiscal Year 2022.