

CITY OF ATLANTA



July 24, 1969

CITY HALL ATLANTA, GA. 30303

Tel. 522-4463 Area Code 404

IVAN ALLEN, JR., MAYOR

R. EARL LANDERS, Administrative Assistant
MRS. ANN M. MOSES, Executive Secretary
DAN E. SWEAT, JR., Director of Governmental Liaison

MEMORANDUM

To: Mayor Ivan Allen, Jr.

From: George Berry *GB*

Subject: Attached letter from Mr. Roy LeCraw

I have reviewed the background of the In Rem proceedings which resulted in the demolition of the structure at R-297 Prospect Place, N.E. in which Mr. LeCraw has an interest. Mr. A.C. Waddell in the Housing Code Division has a complete file on the subject, including photographs of the property which indicate that the improvement was badly deteriorated and appeared to be unusable. It was a small brick warehouse type structure.

The In Rem proceedings started back in 1967. A public hearing was held on June 28, 1967 at which Mr. LeCraw was present representing the owner. He requested more time to correct the deficiencies of the property. After the hearing, a letter was sent to the owner of record (Mr. LeCraw signed the registered mail receipt) giving him 90 days to either correct the deficiencies existing in the building or demolish the structure. Later that year, on November 22, 1967, the owner took out a permit to demolish the structure. No action was taken, however, and the permit was allowed to lapse.

There is some correspondence in the file between the Building Department and Mr. LeCraw regarding the ownership of the property. There seemed to be some question as to the owner of record. A Mr. Jack Fagan is involved, but it seems that Mr. LeCraw represented either Mr. Fagan or whoever was designated as owner whenever the City took any action on the matter. Investment Holding Corporation of which Mr. LeCraw is President was finally designated owner of record.

When it was evident that the owner was not going to take any action on the structure, the City instituted its regular in rem proceeding. The Ordinance was passed on January 17, 1968. A contract was let on October 23, 1968 and it was demolished in November of 1968. A lien was entered on the record in the amount of \$485.00 plus interest.

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Mr. LeCraw's statement that the City went out to the place "without his knowledge" is hard to explain in view of what is in the file. It could be that he thought he was due some additional notice prior to the time that demolition began in view of the time lapse since the hearing was held, notice was sent, etc.

In my view, this is a pretty air-tight case and there is no apparent evidence that the Building Department did not act in accordance with their established policies and in accordance with what is expected of them.

GB:je