



CITY COUNCIL REGULAR AGENDA

Tuesday, April 11, 2023

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, April 11, 2023, at 5:30 PM at the City Council Chambers Located at 307 East 4th Street, Big Spring, Texas. **We welcome the public to attend the meeting via telecommunication. Citizens will be able to view the City Council Meeting on Our Local Channel 17 through Suddenlink or on Our Website <http://mybigspring.com/224/Channel-17-Live>.**

CITY COUNCIL MEETING ETIQUETTE

Gentlemen are requested to remove their hats inside the City Council Chambers. As a courtesy to those in attendance, please place your cell phone on "Silent" or "Vibrate." Please, no talking during the meetings. Take all conversations outside so that others can hear.

Thank you!

Open Session

- | | |
|---|---------|
| 1. Call to Order | Ornelas |
| 2. Invocation | Ornelas |
| 3. Pledge of Allegiance to the United States Flag and to the Texas State Flag | Ornelas |

Public Comment

Public Comment – Members of the public are entitled to speak on any topic. Additionally, members of the public may comment on any action item before or during its consideration. Speakers are Requested to Stand at the Podium and State Their Name and Address. Speakers Should Fill out the Form at the Podium and Turn it into the City Secretary. Please Do Not Exceed Five (5) Minutes.

- | | |
|--------------------------|---------|
| 4. Public Comment | Ornelas |
|--------------------------|---------|

Announcements, Presentations and Public Hearings

Public Hearings – The Council will take Input on Items Requiring Public Hearing Items **Prior** to any Action.

- | | | | |
|-----|--|-------------|-------|
| 5. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 2004
JOHNSON STREET, BIG SPRING, TEXAS 79720 - LEGAL
ADDRESS: S/50 NE/4 OF BK 27 COLLEGE HEIGHTS
50X140 1213 ACQ 04302015 0.161 ACRES- OWNER:
JAMES ORN | 7-36 | Hagen |
| 6. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 2204
JOHNSON STREET, BIG SPRING, TEXAS 79720 - LEGAL
ADDRESS: S/100 NE/4 OF BK 43 COLLEGE HEIGHTS
100X140 1425 0.321 ACRES- OWNER: SHIRLEY J WHITE | 37-68 | Hagen |
| 7. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 711 E 16TH
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT
19 0.161 ACRES- OWNER: FELIP L. VILLA AND ESTELLA
VILLA | 69-
108 | Hagen |
| 8. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 517 N GOLIAD
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE
40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147
ACRES-OWNER: EMMANUEL PIERRE | 109-
164 | Hagen |
| 9. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 707 W 7TH
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
LT 12 BK 11 EARLES 50X130 955 ACQ08192021
BLK/TRACT 11 0.149 ACRES- OWNER: JOANA AGUIRRE | 165-
199 | Hagen |
| 10. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 506 NE 8TH ,
BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: SC 42 BK
32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141
ACRES ACQ 05272015- OWNER: RAMON RODRIGUEZ | 200-
230 | Hagen |
| 11. | PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 111 N NOLAN
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: | 231-
262 | Hagen |

LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N
0.161 ACRES- OWNER: RAUL J RUBIO AND SARA RUBIO

- | | | |
|---|-------------|-------|
| 12. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 1710 YOUNG
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147
ACRES- OWNER: TROY V. LITTLE AND JESSIE LEE
LITTLE | 263-
298 | Hagen |
| 13. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 602 ABRAMS
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900
896 BLK/TRACT 15 0.149 ACRES ACQ 04082019- OWNER:
EZEQUIEL NOEL ADAME AND FRANCISCO ADAME III | 299-
329 | Hagen |
| 14. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 1004 E 11TH
PLACE, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ
01152021 BLK/TRACT 26 0.161 ACRES- OWNER:
MICHAEL WAYNE MULLER | 330-
379 | Hagen |
| 15. PUBLIC HEARING - Consideration and Possible Action
Concerning Abatement of Public Nuisance, at 1309 GRAFA
STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:
LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402
BLK/TRACT 15 0.172 ACRES- OWNER: JUDY AND DAVID
SAUSMAN | 380-
419 | Hagen |

City Manager's Report

- | | | |
|---|--|--------|
| 16. City Manager's report on the following items: | | Darden |
| <ul style="list-style-type: none">• Large Item Pickup, District 4 - April 19, 2023• Update - Sports Complex Lights | | |

Consent Items

- | | | |
|---|-------------|--------|
| 17. Approval of the City Council Minutes of the Regular Meeting
of March 28, 2023. | 420-
431 | Davis |
| 18. Acknowledge Receipt of the Planning and Zoning
Commission Minutes of the Regular Meeting of February 22, | 432-
433 | Bowles |

2023

- | | | | |
|-----|---|---------|--------|
| 19. | Final Reading of an Ordinance Amending the Subdivision Ordinance , Article IV "Standards, Specifications, and Other Provisions", Section 8 Entitled "Sidewalks", by Requiring Sidewalks to Have a Minimum Width of Five Feet, Requiring that New Sidewalks be Installed as a Condition of a Certificate of Occupancy with Certain Exceptions; Providing for Repeal of Conflicting Ordinances; Providing a Savings and Severability Clause; Providing for Publication; and Providing an Effective Date | 434-436 | Bowles |
| 20. | Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Sanitation Enterprise Fund Budget for the Purpose of the Purchase of Three 30 Yard Roll-Off Containers for the Cardboard Recycling Program; Providing for Severability; Providing for Publication; and Providing an Effective Date | 437-438 | Bowles |
| 21. | Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing a HUD Code Manufactured Home for Moss Lake; Providing for Severability; Providing for Publication; and Providing an Effective Date | 439-440 | Bowles |
| 22. | Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for Purpose of Building a Splash Pad at Bert Andries Park; Providing for Severability; Providing for Publication; and Providing an Effective Date | 441-442 | Lewis |

Vouchers

- | | | | |
|-----|-----------------------|---------------|----------|
| 23. | Vouchers for 03/30/23 | \$ 293,156.95 | Hughes |
| 24. | Vouchers for 04/06/23 | \$ 619,225.35 | McDonald |
| | Drafts | \$ 840,882.92 | |

Bids

- | | | |
|---|---------|--------|
| 25. Consideration and Possible Action on Awarding a Bid for a John Deere Backhoe for the Street Department and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 443-447 | Medina |
| 26. Consideration and Possible Action on Awarding a Bid for Twenty-Eight (28) Four (4) Yard Recycle Containers for the City's Cardboard Recycle Program and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 448 | Medina |

New Business

- | | | |
|---|---------|---------|
| 27. Acknowledge Receipt of the Quarterly Claims and Litigation Report from the City Attorney | | Hagen |
| 28. Consideration and Possible Action to Amend the Lifeguard Agreement with the Big Spring YMCA to Extend the Agreement for One Day for Tate's Place Back to School Event, August 6, 2023 and Authorizing the City Manager or His Designee to Execute any Necessary Documents | 449-450 | Lewis |
| 29. Boards and Committees
Animal Rescue & Adoption
Jeff Lane - Nominated by Council Member McDonald - Dist. 4 | | Ornelas |

Council Input

- | | |
|--------------------|---------|
| 30. Input | Ornelas |
| 31. Adjourn | Ornelas |

The City Council reserves the right to meet in executive session on any agenda item should the need arise pursuant to Chapter 551, Subchapter D of the Texas Government Code, or the Texas Disciplinary Rules of Professional Conduct.

I hereby certify that this agenda was posted on the official bulletin board at the City of Big Spring, City Hall Building, located outside 310 Nolan Street. Given by order of the City Council and **Posted on Thursday, April 6, 2023 at 4:30 p.m.** in accordance with Title 5, Texas Government Code and Chapter 551.

In addition, this agenda and supporting documents are posted on the City of Big Spring's Website, www.mybigspring.com, in accordance with legal requirements.


Tami L. Davis, City Secretary

THE MEETING FACILITY IS ACCESSIBLE TO DISABLED PERSONS. ANY DISABLED PERSON NEEDING SPECIAL ACCOMMODATION OR A HEARING IMPAIRED PERSON WISHING TO HAVE AN INTERPRETER SHOULD REQUEST SERVICES AT LEAST 48 HOURS PRIOR TO THE SCHEDULED MEETING BY CONTACTING TAMI DAVIS AT 432-264-2513 OR EMAIL: TDAVIS@MYBIGSPRING.COM.

2004 JOHNSON STREET

CODE OFFICER: MALISSA GARCIA

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 2004 JOHNSON ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **MALISSA GARCIA**, who, being by me duly sworn, deposed as follows:

“My name is MALISSA GARCIA. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

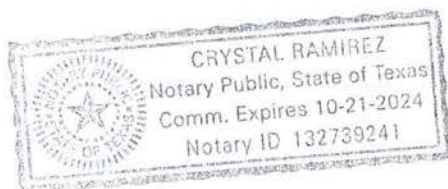
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **2004 JOHNSON ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.





Notary Public, State of Texas

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder, or mortgagee of the property described as:

S/50 NE/4 of Block 27 in the College Heights Addition of Big Spring, Howard County, Texas, also known as **2004 JOHNSON ST**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

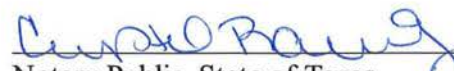
Using the above-described records, I verified that **JAMES ORN** is the owner of the property located at the above-described premises and their mailing address is **3101 Mountain Shadow, Big Spring, TX 79720**, Big Spring, Texas 79720, as shown in **Exhibit A-1**.

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

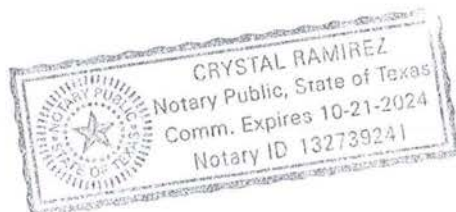


EXHIBIT A-1

1/1

[illegible]

Appraisal Coding			
Appr By	DW/PG	Appr Dt	03/25/15
Check By	LS	Check Dt	09/15/17

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation	%	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF18	50.0 FF/50.0 RF/140.0 DF LOTS	70.0		70.00		0%		N	3,500	A1						
									=====							=====
									3,500							0

Comments	
RECHECK: GB BUILDING NEW HOME 1/1/1900	

	2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Land Non Homesite +	3,500	A1	0	3,500	A1		01H HOWARD COUNTY	0	3,500	.3275450		11.46		BSISDE
Total Market =	3,500		0	3,500			02B CITY OF BIG SPRING	0	3,500	.6731630		23.56		GE22
Assessed =	3,500		0	3,500			03B BIG SPRING ISD	0	3,500	1.0160000		35.56		
							052 HOWARD COLLEGE	0	3,500	.2367770		8.29		
							** ESTIMATED TOTAL					===== 78.87		

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
2004 JOHNSON ST CASE NOTES**

“This record, attached as **Exhibit A-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit A-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.



Notary Public, State of Texas

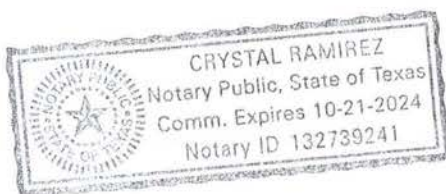


EXHIBIT A-2

03-17-2023 04:38 PM
TASK #: 114621
TASK CODE: INSPECT SUBSTANDARD
PROPERTY: 2004 JOHNSON ST

TASK NOTES REPORT

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 114621 - INSPECT SUBSTANDARD - 2/14/2023
2/2/2023 drove by this property and I've noticed there is no siding,
windows or doors on this structure. It has been like this for years with
no change, and it either needs to be fixed or demolished. Notice will be
sent out.
3/17/2023 drove by property today and nothing has been done. took updated
photos.

Task #: 114622 - SUBSTANDARD BLD - 2/14/2023

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits A-3 and Exhibits A-4** I am familiar with and recognize the scene depicted in the photographs. On February 2nd, 2023 and April 11th, 2023, I inspected the property described as:

S/50 NE/4 of , Block 27 in the College Heights Addition of Big Spring, Howard County, Texas, also known as **2004 JOHNSON ST**, Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.



Notary Public, State of Texas

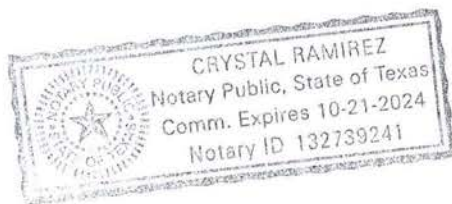


EXHIBIT A-3



2/ 2/2023 11:50



2/ 2/2023 11:51



2/ 2/2023 11:52

EXHIBIT A-4

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

“The document in **Exhibit A-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

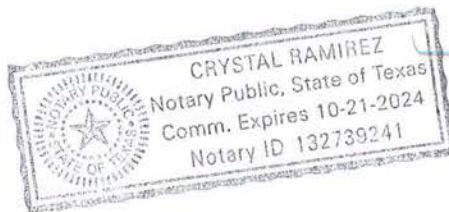
Certified Mail Return for **Exhibit A-6** is also attached.

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT A-5



NOTICE OF VIOLATION AND NOTICE OF HEARING

2004 JOHNSON ST, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: S/50 NE/4 OF BK 27
COLLEGE HEIGHTS 50X140 1213
ACQ 04302015 0.161 ACRES

March 31, 2023

James Orn
2004 Johnson
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Sec. 304.15 Doors.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.1.1 Unsafe Conditions (4),(7),(8)

Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations.

Corrective Action Required

Deadline for Compliance

The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.

Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the structure.

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Compliance

Department

432-264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the

prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor)

sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at

<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink that reads "M Garcia". The signature is written in a cursive style with a horizontal line underneath the name.

Malissa Garcia, Code Enforcement Officer
City of Big Spring, Texas

EXHIBIT A-6

7022 2410 0003 2470 6754

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Big Springs, TX 79720	
Certified Mail Fee \$4.15	0475
\$3.35	06
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$0.00	03/31/2023
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.87	
Total Postage and Fees \$8.37	
Sent To James Orm	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

USPS Tracking®

FAQs >

Tracking Number:

Remove X

70222410000324706754

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was picked up at the post office at 1:02 pm on April 4, 2023 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Delivered

Delivered, Individual Picked Up at Post Office

BIG SPRING, TX 79720

April 4, 2023, 1:02 pm

See All Tracking History

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

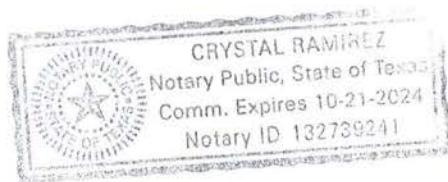
“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit A-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

This notice was also published in the Big Spring Herald on March 29th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT A-7



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official



BIO SPRING Under Development
1979750 Highway 100, Suite 100, Austin, TX 78758

NOTICE OF PUBLIC HEARING
FOR THE PROPOSED BIO SPRING PROJECT

NOTICE IS HEREBY GIVEN THAT THE CITY OF BIO SPRING, TEXAS, HAS A PUBLIC HEARING ON THE PROPOSED BIO SPRING PROJECT, WHICH IS A DEVELOPMENT PROJECT, ON THE 100TH STREET CORNER OF HIGHWAY 100 AND 100TH STREET, IN THE CITY OF BIO SPRING, TEXAS. THE PUBLIC HEARING WILL BE HELD ON MONDAY, APRIL 3, 2023, AT 7:00 PM, AT THE CITY OF BIO SPRING, 1979750 HIGHWAY 100, SUITE 100, AUSTIN, TEXAS 78758. THE PUBLIC HEARING WILL BE OPEN TO THE PUBLIC AND ANYONE INTERESTED IN THE PROJECT MAY ATTEND AND SPEAK AT THE HEARING. THE CITY OF BIO SPRING HAS A DUTY TO CONSIDER ALL COMMENTS AND SUGGESTIONS FROM THE PUBLIC AND TO MAKE A DETERMINATION AS TO WHETHER THE PROJECT IS IN THE BEST INTERESTS OF THE CITY. THE CITY OF BIO SPRING HAS A DUTY TO CONSIDER ALL COMMENTS AND SUGGESTIONS FROM THE PUBLIC AND TO MAKE A DETERMINATION AS TO WHETHER THE PROJECT IS IN THE BEST INTERESTS OF THE CITY. THE CITY OF BIO SPRING HAS A DUTY TO CONSIDER ALL COMMENTS AND SUGGESTIONS FROM THE PUBLIC AND TO MAKE A DETERMINATION AS TO WHETHER THE PROJECT IS IN THE BEST INTERESTS OF THE CITY.

4/ 4/2023 15:54

2204 JOHNSON STREET

CODE OFFICER: MALISSA GARCIA

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 2204 JOHNSON ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **MALISSA GARCIA**, who, being by me duly sworn, deposed as follows:

“My name is MALISSA GARCIA. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

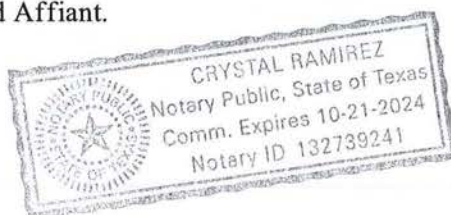
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **2204 JOHNSON ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.





Notary Public, State of Texas

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder, or mortgagee of the property described as:

S/100 NE/4 of Block 43 in the College Heights Addition of Big Spring, Howard County, Texas, also known as **2204 JOHNSON ST**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **SHIRLEY J WHITE** is the owner of the property located at the above-described premises and their mailing address is **2204 JOHNSON ST**, Big Spring, Texas 79720 as shown in **Exhibit B-1**.

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

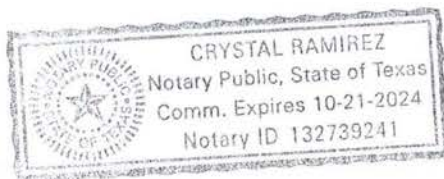


EXHIBIT B-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000003027

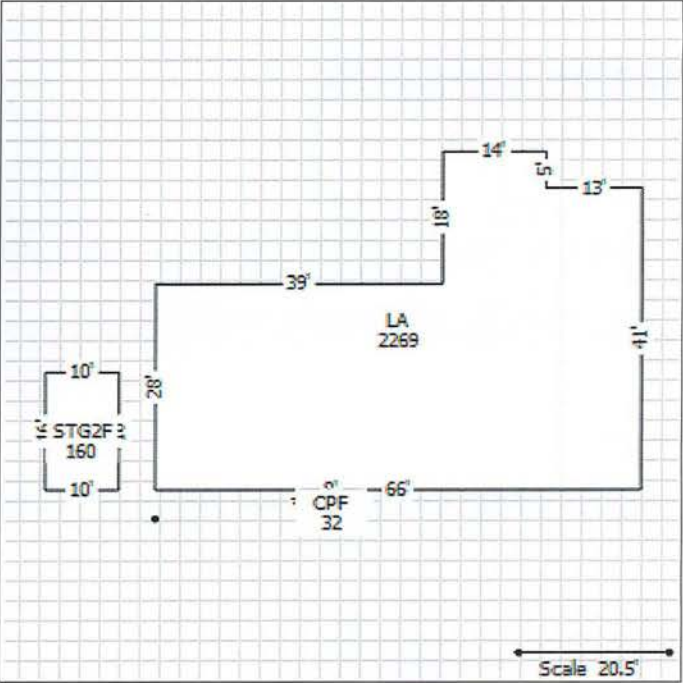
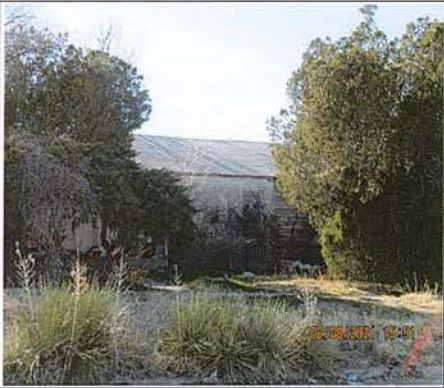
Geo ID : B2910037200

1/2

Ownership

WHITE SHIRLEY J
PO BOX 1512
BIG SPRING, TX 79721-1512

Exemptions/Deed



Legal Information

LEGAL: S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES
SITUS: 2204 JOHNSON
ACRES:0.321
ALT:3027
XREF:3027.1

UNCERTIFIED

Appraisal Coding

Appr By CT Appr Dt 02/08/21
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation	%	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value
LA-LIVING AREA	Y	1928/NA	RS3F	2,269	84.04	190,687	0 VP	-95%		0%	0%	0%	0%	100%	0%	-95.0% *	9,534	AST-1 STORY	0
CPF-COVERED PORCH FR	Y		RS3F	32	12.61	403	0	-90%		0%	0%	0%	0%	100%	0%	-90.1% *	40	AUT-ALL	0
STG2F-AVG QUALITY ST	Y		RS3F	160	11.00	1,760	0	-90%		0%	0%	0%	0%	100%	0%	-90.0% *	176	CRM-COMPOSITION	0
* EXTRA FEATURES							14630										732	EHC-WALL	0
				2,461		192,850	14,630										10,482	FET-FRAME	0
																		GRT-GABLE	0
																		PFN-PIER AND BE	0
																		2BT-2 BATHS	732
																			732

SQFT MA: 2269 MKT CSF MA: 9.245 CSF IMPR: 4.62 LOC CODE: GE

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF18	100.0 FF/100.0 RF/140.0 DF LOTS	70.0		70.00		0%		Y	7,000	A1						
									7,000							0

Comments

2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	10,482	A1	-635	11,117	A1	01H HOWARD COUNTY	0	20,976	.3275450		68.71	HSAPPNOT21	BSISDE
Impr Non Homesite +	3,494	A1	67	3,427	A1	02B CITY OF BIG SPRING	0	20,976	.6731630		141.20	HSAPPNOT22	GE22
Land Homesite +	7,000	A1	0	7,000	A1	03B BIG SPRING ISD	0	20,976	1.0160000	1999	213.12		
Total Market =	20,976		-568	21,544		052 HOWARD COLLEGE	0	20,976	.2367770		49.67		
Assessed =	20,976		-568	21,544		** ESTIMATED TOTAL					472.70		

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

CERTIFICATION
2204 JOHNSON ST CASE NOTES

“This record, attached as **Exhibit B-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

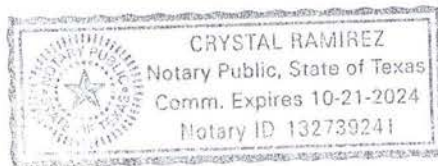
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit B-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT B-2

TASK #: 113838
TASK CODE: INSPECT SUBSTANDARD
PROPERTY: 2204 JOHNSON ST

ORIG. DATE: 1
DUE DATE: 1

NOTES

Incident Notes:

Task #: 113838 - INSPECT SUBSTANDARD - 12/20/2022

BEEN BY THE HOUSE AND NOTHING HAS BEEN DONE HAVE TONS OF ACCUMULATION.

THERE ARE 3 STRUCTURES ON THIS PROPERTY THAT HAS NOT BEEN KEPT UP AND

TRASH COMING OUT THE SIDE OF THE STORAGE STRUCTURES. TOOK PICTURES FROM

ALLEY AND FRONT OF THE HOUSE

Task #: 113839 - SUBSTANDARD BLD - 12/20/2022

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY MALISSA GARCIA**

“With regard to the photographs in **Exhibits B-4 and B-5** I am familiar with and recognize the scene depicted in the photographs. On December 19th, 2022, January 17th, 2023 and April 11th, 2023, I inspected the property described as:

S/100 NE/4 of, Block **43** in the College Heights Addition of Big Spring, Howard County, Texas, also known as **2204 JOHNSON ST**, Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

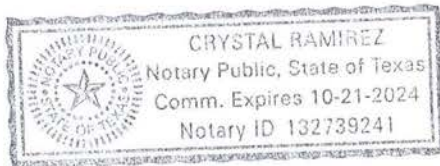


EXHIBIT B-4





EXHIBIT B-5





1/17/2023 12:36



1/17/2023 12:36



1/17/2023 12:37

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

CERTIFICATION
NOTICE SENT BY MALISSA GARCIA

“The document in **Exhibit B-6** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

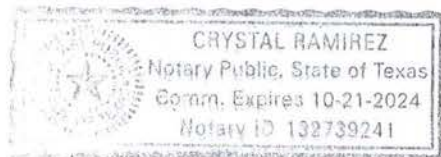
Certified Mail Return for **Exhibit B-7** is also attached.

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT B-6



NOTICE OF VIOLATION AND NOTICE OF HEARING

2204 JOHNSON, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: S/100 NE/4 OF BK 43
COLLEGE HEIGHTS 100X140 1425 0.321 ACRES

March 31st, 2023

ESTATE OF SHIRLEY WHITE
2204 JOHNSON
BIG SPRING, TX 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC)** of Big Spring and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
304.1.1 Unsafe Conditions (7)	Exterior walls that are not anchored to supporting and

supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations.

Corrective Action Required	Deadline for Compliance
The structure is dilapidated. Fix dilapidation. Fix window. Fix exterior walls. Secure building so it is not an attractive nuisance to children or other persons.	Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the two structures in the back. The main structure needs to be fixed.

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Compliance

Department

432-264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District

Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023, at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the

Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink that reads "M. Garcia". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Malissa Garcia, Code Enforcement
City of Big Spring, Texas

EXHIBIT B-7

7022 2470 0003 2470 6594

U.S. Postal Service™	
CERTIFIED MAIL® RECEIPT	
<i>Domestic Mail Only</i>	
For delivery information, visit our website at www.usps.com ®.	
Big Springs, TX 79720	
Certified Mail Fee \$4.15	0475
\$3.35	06
Extra Services & Fees (check box, add fee as appropriate)	Postmark Here
☐ Return Receipt (hardcopy) \$0.00	
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.63	03/31/2023
Total Postage and Fees \$8.13	
Sent To Shirely White	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

Tracking Number:

Remove X

70222410000324706754

Copy

Add to Informed Delivery (https://informedelivery.usps.com/)

Latest Update

Your item was picked up at the post office at 1:02 pm on April 4, 2023 in BIG SPRING, TX 79720.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Individual Picked Up at Post Office
BIG SPRING, TX 79720
April 4, 2023, 1:02 pm
See All Tracking History

Feedback

Text & Email Updates

USPS Tracking Plus®

Product Information

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

[Feedback](#)

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

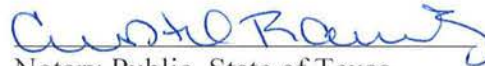
“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit B-8**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

This notice was also published in the Big Spring Herald on March 29th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.


Notary Public, State of Texas

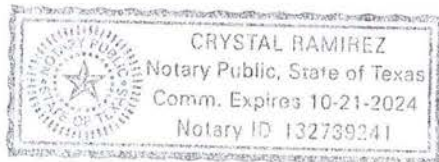


EXHIBIT B-8



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official



4/ 4/2023 15:53

711 E 16TH STREET

CODE COMPLIANCE: ASHLEY GUERRA

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 711 E 16th ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **ASHLEY GUERRA**, who, being by me duly sworn, deposed as follows:

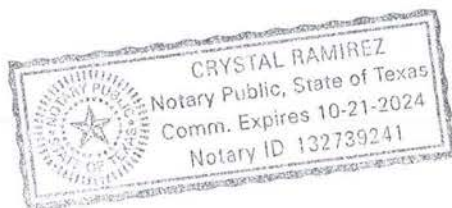
“My name is ASHLEY GUERRA. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **711 E 16th ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6th day of April 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6th day of April 2023 by the above referenced Affiant.




Notary Public, State of Texas

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder,
or mortgagee of the property described as:

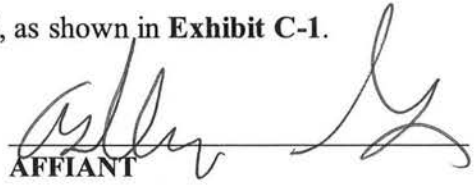
LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161
ACRES, Big Spring, Howard County, Texas, also known as **711 E 16th ST**, Big
Spring, Texas

by searching the following records:

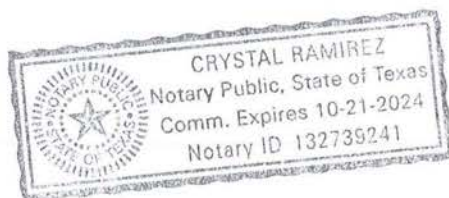
1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **FELIP L. VILLA AND ESTELLA
VILLA** are the owners of the property located at the above-described premises and their mailing
address is **711 E 16th ST**, Big Spring, Texas 79720, as shown in **Exhibit C-1**.

SIGNED on the 6TH day of APRIL 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above
referenced Affiant.




Notary Public, State of Texas

EXHIBIT C-1

1/1

Site plan showing two building footprints on a grid. The larger building on the left is labeled "LA 764" and has dimensions 38' by 32'. The smaller building on the right is labeled "DG2F 280" and has dimensions 10' by 28'. A scale bar at the bottom right indicates "Scale 11.1'".

Appraisal Coding			
Appr By	TG/CT	Appr Dt	12/09/20
Check By		Check Dt	

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff.Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation %	Condition %	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value	
LA-LIVING AREA	Y	1935/NA	RS2F	764	90.21	68,920	0 FA	-75%	0%	0%	0%	100%	0%	-75.0%	*	17,230	AST-1 STORY	0
CPF-COVERED PORCH FR	Y	1935/NA	RS2F	72	13.53	974	0 FA	-75%	0%	0%	0%	100%	0%	-74.9%	*	244	AUT-ALL	0
OPF-OPEN PORCH / PAT	Y	1935/NA	RS2F	36	5.41	195	0 FA	-75%	0%	0%	0%	100%	0%	-74.9%	*	49	CRM-COMPOSITION	0
DG2F-DETACHED GARAGE	Y	1935/NA	RS2F	280	54.02	15,126	0 FA	-75%	0%	-40%	0%	100%	0%	-85.0%	*	2,269	FET-FRAME	0
				=====		=====	=====									=====	GRT-GABLE	0
				1,152		85,215	0									19,792	PFN-PIER AND BE	0
SQFT MA: 764 MKT CSF MA: 30.487 CSF IMPR: 25.906 LOC CODE: GD																	1BT-1 BATH	0
																	MHC-MOIST AIR	0
																	=====	0

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF18	50.0 FF/50.0 RF/140.0 DF LOTS	70.0		70.00		0%		Y	3,500	A1						
									=====							=====
									3,500							0

Comments	

	2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	19,792	A1	-728	20,520	A1	01H HOWARD COUNTY	0	23,292	.3275450			76.29	HSAPPNOT17	BSISDE
Land Homesite +	3,500	A1	0	3,500	A1	02B CITY OF BIG SPRING	0	23,292	.6731630			156.79	HSAPPNOT18	
Total Market =	23,292		-728	24,020		03B BIG SPRING ISD	0	23,292	1.0160000			236.65	HSAPPNOT19	GD22
Assessed =	23,292		-728	24,020		052 HOWARD COLLEGE	0	23,292	.2367770			55.15	HSAPPNOT20	
						** ESTIMATED TOTAL						=====	HSAPPNOT21	
												524.88	HSAPPNOT22	

STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

CERTIFICATION
711 E 16th ST CASE NOTES

“This record, attached as **Exhibit C-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

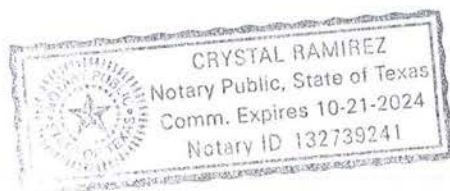
Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit C-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT C-2

NOTES

Incident Notes:

Task #: 114758 - INSPECT WEEDL LOT - 3/02/2023

WAS AROUND THE AREA ON 2-28-23 AND NOTICED THIS HOUSE 711 E 16TH ST BUSTED OUT WINDOWS DOOR WIDE OPEN THIS HOUSE HAS TWO STRUCTURES THE GARGE IN THE BACK IS SUBSTANDERD AND WL THE OWNER OF THE HOME IS VILLA FELIP SENT OUT NOTICE OF VIOLATION ON 2-2-23 FOR WL WENT TO REINSPECT ON 3-17-23 AND NO PROGRESS HAS BEEN MADE

Task #: 114759 - WEEDY LOT LTR - 3/02/2023

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibits C-3 and C-4** I am familiar with and recognize the scene depicted in the photographs. On February 28, 2023 and March 17, 2023 , I inspected the property described as:

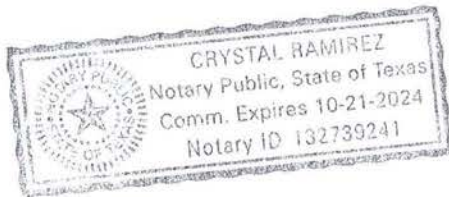
LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES, Big Spring, Howard County, Texas, also known as 711 E 16th ST, Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT C-3





2/28/2023 9:31



2/28/2023 9:31



EXHIBIT C-4





3/17/2023 10:47





3/17/2023 10:48



3/17/2023 10:48



3/17/2023 10:48



3/17/2023 10:47

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA**

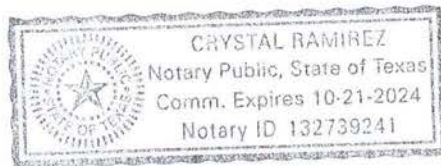
“The document in **Exhibit C-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit C-6** is also attached.

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT C-5



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

711 E 16TH ST
Lot: 7 BK: 19 COLE & STRAYHORN 770

March 2, 2023

Case No: 72343

FELIP VILLA
711 E 16TH
BIG SPRING TX 79720-5624

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
High weeds and grass, needs to be mowed to the center of the easement including alley and curb line. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

ASHLEY GUERRA

Name

Code Compliance

Department

432-264-2505

Phone

aguerra@mybigspring.com

E-mail

property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Ashley', written over a horizontal line.

Code Compliance
City of Big Spring, Texas

EXHIBIT C-6

7022 2410 0003 2470 6730

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

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

Big Spring, TX 79720

Certified Mail Fee	\$4.15
\$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.87

Total Postage and Fees \$8.37

Sent To

Felip Villa

Street and Apt. No., or PO Box No.

City, State, ZIP+4®



PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

Tracking Number:

70222410000324706730

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Moving Through Network

In Transit, Arriving Late

April 5, 2023

Departed USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

April 4, 2023, 10:20 pm

Arrived at USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

April 4, 2023, 4:48 pm

Departed USPS Regional Facility

EL PASO TX DISTRIBUTION CENTER

April 3, 2023, 12:57 pm

Arrived at USPS Regional Facility

EL PASO TX DISTRIBUTION CENTER

April 2, 2023, 1:44 pm

Vacant

Feedback

BIG SPRING, TX 79720
April 1, 2023, 8:15 am

USPS in possession of item
BIG SPRING, TX 79720
March 31, 2023, 5:04 pm

Hide Tracking History

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Feedback

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11th, 2023**, attached as **Exhibit C-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

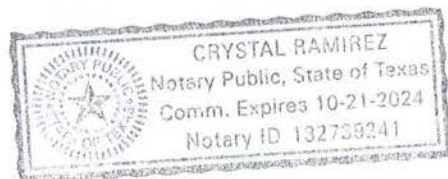
This notice was also published in the Big Spring Herald on March 29th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas



NOTICE OF VIOLATION AND NOTICE OF HEARING

711 E 16th St, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: LT 7 BK 19 COLE & STRAYHORN 50X140 770
BLK/TRACT 19 0.161 ACRES

March 31, 2023

Felip L. Villa & Estella Villa
711 E 16th St
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the Property Maintenance Code (PMC) of Big Spring and the Big Spring Zoning Ordinance have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Sec. 304.15 Doors.	Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with

Section 702.3.

- 304.1.1 Unsafe Conditions (4),(7),(8) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations.

Corrective Action Required	Deadline for Compliance
The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.	Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the garage, and an order to secure and repair the house.

For further information about this notice, please contact the following person:

Issued by

Ashley Guerra

Name

Code Compliance

Department

432-264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor)

sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

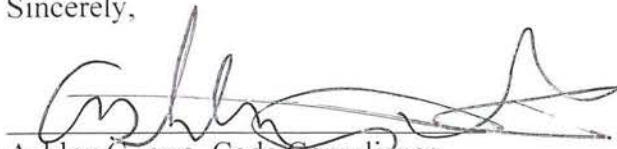
TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at

<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashley Guerra', written over a horizontal line.

Ashley Guerra, Code Compliance
City of Big Spring, Texas

EXHIBIT C-7



4/ 4/2023 15:58



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official

517 N GOLIAD STREET

CODE COMPLIANCE: KALEB SMITH

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**AFFIDAVIT OF KALEB SMITH
CONCERNING 517 N GOLIAD ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **KALEB SMITH**, who, being by me duly sworn, deposed as follows:

“My name is KALEB SMITH. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

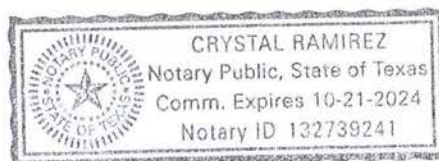
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **517 N GOLIAD ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.





Notary Public, State of Texas

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder,
or mortgagee of the property described as:

SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ
07312014 BLK/TRACT 32 1N 0.147 ACRES Big Spring, Howard County,
Texas, also known as **517 N GOLIAD ST**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **Emmanuel Pierre** is the owner of the
property located at the above-described premises and their mailing address 323 Walnut St,
Naples, TX 75568, as shown in **Exhibit D-1**.

SIGNED on the 6TH day of APRIL 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above
referenced Affiant.


Notary Public, State of Texas

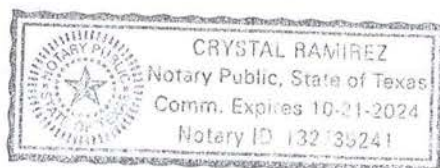


EXHIBIT D-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000046949

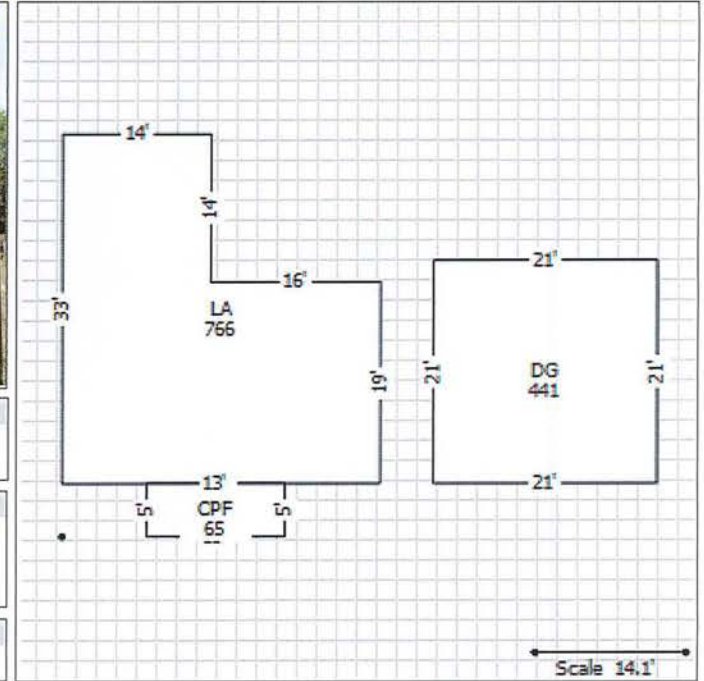
Geo ID : 51442034500

1/1

Ownership	Exemptions/Deed
PIERRE EMMANUEL 7261 S HIGHWAY 281 ENCINO, TX 78353-6052	INST: 2014-00005230 VOL: 1407 PAGE: 307 DATE: 7/31/2014



Legal Information
LEGAL: SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES SITUS: 517 N GOLIAD ACRES:0.147 ALT:46949 XREF:46949.1
UNCERTIFIED
Appraisal Coding
Appr By CLARISSA Appr Dt 09/04/20 Check By Check Dt



Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
7/31/14		1407	307	2014-00005230	7/31/14	+++++	+++++	PIERRE EMMANUEL	CASTILLO BERTHA
11/29/05		991	747	0	11/29/05	+++++	+++++	CASTILLO BERTHA	RUBIO JOSEPHINE PARRAS

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation	%	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value	
LA-LIVING AREA	Y	1950/NA	RS2F	766	90.21	69,101	0 VP	-90%		0%	0%	0%	0%	100%	0%	-90.0%	*	6,910	AST-1 STORY	0
CPF-COVERED PORCH FR	Y	1940/NA	RS2F	65	13.53	880	0 VP	-95%		0%	0%	0%	0%	100%	0%	-95.0%	*	44	AUT-ALL	0
DG-DETACHED GARAGE	Y	1940/NA	RS2F	441	45.11	19,891	0 VP	-95%		0%	0%	0%	0%	100%	0%	-95.0%	*	995	CRM-COMPOSITION	0
				=====		=====	=====										=====	FET-FRAME	0	
				1,272		89,872	0										7,949	GRT-GABLE	0	
SQFT MA: 766 MKT CSF MA: 11.422 CSF IMPR: 10.377 LOC CODE: NC																		MHC-MOIST AIR	0	
																		PFN-PIER AND BE	0	
																		1BT-1 BATH	0	
																		=====	0	

SQFT MA: 766 MKT CSF MA: 11.422 CSF IMPR: 10.377 LOC CODE: NC

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF12	40.0 FF/40.0 RF/160.0 DF LOTS	40.0		20.00	FCT,	-50%	-800	Y	800	A1						
									=====							=====
									800							0

Comments

	2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	7,949	A1	-1,770	9,719	A1		01H HOWARD COUNTY	0	8,749	.3275450		28.66	MULTI	BSISD_NE
Land Homesite +	800	A1	0	800	A1		02B CITY OF BIG SPRING	0	8,749	.6731630		58.90		BSI_MAP2
Total Market =	8,749		-1,770	10,519			03B BIG SPRING ISD	0	8,749	1.0160000		88.89		NC22
Assessed =	8,749		-1,770	10,519			052 HOWARD COLLEGE	0	8,749	.2367770		20.72		
							** ESTIMATED TOTAL					=====		
												197.17		

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

CERTIFICATION
517 N GOLIAD ST CASE NOTES

"This record, attached as **Exhibit D-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

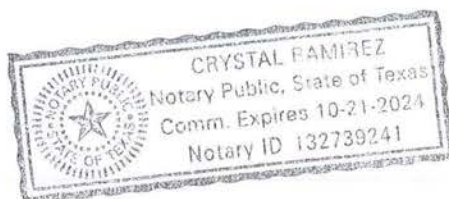
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit D-2** as the readout."

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT D-2

NOTES

Incident Notes:

Task #: 114609 - INSPECT SUBSTANDARD - 2/14/2023

2/14/23 Both main structure and accessory building are substandard and hazardous.

3/17/2023 Inspected property and found the structures to still be in the same condition. Turned into legal for substandard letter, abatement, and citations.

Task #: 114610 - SUBSTANDARD BLD - 2/14/2023

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY KALEB SMITH**

“With regard to the photographs in **Exhibits D-3 and D-4** I am familiar with and recognize the scene depicted in the photographs. On and April 11th, 2023, I inspected the property described as:

SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ
07312014 BLK/TRACT 32 1N 0.147 ACRES Big Spring, Howard County,
Texas, also known as **517 N GOLIAD ST**, Big Spring, Texas

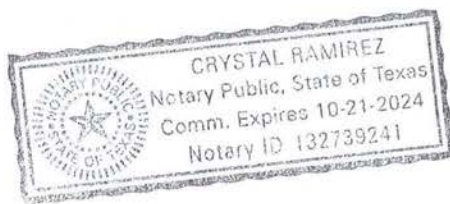
Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT D-3









2023. 2. 9 11:48





2023. 2. 9 11:48





2023. 2. 9 11:48



2023. 2. 9 11:48







2023. 2. 9 11:49

EXHIBIT D-4





2023. 3. 17 8:31



2023. 3.17 8:32





2023. 3. 17 8:32



2023. 3.17 8:32



STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
NOTICE SENT BY KALEB SMITH**

“The document in **Exhibit D-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

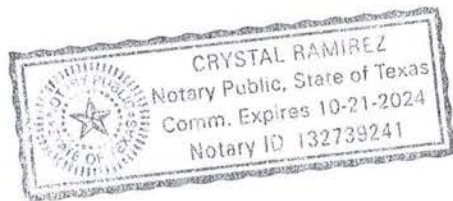
Certified Mail Return for **Exhibit D-6** is also attached.

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT D-5



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

517 N GOLIAD

Lot: SE/4 OF SC 42 BK: 32 1N TR 41 WILLIAM B CURRIE 819

February 14, 2023

Case No: 72273

EMMANUEL PIERRE
7261 S HWY 281
ENCINO, TX 78353

Sent via: Certified US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Sec. 304.1.1 Unsafe Conditions

4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight.
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.
8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects.

the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith
Code Compliance Official
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

517 N GOLIAD ST
Lot: SE/4 OF SC 42 BK: 32 1N WILLIAM B CURRIE TR 41 819

February 14, 2023

Case No: 72282

EMMANUEL PIERRE
7261 S HWY 281
ENCINO TX 78353

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not
maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

There are several items (tree trimmings, tree trunks, scrap wood, pieces of loose concrete, scrap metal, and tons of accumulated items) that need to be removed from public view. If problem persists criminal charges will be filed.

Seven (7) days from
date of mailing

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

Code Compliance

Department

432-264-2508

Phone

ksmith@mybigspring.com

E-mail

<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Kaleb Smith', with a long horizontal flourish extending to the right.

Kaleb Smith
Code Compliance Official
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

517 N GOLIAD ST

Lot: SE/4 OF SC 42 BK: 32 1N WILLIAM B CURRIE TR 41 819

February 14, 2023

Case No: 72281

EMMANUEL PIERRE
7261 S HWY 281
ENCINO TX 78353

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and **Big Spring City Code Chapter 36** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.5 Rodent Harborage	Structures and exterior property shall be kept free from rodent harborage and infestation.
Big Spring City Code Sec. 36-62. Dumping, accumulating, etc., garbage and trash so as to afford food or harborage for rats.	No garbage, rubbish, waste, or manure shall be placed, left, dumped, or permitted to accumulate or remain in any building or premises in the city so that the same shall or may afford food for or a harboring or breeding place for rats.
Big Spring City Code Sec. 36.63 Accumulations of lumber, boxes, barrels, etc.	It shall be unlawful for any person to permit to accumulate on any premises, improved or unimproved, or on any open lot or alley in the city any lumber, boxes, barrels, bricks, or stones or similar materials that may be permitted to remain thereon, and that may be used as harborage by rats, unless same are placed on open racks and elevated not less than 18 inches above the ground with a clear intervening space beneath, to prevent the harborage of rats.

the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL. Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith
Code Compliance Official
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

517 N GOLIAD ST

Lot: SE/4 OF SC 42 BK: 32 1N WILLIAM B CURRIE TR 41 819

February 14, 2023

Case No: 72280

EMMANUEL PIERRE
7261 S HWY 281
ENCINO TX 78353

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.4 Weeds

Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

Property is overgrown and needs to be mowed. If problem persists criminal charges will be filed.

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

Code Compliance

Department

432-264-2508

Phone

ksmith@mybigspring.com

E-mail

The City's goal is voluntary compliance.

additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith
Code Compliance Official
City of Big Spring, Texas



NOTICE OF VIOLATION AND NOTICE OF HEARING

517 N Goliad St, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE
40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES

March 31, 2023

Emmanuel Pierre
517 N Goliad St
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the Property Maintenance Code (PMC) of Big Spring and the Big Spring Zoning Ordinance have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Sec. 304.15 Doors.	Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and

sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

- 304.1.1 Unsafe Conditions (4),(7),(8) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations within the deadlines.

Code Compliance is seeking an order to demolish and remove all structures on the premises.

Corrective Action Required	Deadline for Compliance
The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith	Code Compliance
<i>Name</i>	<i>Department</i>
432-264-2508	ksmith@mybigspring.com
<i>Phone</i>	<i>E-mail</i>

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This

proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023, at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;

6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith, Code Compliance
City of Big Spring, Texas

03-17-2023 10:29 AM

TASK NOTES REPORT

TASK #: 114625
TASK CODE: INSPECT RODENT CONT
PROPERTY: 517 N GOLIAD ST

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 114625 - INSPECT - 2/14/2023
2/14/2023 Sent notice of violation.
3/17/2023 Inspected property and found it to be in the same condition.
Turning case over to legal for abatement and citations.

Task #: 114626 - RODENT CONTROL - 2/14/2023

03-17-2023 10:20 AM

TASK NOTES REPORT

TASK #: 114623
TASK CODE: INSPECT WEEDL LOT
PROPERTY: 517 N GOLIAD ST

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 114623 - INSPECT WEEDL LOT - 2/14/2023
2/14/2023 Sent notice of violation.
3/17/2023 Inspected property and found it to still be in violation.
Turning case over to legal for abatement and citations.

Task #: 114624 - WEEDY LOT LTR - 2/14/2023

03-17-2023 10:22 AM

TASK NOTES REPORT

TASK #: 114627
TASK CODE: INSPECT ACCUMULATED
PROPERTY: 517 N GOLIAD ST

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 114627 - INSPECT ACCUMULATED - 2/14/2023
2/14/2023 Property is full of trash and other accumulated items. Sent
notice of violation.
3/17/2023 Inspected property and found it to be in the same condition.
Turning case over to legal for abatement and citations.

Task #: 114628 - ACCUMULATED ITEMS - 2/14/2023

EXHIBIT D-6

7022 2410 0003 2470 2923

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Naples, TX 75568	
Certified Mail Fee \$4.15	0475 06 Postmark Here 03/31/2023
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy) \$0.00	
☐ Return Receipt (electronic) \$0.00	
☐ Certified Mail Restricted Delivery \$0.00	
☐ Adult Signature Required \$0.00	
☐ Adult Signature Restricted Delivery \$0.00	
Postage \$0.63	
Total Postage and Fees \$8.13	
Sent To: Emmanuel Pierre	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

USPS Tracking®

FAQs >

Tracking Number:

Remove X

70222410000324702923

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus®

- Delivered
- Out for Delivery
- Preparing for Delivery

Moving Through Network

In Transit, Arriving Late

April 5, 2023

Departed USPS Regional Destination Facility

SHREVEPORT LA DISTRIBUTION CENTER
April 3, 2023, 5:05 pm

Arrived at USPS Regional Destination Facility

SHREVEPORT LA DISTRIBUTION CENTER
April 2, 2023, 8:14 am

Feedback

USPS in possession of item
BIG SPRING, TX 79720
March 31, 2023, 4:54 pm

Hide Tracking History
Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Feedback

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit D-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4th, 2023.

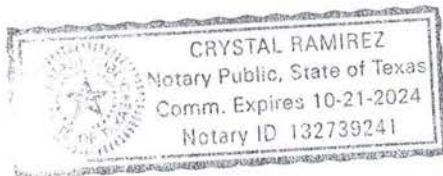
This notice was also published in the Big Spring Herald on April 4th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.


Notary Public, State of Texas





Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official

707 W 7TH STREET

CODE OFFICER: MALISSA GARCIA

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 707 W 7TH**

BEFORE ME, the undersigned authority, on this day, personally appeared **MALISSA GARCIA**, who, being by me duly sworn, deposed as follows:

“My name is MALISSA GARCIA. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

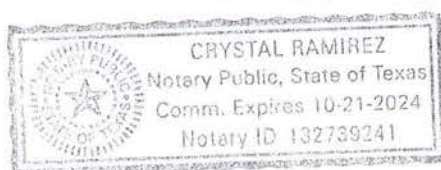
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **707 W 7TH**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.





Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder, or mortgagee of the property described as:

Lot 12, Block **11** in the EARLES Addition of Big Spring, Howard County, Texas,
also known as **707 W 7TH**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **Joana Aguirre** is the owner of the property located at the above-described premises and their mailing address is **703 Furneaux St, Sudan, TX 79371**, as shown in **Exhibit E-1**.

SIGNED on the 6TH day of APRIL 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.


Notary Public, State of Texas

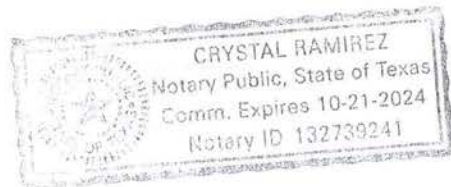


EXHIBIT E-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000004254

Geo ID : B3180016300

1/

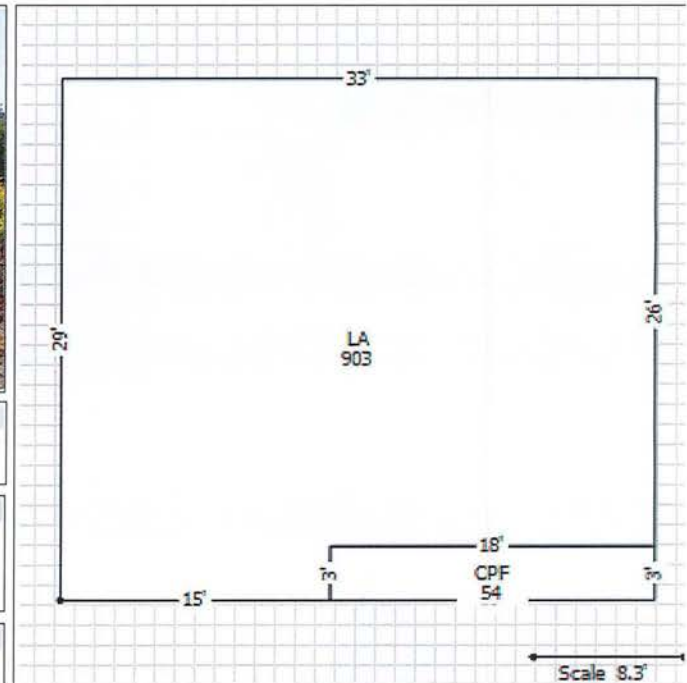
Ownership	Exemptions/Deed
AGUIRRE JOANA 703 FURNEAUX ST. SUDAN, TX 79371	INST: 2021-00007282 VOL: 2017 PAGE: 492 DATE: 8/19/2021



Legal Information
LEGAL: LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES SITUS: 707 W 7TH ACRES:0.149 ALT:4254 XREF:4254.1
UNCERTIFIED
Appraisal Coding Appr By CT Appr Dt 11/15/21 Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
8/19/21		2017	492	2021-00007282	8/19/21	+++++	+++++	AGUIRRE JOANA	CITY OF BIG SPRING, IN
11/19/20		1955	730	2020-00009011	11/19/20	+++++	+++++	CITY OF BIG SPRING, IN	EISLER PAM ET AL
7/20/01		0834	243	0	7/20/01	+++++	+++++	WHITE BAILEY M ET.AL.	MONTGOMERY T &

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			



Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation	%	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value	
LA-LIVING AREA	Y	1952/NA	RS2F	903	85.53	77,234	0 FA	-75%			0%	0%	0%	100%	0%	-75.0%	19,308	AST-1 STORY		
CPF-COVERED PORCH FR	Y	1952/NA	RS2F	54	12.83	693	0 FA	-75%			0%	0%	0%	100%	0%	-75.0%	173	AUT-ALL		
				=====		=====	=====										=====	CRM-COMPOSITION		
				957		77,927	0										19,481	EHC-WALL		
SQFT MA: 903 MKT CSF MA: 27.142 CSF IMPR: 21.574 LOC CODE: WC																			FET-FRAME	
																			GRT-GABLE	
																			PFN-PIER AND BE	
																			1BT-1 BATH	
																			=====	

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF12	50.0 FF/50.0 RF/130.0 DF LOTS	40.0		40.00		0%		Y	2,000	B2						
									=====							=====
									2,000							0

Comments

2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	19,481	B2	-1,953	21,434	B2	01H HOWARD COUNTY	0	24,509	.3275450		80.28		BSISDW
Impr Non Homesite +	3,028	B2	-84	3,112	B2	02B CITY OF BIG SPRING	0	24,509	.6731630		164.99		WC22
Land Homesite +	2,000	B2	0	2,000	B2	03B BIG SPRING ISD	0	24,509	1.0160000		249.01		
Total Market =	24,509		-2,037	26,546		052 HOWARD COLLEGE	0	24,509	.2367770		58.03		
Assessed =	24,509		-2,037	26,546		** ESTIMATED TOTAL					=====		
											552.31		

User PERMITS2

Print Date 2/3/2023 9:10:32 AM

Property ID : R000004254

Geo ID : B3180016300

Quick Link :



STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**CERTIFICATION
707 W 7TH CASE NOTES**

“This record, attached as **Exhibit E-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit E-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.



Notary Public, State of Texas

EXHIBIT E-2

03-17-2023 04:47 PM

TASK NOTES REPORT

TASK #: 114589
TASK CODE: INSPECT SUBSTANDARD
PROPERTY: 707 W 7TH ST

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 114589 - INSPECT SUBSTANDARD - 2/14/2023
2/2/2023 drove by and saw a structure that has broken windows, no door and tons of accumulation on the property. on 2/14/2023 I sent out notices for accumulate items, weedy lot and rodent. I have not gotten any response from property owner at this time
3/17/2023 drove by today and nothing has been done and nobody has contacted me on this property, and i took updated photos today. i will send it to legal for further action.

Task #: 114590 - SUBSTANDARD BLD - 2/14/2023

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY MALISSA GARCIA**

“With regard to the photographs in **Exhibit E-3 and Exhibit E-4** I am familiar with and recognize the scene depicted in the photographs. On February 2nd, 2023 and April 11th, 2023, I inspected the property described as:

Lot 12 , Block **11** in the EARLES Addition of Big Spring, Howard County,
Texas, also known as **707 W 7TH**, Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.

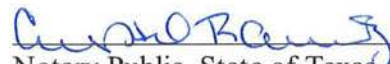

Notary Public, State of Texas

EXHIBIT E-3



2/ 2/2023 11:03



2/ 2/2023 11:03

EXHIBIT E-4

STATE OF TEXAS

§

COUNTY OF HOWARD

§

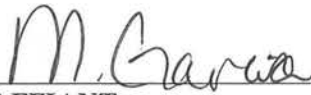
§

**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

“The document in **Exhibit E-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

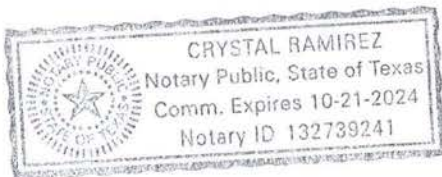
Certified Mail Return for **Exhibit E-6** is also attached.

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT E-5



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

707 W 7TH ST
Lot: 12 BK: 11 EARLES 955

February 14, 2023

Case No: 72265

JOANA AGUIRRE
703 FURNEAUX ST
SUDAN TX 79371

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
High weeds and grass, needs to be mowed to the center of the easement including alley and curb line. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

MALISSA GARCIA
Name

(432)264-2506
Phone

Code Compliance
Department

mgarcia@mybigspring.com
E-mail

property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in blue ink that reads "M. Garcia". The signature is written in a cursive, flowing style.

Code Compliance Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

707 W 7TH ST
Lot: 12 BK: 11 EARLES 955

February 14, 2023

Case No: 72266

JOANA AGUIRRE
703 FURNEAUX ST
SUDAN TX 79371

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

There are several items (tires, window frames and piles of trash) that need to be removed from public view. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

MALISSA GARCIA

Name

Code Compliance

Department

(432)264-2506

Phone

mgarcia@mybigspring.com

E-mail

<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

M. Garcia

Code Compliance Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

707 W 7TH ST
Lot: 12 BK: 11 EARLES 955

February 14, 2023

Case No: 72267

JOANA AGUIRRE
703 FURNEAUX ST
SUDAN TX 79371

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and **Big Spring City Code Chapter 36** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.5 Rodent Harborage	Structures and exterior property shall be kept free from rodent harborage and infestation.
Big Spring City Code Sec. 36-62. Dumping, accumulating, etc., garbage and trash so as to afford food or harborage for rats.	No garbage, rubbish, waste, or manure shall be placed, left, dumped, or permitted to accumulate or remain in any building or premises in the city so that the same shall or may afford food for or a harboring or breeding place for rats.
Big Spring City Code Sec. 36.63 Accumulations of lumber, boxes, barrels, etc.	It shall be unlawful for any person to permit to accumulate on any premises, improved or unimproved, or on any open lot or alley in the city any lumber, boxes, barrels, bricks, or stones or similar materials that may be permitted to remain thereon, and that may be used as harborage by rats, unless same are placed on open racks and elevated not less than 18 inches above the ground with a clear intervening space beneath, to prevent the harborage of rats.

250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL. Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in blue ink that reads "M. Garcia".

Code Official
City of Big Spring, Texas



NOTICE OF VIOLATION AND NOTICE OF HEARING

707 W 7th St, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: LT 12 BK 11 EARLES 50X130 955 ACQ 08192021
BLK/TRACT 11 0.149 ACRES

March 31, 2023

Joana Aguirre
707 W 7th St
Big Spring, TX 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Sec. 304.15 Doors.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.1.1 Unsafe Conditions (4),(7),(8)

Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.

Seven (7) days from date of mailing

Code Compliance seeks an order to demolish and remove the structure on the east side of the property.

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Compliance

Department

432-264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:

- 1. To call and examine witnesses on any matter relevant to the issues of the hearing;

2. To introduce documentary and physical evidence;
 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

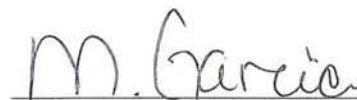
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink that reads "M. Garcia". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Malissa Garcia, Code Enforcement Officer
City of Big Spring, Texas

EXHIBIT E-6

7022 2410 0003 2470 6693

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
Sudan, TX 79371	
Certified Mail Fee	\$4.15
\$	\$7.25
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.87
\$	\$8.37
Total Postage and Fees	\$8.37
\$	
Sent To	Joana Aguirre
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions	

03/31/2023 0475 03

Postmark Here

USPS Tracking®

FAQs >

Tracking Number:

Remove X

70222410000324706693

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 1:00 pm on April 5, 2023 in SUDAN, TX 79371.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivered

Delivered, Front Desk/Reception/Mail Room

SUDAN, TX 79371
April 5, 2023, 1:00 pm

See All Tracking History

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

Feedback

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

"The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit B-8**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

This notice was also published in the Big Spring Herald on March 29th, 2023."

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

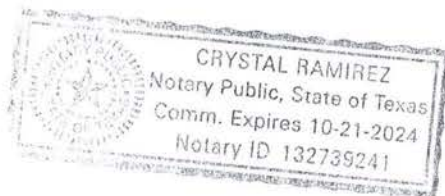


EXHIBIT E-7



4/ 4/2023 15:37



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official

506 NE 8TH STREET

CODE COMPLIANCE: KALEB SMITH

STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**AFFIDAVIT OF KALEB SMITH
CONCERNING 506 NE 8TH**

BEFORE ME, the undersigned authority, on this day, personally appeared **KALEB SMITH**, who, being by me duly sworn, deposed as follows:

“My name is KALEB SMITH. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

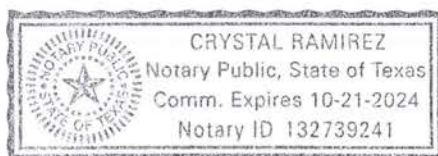
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **506 NE 8TH**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT G-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

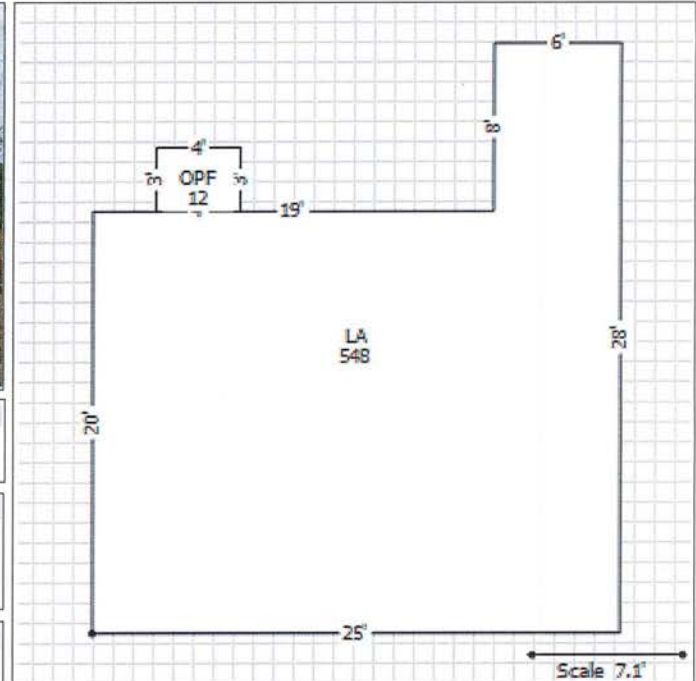
Property ID : R000046854

Geo ID : 51442024900

1/1

Ownership
RODRIGUEZ RAMON
2009 W. COUNTY RD UNIT A MIDLAND, TX 79706

Exemptions/Deed
INST: 2015-00003707 VOL: 1459 PAGE: 232 DATE: 5/27/2015



Legal Information
LEGAL: SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 SITUS: 506 NE 8TH ACRES:0.141 ALT:46854 XREF:46854.1
UNCERTIFIED

Appraisal Coding
Appr By CLARISSA Appr Dt 09/04/20 Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
5/27/15		1459	232	2015-00003707	5/27/15	++++++	++++++	RODRIGUEZ RAMON	RODRIGUEZ EVERARDO B
3/7/13		1318	712		3/7/13	++++++	++++++	RODRIGUEZ EVERARDO B	DE LA GARZA ELISEO JR ET

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation	%	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value
LA-LIVING AREA	Y	1960/NA	RS2F	548	96.48	52,871	0 VP	-85%		0%	0%	0%	100%	0%	-85.0%	*	7,931	AST-1 STORY	0
OPF-OPEN PORCH / PAT	Y	1925/NA	RS2F	12	5.79	69	0 VP	-95%		0%	0%	0%	100%	0%	-95.7%	*	3	CRM-COMPOSITION	0
				560		52,940											7,934	FET-FRAME	0
																		GRT-GABLE	0
																		MHC-MOIST AIR	0
																		PFN-PIER AND BE	0
																		1BT-1 BATH	0
																			0

SQFT MA: 548 MKT CSF MA: 17.69 CSF IMPR: 14.478 LOC CODE: NC

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF12	44.0 FF/44.0 RF/140.0 DF LOTS	40.0		40.00		0%		Y	1,760	A1						
									1,760							0

Comments

2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	7,934	A1	-766	8,700	A1	01H HOWARD COUNTY	0	9,694	.3275450		31.75		BSISD_NE
Land Homesite +	1,760	A1	0	1,760	A1	02B CITY OF BIG SPRING	0	9,694	.6731630		65.26		BSI_MAP2
Total Market =	9,694		-766	10,460		03B BIG SPRING ISD	0	9,694	1.0160000		98.49		NC22
Assessed =	9,694		-766	10,460		052 HOWARD COLLEGE	0	9,694	.2367770		22.95		
						** ESTIMATED TOTAL					218.45		

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

CERTIFICATION
506 NE 8TH CASE NOTES

"This record, attached as **Exhibit G-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

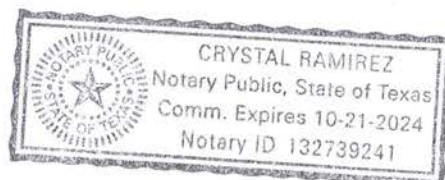
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit G-2** as the readout."

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT G-2

NOTES

Incident Notes:

Task #: 114593 - INSPECT SUBSTANDARD - 2/14/2023

2/14/2023 Structure is substandard. It has holes in the roof and the roof is sagging. There are broken and open windows and the front door is open. There is also a large crack on the exterior wall. Sent notice of violation.

3/17/2023 Inspected proeprty and found it to be in the same condition. Turned into legal to send substandard letter and abate and give citation.

Task #: 114594 - SUBSTANDARD BLD - 2/14/2023

EXHIBIT G-4



2023. 2. 9 11:41



2023. 2. 9 11:40







2023. 2. 9 11:41



2023. 2. 9 11:41

EXHIBIT G-4





2023. 3. 17 8:37

STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**CERTIFICATION
NOTICE SENT BY KALEB SMITH**

“The document in **Exhibit G-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

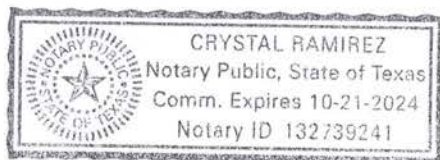
Certified Mail Return for **Exhibit G-6** is also attached.

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT G-5



NOTICE OF VIOLATION AND NOTICE OF HEARING

506 NE 8th Street, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: SC 42 BK 32 1N TR 29 WILLIAM B CURRIE
44X140 613 0.141 ACRES ACQ 05272015

March 31, 2023

Ramon Rodriguez
506 NE 8th Street
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Sec. 304.15 Doors.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.1.1 Unsafe Conditions (4),(7),(8)

Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations.

Corrective Action Required

Deadline for Compliance

The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.

Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the structure.

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

Code Compliance

Department

432-264-2508

Phone

ksmith@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action

that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;

6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith, Code Compliance
City of Big Spring, Texas

EXHIBIT G-6

7022 2410 0003 2470 6679

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

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

Big Springs, TX 79720

Certified Mail Fee	\$4.15
\$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.87

Total Postage and Fees \$8.37

Sent To Ramon Rodriguez
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®



Tracking Number:

Remove X

70222410000324706679

Copy

Add to Informed Delivery (https://informedelivery.usps.com/)

Latest Update

Your item departed our USPS facility in EL PASO TX DISTRIBUTION CENTER on April 5, 2023 at 4:23 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Moving Through Network
Departed USPS Regional Facility
EL PASO TX DISTRIBUTION CENTER
April 5, 2023, 4:23 pm

Arrived at USPS Regional Facility
EL PASO TX DISTRIBUTION CENTER
April 5, 2023, 2:05 pm

Vacant
BIG SPRING, TX 79720
April 1, 2023, 10:28 am

USPS in possession of item
BIG SPRING, TX 79720
March 31, 2023, 5:11 pm

Hide Tracking History

Feedback

Text & Email Updates	▼
USPS Tracking Plus®	▼
Product Information	▼
See Less ^	

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Feedback

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit G-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

This notice was also published in the Big Spring Herald on April 4th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

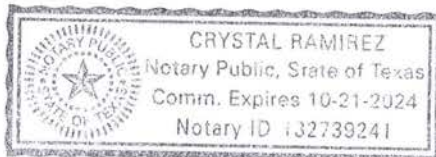


EXHIBIT G-7



111 N NOLAN STREET

CODE COMPLIANCE: KALEB SMITH

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**AFFIDAVIT OF KALEB SMITH
CONCERNING 111 N NOLAN ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **KALEB SMITH**, who, being by me duly sworn, deposed as follows:

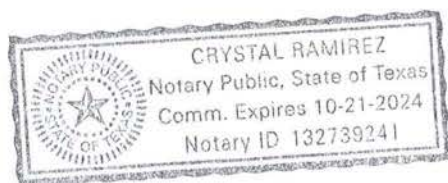
“My name is KALEB SMITH. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **111 N NOLAN ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.




Notary Public, State of Texas

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder, or mortgagee of the property described as:

Lot 12, Block 1 in the TENNYSON Addition of Big Spring, Howard County, Texas, also known as 111 N NOLAN ST, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **RAUL J RUBIO AND SARA RUBIO** is the owner of the property located at the above-described premises and their mailing address is **111 N NOLAN ST, Big Spring, Texas 79720** as shown in **Exhibit H-1**.

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

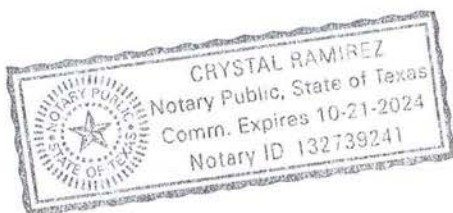


EXHIBIT H-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000009997

Geo ID : B5790001200

2/2

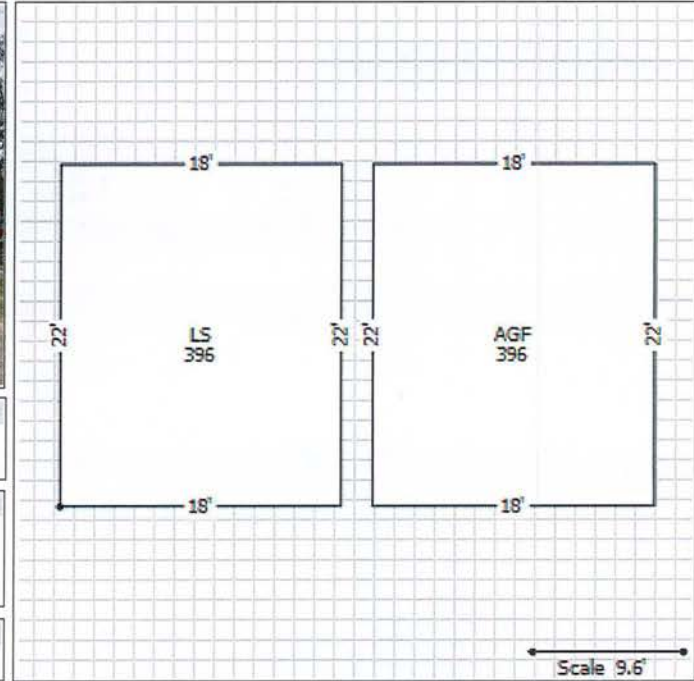
Ownership
RUBIO RAUL J RUBIO SARA 111 N NOLAN BIG SPRING, TX 79720-1623

Exemptions/Deed

Legal Information
LEGAL: LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES SITUS: 111 N NOLAN ACRES:0.161 ALT:9997 XREF:9997.1



Appraisal Coding	
Appr By CT	Appr Dt 03/04/21
Check By	Check Dt



Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation %	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value
LS-2ND FLOOR	Y	1928/NA	RS2F	396	102.00	40,392	0 VP	-95%		0%	-50%	0%	100%	0%	-97.5%	1,010	AST-1 STORY	0
AGF-ATTACHED GARAGE	Y	1928/NA	RS2F	396	34.00	13,464	0 VP	-95%		0%	-50%	0%	100%	0%	-97.5%	336	AUT-ALL	0
				=====		=====	=====									=====	CRM-COMPOSITION	0
				792		53,856	0									1,346	FET-FRAME	0
																	GRT-GABLE	0
																	MHC-MOIST AIR	0
																	SFN-SLAB	0
																	1BT-1 BATH	0
																	=====	0

SQFT MA: 396 MKT CSF MA: 42.859 CSF IMPR: 3.399 LOC CODE: NC

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	HS	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF12	50.0 FF/50.0 RF/140.0 DF LOTS	40.0		36.00	FCT,	-10%	-200	Y	1,800	A1						
									=====							=====
									1,800							0

Comments

	2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	15,172	A1	-166	15,338	A1		01H HOWARD COUNTY	13,818	0	.3275450		0.00		BSISD_NE
Land Homesite +	1,800	A1	0	1,800	A1		02B CITY OF BIG SPRING	10,000	3,818	.6731630		25.70		BSI_MAP2
Total Market =	16,972		-166	17,138			03B BIG SPRING ISD	13,818	0	1.0160000	2016	0.00		NC22
Hs Cap Loss -	3,154		-1,422	4,576			052 HOWARD COLLEGE	13,818	0	.2367770		0.00		
Assessed =	13,818		1,256	12,562			** ESTIMATED TOTAL					=====		
												25.70		

User PERMITS2

Print Date 2/15/2023 2:47:59 PM

Property ID : R000009997

Geo ID : B5790001200

Quick Link :



STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

CERTIFICATION
111 N NOLAN ST CASE NOTES

“This record, attached as **Exhibit H-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

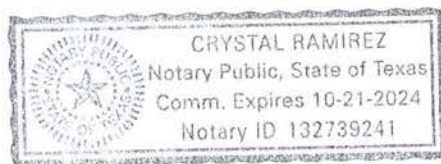
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit H-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT H-2

NOTES

Incident Notes:

Task #: 114630 - INSPECT SUBSTANDARD - 2/15/2023

2/15/2023 Accessory building in rear of property is in horrible condition and is in danger of collapsing. Needs to be demolished and removed.

3/28/2023 Inspected property and found the structure to be in the same condition. Turned into legal for substandard letter, abatement, and citations.

Task #: 114631 - SUBSTANDARD BLD - 2/15/2023

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

**CERTIFICATION
PHOTOGRAPHS TAKEN BY KALEB SMITH**

“With regard to the photographs in **Exhibits H-3 and H-4** I am familiar with and recognize the scene depicted in the photographs. On February 9, 2023, and March 27, 2023, I inspected the property described as:

LT 12, Block 1 in the TENNYSON Addition of Big Spring, Howard County, Texas, also known as **111 N NOLAN ST**, Big Spring, Texas

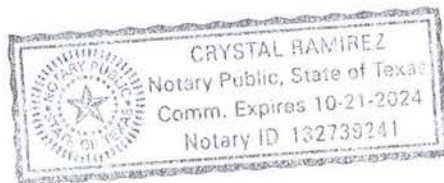
Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT H-3







2023. 2. 9 12:03



EXHIBIT H-4



2023. 3. 27 9:12

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
NOTICE SENT BY KALEB SMITH**

“The document in **Exhibit H-5** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit H-6** is also attached.

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

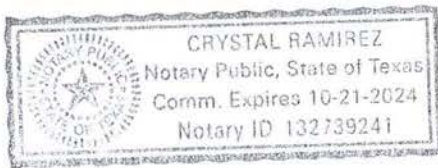


EXHIBIT H-5



NOTICE OF VIOLATION AND NOTICE OF HEARING

111 N NOLAN, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT
321N 0.161 ACRES

March 31, 2023

Raul J Rubio & Sara Rubio
111 N Nolan St
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC)** of Big Spring and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code

Sec. 111.1.5 (7) Hazardous structure or premises

The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

Sec. 304.13 Window, skylight and door frames

Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

Sec. 304.6 Exterior Walls

Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

Sec. 304.15 Doors.

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

- 304.1.1 Unsafe Conditions (4),(7),(8) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations.

Corrective Action Required

Deadline for Compliance

The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.

Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the garage/apartment in the back.

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

Code Compliance

Department

432-264-2508

Phone

ksmith@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720.** You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;

3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith, Code Compliance
City of Big Spring, Texas

EXHIBIT H-6

7022 2410 0003 2470 6570

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

For delivery information, visit our website at www.usps.com.
 B19 Springfield, IL 61720

Certified Mail Fee	\$4.15
\$	\$3.35
Extra Services & Fees (check box, add fee as appropriate)	
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00
Postage	\$0.87
\$	\$0.87
Total Postage and Fees	\$8.37
\$	\$8.37
Sent To <u>Raul & Sara Rubio</u>	
Street and Apt. No., or PO Box No.	
City, State, ZIP+4®	

0475
 06
 Postmark
 Here
 03/31/2023

USPS Tracking®

FAQs >

Tracking Number:

Remove X

70222410000324706570

Copy Schedule a Redelivery (<https://tools.usps.com/redelivery.htm>)

Latest Update

This is a reminder to arrange for redelivery of your item before April 15, 2023 or your item will be returned on April 16, 2023. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Delivery Attempt: Action Needed

Reminder to Schedule Redelivery of your item before April 15, 2023

April 6, 2023

Notice Left (No Authorized Recipient Available)

BIG SPRING, TX 79720

April 1, 2023, 9:27 am

USPS in possession of item

BIG SPRING, TX 79720

March 31, 2023, 4:56 pm

Hide Tracking History

Text & Email Updates



Schedule Redelivery



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Feedback

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit H-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4,2023.

This notice was also published in the Big Spring Herald on March 29th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas

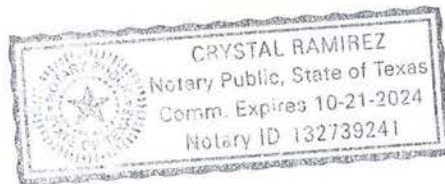


EXHIBIT H-7



4/ 4/2023 14:55



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official

1710 YOUNG STREET

CODE COMPLIANCE: ASHLEY GUERRA

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**AFFIDAVIT OF ASHLEY GUERRA
CONCERNING 1710 Young St**

BEFORE ME, the undersigned authority, on this day, personally appeared **ASHLEY GUERRA**, who, being by me duly sworn, deposed as follows:

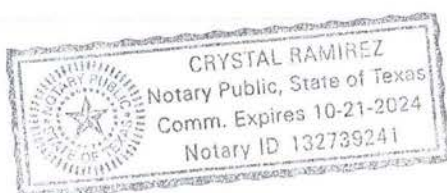
“My name is ASHLEY GUERRA. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

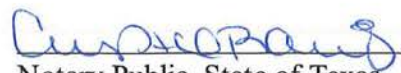
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **1710 Young St**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6th day of April 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6th day of April 2023 by the above referenced Affiant.




Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder,
or mortgagee of the property described as:

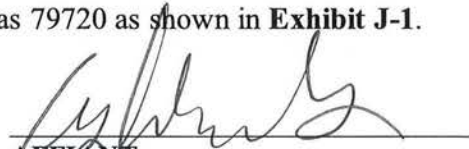
LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES, Big Spring,
Howard County, Texas, also known as **1710 Young St**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **TROY V. LITTLE AND JESSIE LEE LITTLE** are the owners of the property located at the above-described premises and their mailing address is **1708 Young St**, Big Spring, Texas 79720 as shown in **Exhibit J-1**.

SIGNED on the 6TH day of APRIL 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.


Notary Public, State of Texas



EXHIBIT J-1

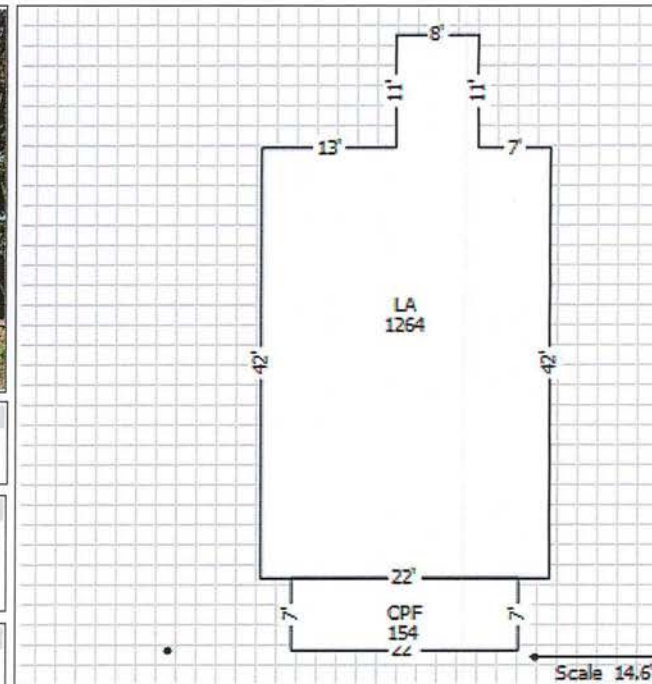
HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000006408

Geo ID : B4230000900

Ownership LITTLE TROY V 1708 YOUNG BIG SPRING, TX 79720

Exemptions/Deed



Legal Information LEGAL: LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES SITUS: 1710 YOUNG ACRES:0.147 ALT:6408 XREF:6408.1 UNCERTIFIED	Appraisal Coding Appr By CT Appr Dt 02/03/21 Check By Check Dt
---	--

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation	%	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Va
LA-LIVING AREA	Y 1955/NA	RS3F	1,264	97.34	123,038	0 VP	-86%	0%	0%	0%	0%	0%	100%	0%	-86.0% *	17,225	AST-1 STORY	
CPF-COVERED PORCH FR	Y 1955/NA	RS3F	154	14.60	2,249	0 VP	-86%	0%	0%	0%	0%	0%	100%	0%	-86.0% *	315	AUT-ALL	
			=====		=====	=====										=====		
			1,418		125,287	0										17,540	CRM-COMPOSITION	
																	EHC-WALL	
																	FET-FRAME	
																	GRT-GABLE	
																	PFN-PIER AND BE	
																	1BT-1 BATH	

SQFT MA: 1264 MKT CSF MA: 17.199 CSF IMPR: 13.877 LOC CODE: GD

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr-Grant	Units	Cpu Spec V
LFF18	60.0 FF/60.0 RF/107.0 DF LOTS	70.0		70.00		0%		Y	4,200	A1					
									=====						
									4,200						

Comments

	2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	17,540	A1	-645	18,185	A1		01H HOWARD COUNTY	0	21,740	.3275450		71.21	NOTE20NEW	NQ
Land Homesite +	4,200	A1	0	4,200	A1		02B CITY OF BIG SPRING	0	21,740	.6731630		146.35		BSISDE
Total Market =	21,740		-645	22,385			03B BIG SPRING ISD	0	21,740	1.0160000		220.88		GD22
Assessed =	21,740		-645	22,385			052 HOWARD COLLEGE	0	21,740	.2367770		51.48		
							** ESTIMATED TOTAL					=====		
												489.92		

User PERMITS2 Print Date 1/19/2023 9:31:08 AM

Property ID : R000006408

Geo ID : B4230000900

Quick Link :



STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

CERTIFICATION
1710 Young St CASE NOTES

“This record, attached as **Exhibit J-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

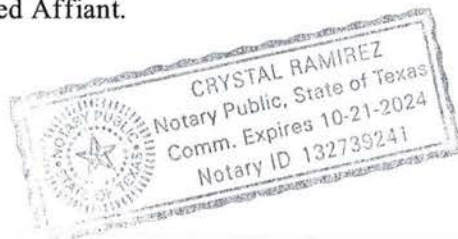
Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit J-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT J-2

13-2023 03:48 PM

INCIDENT NOTES REPORT

IDENT #: 72259

ORIG. DATE:

IDENT CODE: 300-0002 SUBSTND BLD

PROPERTY: 1710 YOUNG ST

TES

Incident Notes:

ON 1-18-2023 NOYICED 1710 YOUNG WAS SUB/S WL ,RO, AI

THE OWNER OF THE PROPERTY IS LITTLE TROY

VIOLATION LETTERS WENT OUT ON 2-13-23

Task #: 114571 - INSPECT SUBSTANDARD - 2/13/2023

Task #: 114572 - SUBSTANDARD BLD - 2/13/2023

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

**CERTIFICATION
PHOTOGRAPHS TAKEN BY ASHLEY GUERRA**

“With regard to the photographs in **Exhibit J-3** I am familiar with and recognize the scene depicted in the photographs. On January 18th, 2023 and April 11th, 2023, I inspected the property described as:

LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES, Big Spring, Howard County, Texas, also known as 1710 Young St, Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.




Notary Public, State of Texas

EXHIBIT J-3



1/18/2023 15:14



1/18/2023 15:15



STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**CERTIFICATION
NOTICE SENT BY ASHLEY GUERRA**

“The document in **Exhibit J-4** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit J-5** is also attached.

SIGNED on the 6TH day of APRIL, 2023.


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



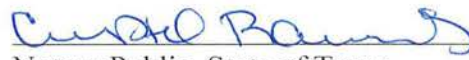

Notary Public, State of Texas

EXHIBIT J-4



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1710 YOUNG ST
Lot: 3 BK: 2 MANNING 1025

February 13, 2023

Case No: 72263

TROY LITTLE
1708 YOUNG ST
BIG SPRING TX 79720-5615

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and **Big Spring City Code Chapter 36** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.5 Rodent Harborage	Structures and exterior property shall be kept free from rodent harborage and infestation.
Big Spring City Code Sec. 36-62. Dumping, accumulating, etc., garbage and trash so as to afford food or harborage for rats.	No garbage, rubbish, waste, or manure shall be placed, left, dumped, or permitted to accumulate or remain in any building or premises in the city so that the same shall or may afford food for or a harboring or breeding place for rats.
Big Spring City Code Sec. 36.63 Accumulations of lumber, boxes, barrels, etc.	It shall be unlawful for any person to permit to accumulate on any premises, improved or unimproved, or on any open lot or alley in the city any lumber, boxes, barrels, bricks, or stones or similar materials that may be permitted to remain thereon, and that may be used as harborage by rats, unless same are placed on open racks and elevated not less than 18 inches above the ground with a clear intervening space beneath, to prevent the harborage of rats.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

**Deadline for
Compliance**

Corrective Action Required

There are accumulated items including (house furniture ,TREE BRANCHES AND TRASH) on property that present conditions for rat harborage if problems persist criminal charges will be filed .

Seven (7) days from
date of mailing

For further information about this notice, please contact the following person:

Issued by

ASHLEY GUERRA

Name

Code Compliance

Department

432-264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

**FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY
RESULT IN FINE.**

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

**FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY
RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY
OWNER(S) WITH COSTS AND PENALTIES.**

If you fail to take the corrective action within the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date of this notice.

you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL. Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashley', with a long horizontal stroke extending to the right.

Code compliance
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1710 YOUNG ST
Lot: 3 BK: 2 MANNING 1025

February 13, 2023

Case No: 72262

TROY LITTLE
1708 YOUNG ST
BIG SPRING TX 79720-5615

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.1 Sanitation	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
There are several items (OLD COUCH ,TREE Branches and trash) that need to be removed from public view. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

ASHLEY GUERRA

Name

Code Compliance

Department

432-264-2505

Phone

aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES.

If you fail to take the corrective action within the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at

310 Nolan St., Big Spring, Texas and available online for free at
<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to be 'Ashley' followed by a large, stylized flourish.

Code Compliance
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1710 YOUNG ST
Lot: 3 BK: 2 MANNING 1025

February 13, 2023

Case No: 72261

TROY LITTLE
1708 YOUNG ST
BIG SPRING TX 79720-5615

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
High weeds and grass needs to be mowed to the center of the easement including alley and curb line. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

ASHLEY GUERRA

Name

Code Compliance

Department

432-264-2505

Phone

Aguerra@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES. If you fail to take the corrective action within the deadlines stated above, the City may proceed with abatement (taking the corrective action for you). If so, the City will send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

ANNUAL NOTICE FOR WEEDS. If a violation covered by this notice occurs before the first anniversary of the date of this notice, and the City had not been informed in writing by the owner of an ownership change, then the City, without further notice, may take the corrective action and charge the abatement costs to the owner and file the lien as above.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the

property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to read "Ashley L. Smith", written over a horizontal line.

Code Compliance Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

1710 YOUNG ST BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 3 & 1.25X60 BK 2 MANNING
60X170 1025 0.147 ACRES

March 31, 2023

Troy Little & Jessie Little
1710 Young St
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the Property Maintenance Code (PMC) of Big Spring and the Big Spring Zoning Ordinance have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Sec. 304.15 Doors.	Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Page 287 of 450

Section 702.3.

304.1.1 Unsafe Conditions (4),(7)	Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.
-----------------------------------	---

The following actions are required to correct these violations.

Corrective Action Required	Deadline for Compliance
The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Secure building so it is not an attractive nuisance to children or other persons.	Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the structure.

For further information about this notice, please contact the following person:

Issued by

Ashley Guerra	Code Compliance
<i>Name</i>	<i>Department</i>
432-264-2505	aguerra@mybigspring.com
<i>Phone</i>	<i>E-mail</i>

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the

amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

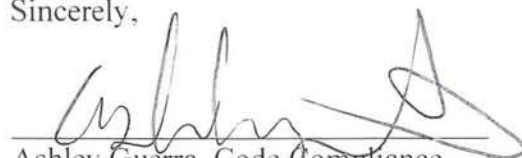
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ashley Guerra', is written over a horizontal line.

Ashley Guerra, Code Compliance
City of Big Spring, Texas

EXHIBIT J-5

7022 2410 0003 2470 6631

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

For delivery information, visit our website at www.usps.com.
 Big Spring, TX 79720

Certified Mail Fee	\$4.15
	\$3.35
Extra Services & Fees (check box, add fee if appropriate)	\$0.00
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage	\$0.63
Total Postage and Fees	\$8.13

0475
 06
 Postmark
 Here
 03/31/2023

Sent To Troy & Jessie Lee Little
 Street and Apt. No., or PO Box No.
 City, State, ZIP+4®

USPS Tracking®

FAQs >

Tracking Number:

Remove X

70222410000324706631

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your package will arrive later than expected, but is still on its way. It is currently in transit to the next facility.

Get More Out of USPS Tracking:

USPS Tracking Plus®

Feedback

Moving Through Network

In Transit, Arriving Late

April 5, 2023

Departed USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

April 4, 2023, 10:20 pm

Arrived at USPS Regional Facility

MIDLAND TX DISTRIBUTION CENTER

April 4, 2023, 4:48 pm

Departed USPS Regional Facility

EL PASO TX DISTRIBUTION CENTER

April 3, 2023, 12:57 pm

Arrived at USPS Regional Facility

EL PASO TX DISTRIBUTION CENTER

April 2, 2023, 1:44 pm

Vacant

BIG SPRING, TX 79720
April 1, 2023, 8:15 am

USPS in possession of item
BIG SPRING, TX 79720
March 31, 2023, 4:59 pm

Hide Tracking History

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Feedback

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

EXHIBIT J-6

STATE OF TEXAS

§
§
§

COUNTY OF HOWARD

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11th, 2023**, attached as **Exhibit J-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 6, 2023.

This notice was also published in the Big Spring Herald on March 29th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.

Notary Public, State of Texas



Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official

602 ABRAMS STREET

CODE OFFICER: MALISSA GARCIA

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**AFFIDAVIT OF MALISSA GARCIA
CONCERNING 602 ABRAMS ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **MALISSA GARCIA**, who, being by me duly sworn, deposed as follows:

“My name is MALISSA GARCIA. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **602 ABRAMS ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.

Notary Public, State of Texas

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

“I made a reasonable effort to determine the identity and address of an owner, lienholder, or mortgagee of the property described as:

LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896
BLK/TRACT 15 0.149 ACRES ACQ 04082019, Big Spring, Howard County,
Texas, also known as **602 ABRAMS ST**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **Ezequiel Noel Adame & Francisco Adame III** are the owners of the property is the owner of the property located at the above-described premises and their mailing address is 515 Goliad, Big Spring, TX 79720, as shown in **Exhibit K-1**.

SIGNED on the 6TH day of APRIL 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.

Notary Public, State of Texas

EXHIBIT K-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000004271

Geo ID : B3180018000

Ownership
ADAME EZEQUIEL NOEL
ADAME FRANCISCO III
515 GOLIAD
BIG SPRING, TX 79720

Exemptions/Deed
INST: 2019-00003696
VOL: 1812
PAGE: 666
DATE: 4/8/2019



Legal Information
LEGAL: LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES
ACQ 04082019
SITUS: 602 ABRAMS
ACRES:0.149
ALT:4271
XREF:4271.1

UNCERTIFIED

Appraisal Coding
Appr By JD
Appr Dt 10/11/21
Check By
Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
4/8/19		1812	666	2019-00003696	4/8/19	++++++	++++++	ADAME EZEQUIEL NOEL	ADAME DIANA
4/4/19		1811	758	2019-00003532	4/4/19	++++++	++++++	ADAME DIANA	JUAREZ ARTHUR
3/14/14		1385	484	2014-00001901	3/14/14	++++++	++++++	JUAREZ ARTHUR	JUAREZ RUBY

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation %	Condition	%	F%	Ec%	Cpl%	Loc%	Net Adj%	Value
LA-LIVING AREA	Y	1920/NA	RS2F	1,064	81.92	87,163	0 VP	-95%	0%	-30%	0%	100%	0%	0%	-96.5%	3,051
CPF-COVERED PORCH FR	Y	1920/NA	RS2F	120	12.29	1,475	0 VP	-95%	0%	-30%	0%	100%	0%	0%	-96.5%	52
				=====		=====	=====									=====
				1,184		88,638	0									3,103

Feature Code	Cpsf /
AST-1 STORY	
AUT-ALL	
CRM-COMPOSITION	
EHC-WALL	
FET-FRAME	
GRT-GABLE	
PFN-PIER AND BE	
1BT-1 BATH	

SQFT MA: 1064 MKT CSF MA: 4.796 CSF IMPR: 2.916 LOC CODE: WC

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec
LFF12	50.0 FF/50.0 RF/130.0 DF LOTS	40.0		40.00		0%		Y	2,000	A1						
									2,000							

Comments

2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Code
Impr Homesite +	3,103	A1	-258	3,361	A1	01H HOWARD COUNTY	0	5,103	.3275450		16.71	HSAPPNOT17	BSISDW
Land Homesite +	2,000	A1	0	2,000	A1	02B CITY OF BIG SPRING	0	5,103	.6731630		34.35	HSAPPNOT18	WC22
Total Market =	5,103		-258	5,361		03B BIG SPRING ISD	0	5,103	1.0160000	2010	51.85	HSAPPNOT19	
Assessed =	5,103		-258	5,361		052 HOWARD COLLEGE	0	5,103	.2367770		12.08	GB20	
						** ESTIMATED TOTAL					114.99	HSAPPNOT20	

User PERMITS2

Print Date 2/3/2023 9:01:09 AM

Property ID : R000004271

Geo ID : B3180018000

Quick Link :



STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

CERTIFICATION
602 ABRAMS ST CASE NOTES

“This record, attached as **Exhibit K-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit K-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.

Notary Public, State of Texas

EXHIBIT K-2

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY MALISSA GARCIA**

“With regard to the photographs in **Exhibit K-3** I am familiar with and recognize the scene depicted in the photographs. On February 2, 2023, I inspected the property described as:

LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896
BLK/TRACT 15 0.149 ACRES ACQ 04082019 Big Spring, Howard County,
Texas, also known as **602 ABRAMS ST**, Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.

Notary Public, State of Texas

EXHIBIT K-3







2/ 2/2023 10:53

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
NOTICE SENT BY MALISSA GARCIA**

“The document in **Exhibit K-4** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit K-5** is also attached.

SIGNED on the 6TH day of APRIL, 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.

Notary Public, State of Texas

EXHIBIT K-4



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

602 ABRAMS ST
Lot: 2 BK: 15 EARLES

February 13, 2023

Case No: 72251

FRANCISCO ADAME
515 N GOLIAD ST
BIG SPRING TX 79720-1438

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

There are several items (shingles tons of tree limbs, pile of sheet rock and tons of trash) that need to be removed from public view. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.

Deadline for Compliance

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

MALISSA GARCIA

Name

Code Compliance

Department

(432)264-2506

Phone

mgarcia@mybigspring.com

E-mail

<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in blue ink that reads "M. Garcia". The "M" is stylized with a large loop, and "Garcia" is written in a cursive script.

Code Compliance Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

602 ABRAMS ST
Lot: 2 BK: 15 EARLES

February 13, 2023

Case No: 72250

FRANCISCO ADAME
515 N GOLIAD ST
BIG SPRING TX 79720-1438

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
High weeds and grass, needs to be mowed to the center of the easement including alley and curb line. This is the only notice you will receive for the next 12 months. If problem persists, criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

MALISSA GARCIA

Name

Code Compliance

Department

(432)264-2506

Phone

mgarcia@mybigspring.com

E-mail

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in blue ink that reads "M. Garcia". The signature is written in a cursive, flowing style.

Code Compliance Officer
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

602 ABRAMS ST
Lot: 2 BK: 15 EARLES

February 13, 2023

Case No: 72258

FRANCISCO ADAME
515 N GOLIAD ST
BIG SPRING TX 79720-1438

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and **Big Spring City Code Chapter 36** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.5 Rodent Harborage	Structures and exterior property shall be kept free from rodent harborage and infestation.
Big Spring City Code Sec. 36-62. Dumping, accumulating, etc., garbage and trash so as to afford food or harborage for rats.	No garbage, rubbish, waste, or manure shall be placed, left, dumped, or permitted to accumulate or remain in any building or premises in the city so that the same shall or may afford food for or a harboring or breeding place for rats.
Big Spring City Code Sec. 36.63 Accumulations of lumber, boxes, barrels, etc.	It shall be unlawful for any person to permit to accumulate on any premises, improved or unimproved, or on any open lot or alley in the city any lumber, boxes, barrels, bricks, or stones or similar materials that may be permitted to remain thereon, and that may be used as harborage by rats, unless same are placed on open racks and elevated not less than 18 inches above the ground with a clear intervening space beneath, to prevent the harborage of rats.

250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL. Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in blue ink that reads "M. Garcia". The signature is written in a cursive, flowing style.

Code Official
City of Big Spring, Texas

EXHIBIT K-5

7022 2410 0003 2470 6655

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

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

Big Springs, TX 79720

Certified Mail Fee \$4.15
\$
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 \$0.63
\$
Total Postage and Fees \$8.13
\$

0475
06

Postmark
Here

03/31/2023

Sent To Ezequiel Noel Adame & Francisco Adame
Street and Apt. No. or PO Box No.
City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions



FAQs >

Tracking Number:

Remove X

70222410000324706655

Copy Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item departed our USPS facility in EL PASO TX DISTRIBUTION CENTER on April 5, 2023 at 5:37 pm. The item is currently in transit to the destination.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Feedback

Moving Through Network

Departed USPS Regional Facility
EL PASO TX DISTRIBUTION CENTER
April 5, 2023, 5:37 pm

Arrived at USPS Regional Facility
EL PASO TX DISTRIBUTION CENTER
April 5, 2023, 2:10 pm

Rescheduled to Next Delivery Day
BIG SPRING, TX 79720
April 3, 2023, 4:57 pm

Redelivery Scheduled for Next Business Day
BIG SPRING, TX 79720
April 1, 2023, 11:41 am

USPS in possession of item
BIG SPRING, TX 79720
March 31, 2023, 5:05 pm

Hide Tracking History

Text & Email Updates



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Feedback

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit K-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4th, 2023.

This notice was also published in the Big Spring Herald on April 4th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.

Notary Public, State of Texas

EXHIBIT K-6



Code Enforcement

317 E. 3rd St., Big Spring, Texas

**NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON APRIL 11th, 2023 AT 5:30 P.M. IN THE CITY CLERK'S OFFICE, 317 E. 3rd ST., BIG SPRING, TEXAS 79720 TO CONSIDER THE PROPOSED ZONING CHANGES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. THE CITY COUNCIL WILL THEN MAKE A DETERMINATION WILL BE MADE AND THE FOLLOWING PROPERTIES:

- 2064 JOHNSON ST, BIG SPRING, TEXAS 79720 - 8.04 ACRES - ACQ 94302015 8.161 ACRES - OWNER: JAMES C. JOHNSON
- 2294 JOHNSON ST, BIG SPRING, TEXAS 79720 - 10.01 ACRES - 1425 0.321 ACRES - OWNER: SHIRLEY E. JOHNSON
- 711 E. 16th ST, BIG SPRING, TEXAS 79720 - LT 12 BLK 7 TRACT 19 0.161 ACRES - OWNER: ELLIOT V. JOHNSON
- 817 N. GOLIAD ST, BIG SPRING, TEXAS 79720 - CURRIE 40X160 819 ACQ 87312014 BLK 7 TRACT 19 0.161 ACRES - OWNER: ELLIOT V. JOHNSON
- 707 W 7th ST, BIG SPRING, TEXAS 79720 - LT 12 BLK 7 TRACT 11 0.149 ACRES - OWNER: JOANA AGUIAR
- 287 EDWARDS BLVD, BIG SPRING, TEXAS 79720 - 0812021 BLK 7 TRACT 11 0.149 ACRES - OWNER: JOANA AGUIAR
- 506 S.E. 8th, BIG SPRING, TEXAS 79720 - SC 42 BK 27 LT 12 0.141 ACRES ACQ 05272015 - OWNER: RAMON OLIVERA
- 111 S. NOLAN ST, BIG SPRING, TEXAS 79720 - LT 12 BK 27 TRACT 11 0.141 ACRES - OWNER: RAUL L. RUBIO AND LUCY L. RUBIO
- 444 E. 2nd ST, BIG SPRING, TEXAS 79720 - LT 12 BK 27 TRACT 11 0.141 ACRES - OWNER: L.L. MILLER
- 1710 YOUNG ST, BIG SPRING, TEXAS 79720 - LT 12 BK 27 TRACT 11 0.141 ACRES - OWNER: TROY V. LITTLE AND JENNIE L. LITTLE

4/ 4/2023 15:35



NOTICE OF VIOLATION AND NOTICE OF HEARING

602 ABRAMS, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT
17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019

March 31, 2023

Ezequiel Noel Adame & Francisco Adame, III
602 Abrams
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC)** of Big Spring and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.

304.1.1 Unsafe Conditions (4),(7),(8) Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.	Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the structure.

For further information about this notice, please contact the following person:

Issued by

Malissa Garcia

Name

Code Compliance

Department

432-264-2506

Phone

mgarcia@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and the City will review the case and rule on the City's request to abate the

nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023, at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.

- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

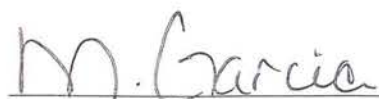
NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Malissa Garcia Code Enforcement Officer

1004 E 11TH PLACE

CODE COMPLIANCE: KALEB SMITH

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**AFFIDAVIT OF KALEB SMITH
CONCERNING 1004 E 11TH PLACE**

BEFORE ME, the undersigned authority, on this day, personally appeared **KALEB SMITH**, who, being by me duly sworn, deposed as follows:

“My name is KALEB SMITH. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

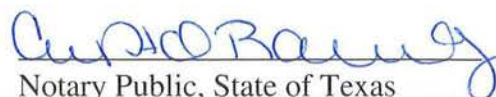
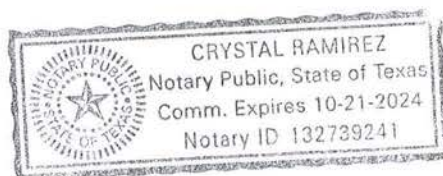
“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **1004 E 11TH PLACE**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.



Notary Public, State of Texas

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

“I made a reasonable effort to determine the identity and address of an owner, lienholder,
or mortgagee of the property described as:

Lot 3, Block 26 in the COLE & STRAYHORN Addition of Big Spring, Howard
County, Texas, also known as **1004 E 11TH PLACE**, Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **MICHAEL WAYNE MULLER** is the
owner of the property located at the above-described premises and their mailing address is **7384
Wake Forest Dr, Eastvale, CA 92880**, as shown in **Exhibit L-1**.

SIGNED on the 6TH day of APRIL 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above
referenced Affiant.


Notary Public, State of Texas

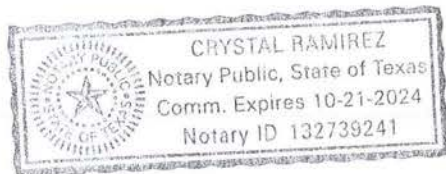


EXHIBIT L-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000002481

Geo ID : B2880025100

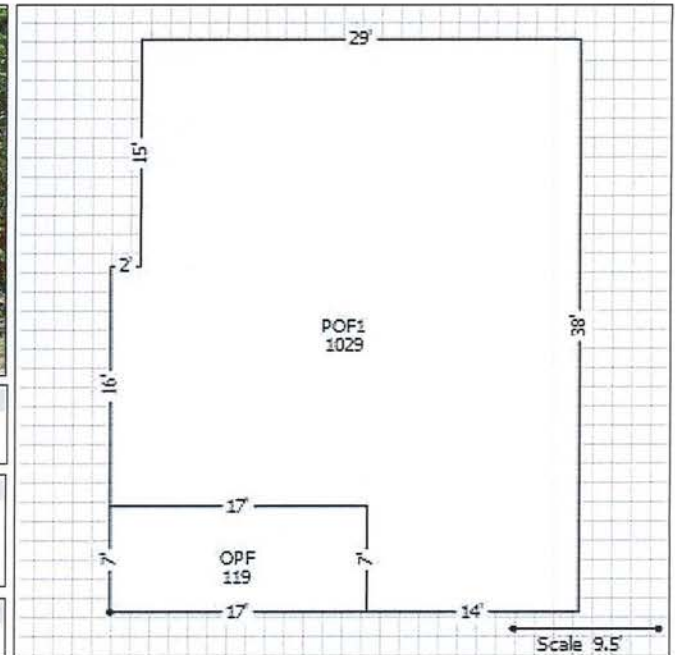
1/1

Ownership	Exemptions/Deed
MULLER MICHAEL WAYNE 7384 WAKE FOREST DR. EASTVALE, CA 92880	INST: 2021-00000335 VOL: 1966 PAGE: 142 DATE: 1/15/2021

Legal Information
LEGAL: LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES SITUS: 1004 11TH PLACE ACRES:0.161 ALT:2481 XREF:2481.1
UNCERTIFIED



Appraisal Coding
Appr By WA Appr Dt 04/12/21 Check By Check Dt



Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
1/12/21		1966	142	2021-00000335	1/15/21	+++++	+++++	MULLER MICHAEL WAYNE	KOERBER JIM
9/3/10		1190	547	0	9/3/10	+++++	+++++	KOERBER JIM	HANSEN LELA A

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Building Code	Hs	Year/Eff Yr	Class	Sqft	Cpsf	Buildings	Features	Depreciation %	Condition	%	Fn%	Ec%	Cpl%	Loc%	Net Adj%	Value	Feature Code	Cpsf / Value
POF1-WOOD OFFICE LOW	N	1950/NA	POF1	1,029	71.50	73,574	0 CVP	-80%	0%	-75%	0%	100%	0%	0%	-95.0%	3,679	AHC-CEN HT AIR	0
OPF-OPEN PORCH / PAT	N	1950/NA	POF1	119	4.29	511	0 CVP	-80%	0%	-75%	0%	100%	0%	0%	-94.9%	26	AST-1 STORY	0
STG2F-AVG QUALITY ST	N	1950/NA	POF1	90	11.00	990	0 CVP	-80%	0%	-75%	0%	100%	0%	0%	-94.9%	50	AUT-ALL	0
				=====		=====	=====									=====	BFP-MASONARY	0
				1,238		75,075	0										CRM-COMPOSITION	0
																	GRT-GABLE	0
																	MET-MASONRY	0
																	PFN-PIER AND BE	0
																	1BT-1 BATH	0
																	=====	0
																		0

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd	Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF41	50.0 FF/50.0 RF/140.0 DF LOTS	200.0		200.00		0%		N	10,000	F1							
									=====								=====
									10,000								0

Comments

2023	Ptd	Change +/-	Prior	2022	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Non Homesite +	3,755	F1	0	3,755	F1	01H HOWARD COUNTY	0	13,755	.3275450		45.05	MULTI	BSISDE
Land Non Homesite +	10,000	F1	0	10,000	F1	02B CITY OF BIG SPRING	0	13,755	.6731630		92.59	22F	GD22
Total Market =	13,755		0	13,755		03B BIG SPRING ISD	0	13,755	1.0160000		139.75		
Assessed =	13,755		0	13,755		052 HOWARD COLLEGE	0	13,755	.2367770		32.57		
						** ESTIMATED TOTAL					=====		
											309.96		

User PERMITS2

Print Date 1/27/2023 2:20:22 PM

Property ID : R000002481

Geo ID : B2880025100

Quick Link :



STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
1004 E 11TH PLACE CASE NOTES**

“This record, attached as **Exhibit L-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

Making this record was a regular practice of that activity.

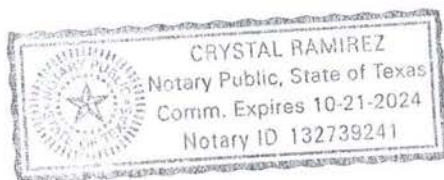
1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit L-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas

EXHIBIT L-2

NOTES

Incident Notes:

Task #: 114380 - INSPECT SUBSTANDARD - 1/27/2023

1/27/2023 Received complaint about property. Found it to be in substandard condition. The roof is caving in and is missing in many areas. The wall on the front of the house is cracked and bulging out.

2/7/2023 Inspected property and found nothing had been done to bring it into compliance.

Task #: 114381 - SUBSTANDARD BLD - 1/27/2023

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY KALEB SMITH**

“With regard to the photographs in **Exhibit L-3, Exhibit L-4, Exhibit L-5 and Exhibit L-6**
I am familiar with and recognize the scene depicted in the photographs. On and January 13th,
2023, February 7th, 2023, February 21st, 2023 and April 11th, 2023 I inspected the property
described as:

LT 3, Block 26 in the COLE & STRAYHORN Addition of Big Spring, Howard
County, Texas, also known as **1004 E 11TH PLACE**, Big Spring, Texas

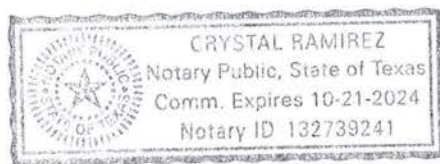
Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above
referenced Affiant.





Notary Public, State of Texas

EXHIBIT L-3



2023. 1. 13 16:09



2023. 1. 13 16:10



2023. 1. 13 16:11



2023. 1. 13 16:08



2023. 1. 13 16:07



2023. 1. 13 16:07



2023. 1. 13 16:07





EXHIBIT L-4



2023. 2. 7 14:24



2023. 2. 7 14:24





2023. 2. 7 14:24



2023. 2. 7 14:26







2023. 2. 7 14:26



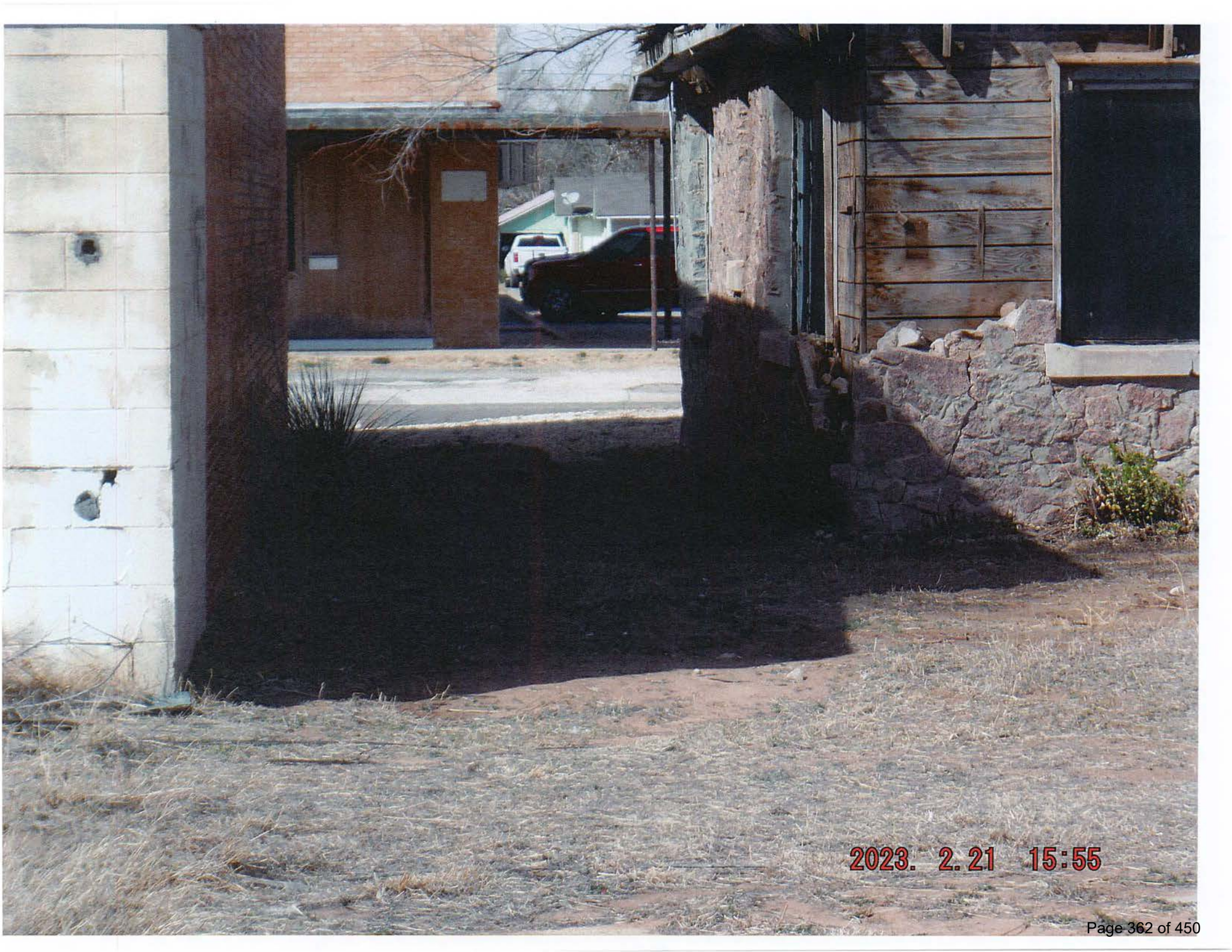
2023. 2. 7 14:26

EXHIBIT L-5





2023. 2. 21 15:55



2023. 2. 21 15:55

EXHIBIT L-6

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
NOTICE SENT BY KALEB SMITH**

“The document in **Exhibit L-7** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit L-8** is also attached.

SIGNED on the 6TH day of APRIL, 2023.

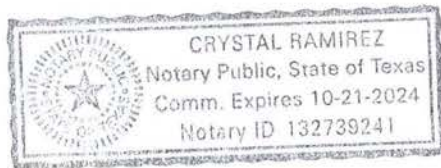


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas





Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1004 E 11TH PL

Lot: 3 BK: 26 COLE & STRAYHORN PARCEL 132

January 27, 2023

Case No: 72165

MICHAEL MULLER
7384 WAKE FOREST DR.
EASTVALE CA 92880

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

There are several items (scrap metal, tires, scrap wood, tree trimmings, and tons of accumulated items) that needs to be removed from public view. If problem persists criminal charges will be filed.

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

Code Compliance

Department

432-264-2508

Phone

ksmith@mybigspring.com

E-mail

<https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kaleb Smith', with a stylized flourish at the end.

Kaleb Smith
Code Compliance Official
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1004 E 11TH PL

Lot: 3 BK: 26 COLE & STRAYHORN PARCEL 132

January 27, 2023

Case No: 72166

MICHAEL MULLER
7384 WAKE FOREST DR.
EASTVALE CA 92880

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and **Big Spring City Code Chapter 36** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.5 Rodent Harborage	Structures and exterior property shall be kept free from rodent harborage and infestation.
Big Spring City Code Sec. 36-62. Dumping, accumulating, etc., garbage and trash so as to afford food or harborage for rats.	No garbage, rubbish, waste, or manure shall be placed, left, dumped, or permitted to accumulate or remain in any building or premises in the city so that the same shall or may afford food for or a harboring or breeding place for rats.
Big Spring City Code Sec. 36.63 Accumulations of lumber, boxes, barrels, etc.	It shall be unlawful for any person to permit to accumulate on any premises, improved or unimproved, or on any open lot or alley in the city any lumber, boxes, barrels, bricks, or stones or similar materials that may be permitted to remain thereon, and that may be used as harborage by rats, unless same are placed on open racks and elevated not less than 18 inches above the ground with a clear intervening space beneath, to prevent the harborage of rats.

personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL. Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith
Code Official
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1004 E 11TH PL
Lot: 3 BK: 26 COLE & STRAYHORN PARCEL 132

January 27, 2023

Case No: 72164

MICHAEL MULLER
7384 WAKE FOREST DR.
EASTVALE CA 92880

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
Property is overgrown and needs to be mowed. This is the only notice you will receive for the next 12 months. If problem persists criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

Code Compliance

Department

432-264-2508

Phone

ksmith@mybigspring.com

E-mail

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith
Code Compliance Official
City of Big Spring, Texas

Tracking Number:

Remove X

70222410000324706617

Copy

Add to Informed Delivery (https://informedelivery.usps.com/)

Latest Update

Your item was delivered to an individual at the address at 12:52 pm on April 3, 2023 in CORONA, CA 92880.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Delivered
Delivered, Left with Individual
CORONA, CA 92880
April 3, 2023, 12:52 pm

[See All Tracking History](#)

Feedback

Text & Email Updates

▼

USPS Tracking Plus®

▼

Product Information

▼

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

[FAQs](#)

Feedback

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11TH, 2023**, attached as **Exhibit H-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

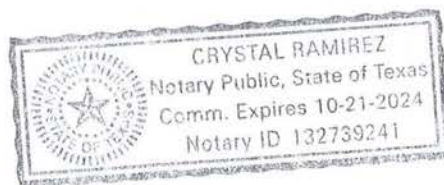
This notice was also published in the Big Spring Herald on April 4th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.





Notary Public, State of Texas



NOTICE OF VIOLATION AND NOTICE OF HEARING

1004 E 11TH PLACE, BIG SPRING, TEXAS 79720

LEGAL DESCRIPTION: LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ
01152021 BLK/TRACT 26 0.161 ACRES

March 31, 2023

Michael Wayne Muller
1004 E 11th Place
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the Property Maintenance Code (PMC) of Big Spring and the Big Spring Zoning Ordinance have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code	
Sec. 111.1.5 (7), (11) Hazardous structure or premises	Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

Sec. 304.15 Doors

Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on means of egress doors shall be in accordance with Sec. 702.3.

304.1.1 Unsafe Conditions (2),(3),(7)
(8)

The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings: The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations have deterioration or distress that appears to reduce their load-carrying capacity. Structures or components thereof have deterioration or distress that appears to reduce their load-carrying capacity. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and in capable of supporting all nominal loads and resisting all load effects.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

**Deadline for
Compliance**

The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Fix roof. Secure building so it is not an attractive nuisance to children or other persons.

Seven (7) days from
date of mailing

Code Compliance is seeking an order of demolition and removal of the structure.

For further information about this notice, please contact the following person:

Issued by

Kaleb Smith

Name

432-264-2508

Phone

Code Compliance

Department

ksmith@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE.

Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE.

This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:

- 1. To call and examine witnesses on any matter relevant to the issues of the hearing;

2. To introduce documentary and physical evidence;
 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 4. To impeach any witness regardless of which party first called him to testify;
 5. To rebut the evidence against him;
 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Kaleb Smith, Code Compliance
City of Big Spring, Texas



City of Big Spring
Texas

NOTICE OF PUBLIC HEARING
CONCERNING PROPOSED ORDINANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON APRIL 4, 2023 AT 5:30 P.M. IN THE CITY COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER PROPOSED ORDINANCES CONCERNING PROPOSED ORDINANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. AT THAT TIME, A DETERMINATION WILL BE MADE AS TO WHETHER THE FOLLOWING PROPERTIES:

- 2804 JOHNSON ST., BIG SPRING, TEXAS 79720 - 8.50 ACRES (OWNED BY JAMES DICK)
- 1213 ACQ 04302015 0.161 ACRES - OWNED BY JAMES DICK
- 2204 JOHNSON ST., BIG SPRING, TEXAS 79720 - 8.98 ACRES (OWNED BY SHIRLEY J. WITT)
- 1805 ACQ 1425 0.321 ACRES - OWNED BY SHIRLEY J. WITT
- 711 E 16th ST., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 19 0.161 ACRES - OWNED BY BEK/TRACT 19 0.161 ACRES)
- 317 N GOLIAD ST., BIG SPRING, TEXAS 79720 - 18.40 ACRES (OWNED BY CURRIE 005180 819 ACQ 8792604 BLDG/TRACT 12 19 0.161 ACRES)
- 701 W 7th ST., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)
- 207 EDWARDS BLVD., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)
- 500 NE 8th ST., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)
- 111 N NOLAN ST., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)
- 3215 0.161 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)
- 604 E 2nd ST., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)
- 1710 YOUNG ST., BIG SPRING, TEXAS 79720 - 1.17 ACRES (OWNED BY BEK/TRACT 11 0.149 ACRES - OWNED BY BEK/TRACT 11 0.149 ACRES)

4/ 4/2023 14:39

1309 GRAFA STREET

CODE OFFICER: JACOB LEOS

STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**AFFIDAVIT OF JACOB LEOS
CONCERNING 1309 GRAFA ST**

BEFORE ME, the undersigned authority, on this day, personally appeared **JACOB LEOS**, who, being by me duly sworn, deposed as follows:

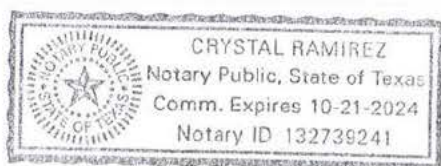
“My name is JACOB LEOS. I am over 21 years of age, of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated:

“I am a code compliance official for the City of Big Spring, Texas. In the course of my duties, I inspect properties for compliance with Texas state law and the ordinances of the City of Big Spring. I am an employee of the City of Big Spring and am familiar with the manner in which its records are created and maintained by virtue of my duties and responsibilities. Attached are pages of records relating to the Code Compliance Case for **1309 GRAFA ST**, Big Spring, Texas. These are exact duplicates of original records. The records were made at or near the time of each act, event, or finding set forth. The records were made by, or from information transmitted by, persons with knowledge of the matters set forth. The records were kept in the course of regularly conducted business activity. It is the regular practice of the business activity to make the records.”

SIGNED on the 6TH day of April 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of April 2023 by the above referenced Affiant.





Notary Public, State of Texas

STATE OF TEXAS

§

§

COUNTY OF HOWARD

§

**CERTIFICATION
CONCERNING THE IDENTITY AND ADDRESS OF
OWNER, LIENHOLDER, OR MORTGAGEE**

"I made a reasonable effort to determine the identity and address of an owner, lienholder, or mortgagee of the property described as:

LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172
ACRES Big Spring, Howard County, Texas, also known as **1309 GRAFA ST**,
Big Spring, Texas

by searching the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

Using the above-described records, I verified that **the Estate of David Sausman and Judy Sausman** are the owner of the property located at the above-described premises and their mailing address is **1601 Vines Ave, Big Spring, TX 79720**, as shown in **Exhibit M-1**.

SIGNED on the 6TH day of APRIL 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.


Notary Public, State of Texas

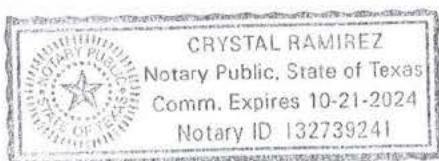


EXHIBIT M-1

1/1

[illegible]

Appraisal Coding			
Appr By	TG	Appr Dt	11/01/21
Check By		Check Dt	

Agent	Mortgage	Geo Quad	Aerial	Map Id	Use
		0			

Land Code	Units / Alt Units	Cpu	Cpu Cd	Mkt Cpu	Adjustment Codes	Adj%	Adj Amt	Hs	Mkt Value	Ptd Prd	Prod Code	Prod Use	Yr Grant	Units	Cpu	Spec Value
LFF18	60.0 FF/60.0 RF/125.0 DF LOTS	70.0		70.00		0%		Y	4,200	A1						
									=====							=====
									4,200							0

	2022	Ptd	Change +/-	Prior	2021	Ptd	Entity / Description	Exemption	Txbl Value	Rate Per \$100	Frz Yr	Ext. Tax Levy	Nbh Coding	Misc Coding
Impr Homesite +	1,588	A1	127		1,461	A1	01H HOWARD COUNTY	0	5,788	.3275450		18.96	GB20	MT22
Land Homesite +	4,200	A1	0		4,200	A1	02B CITY OF BIG SPRING	0	5,788	.6731630		38.96		
Total Market =	5,788		127		5,661		03B BIG SPRING ISD	0	5,788	1.0160000		58.81		
Assessed =	5,788		127		5,661		052 HOWARD COLLEGE	0	5,788	.2367770		13.70		
							** ESTIMATED TOTAL					=====		
												130.43		

Property Details

Account

Property ID:	283705
Legal Description:	LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES
Geographic ID:	B4500028100
Agent:	
Type:	Real

Location

Address:	1309 GRAFA
Map ID:	
Neighborhood CD:	

Owner

Owner ID:	428186
Name:	SAUSMAN DAVID W & SAUSMAN JUDY
Mailing Address:	1601 VINES AVE BIG SPRING, TX 79720
% Ownership:	100.0%
Exemptions:	For privacy reasons not all exemptions are shown online.

Property Values

Improvement Homesite Value:	\$1,588
Improvement Non-Homesite Value:	\$0
Land Homesite Value:	\$4,200
Land Non-Homesite Value:	\$0
Agricultural Market Valuation:	\$0
Market Value:	\$5,788

Ag Use Value: \$0

Appraised Value: \$5,788

Homestead Cap Loss:  \$0

Assessed Value: \$5,788

VALUES DISPLAYED ARE 2022 CERTIFIED VALUES.

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

Property Taxing Jurisdiction

Entity	Description	Tax Rate	Market Value	Taxable Value	Estimated Tax	Freeze Ceiling
01H	HOWARD COUNTY	0.238916	\$5,788	\$5,788	\$13.83	
02B	CITY OF BIG SPRING	0.673163	\$5,788	\$5,788	\$38.96	
03B	BIG SPRING ISD	0.960900	\$5,788	\$5,788	\$55.62	
052	HOWARD COLLEGE	0.168395	\$5,788	\$5,788	\$9.75	
ZZZ	CREDIT	0.000000	\$0	\$0	\$0.00	

Total Tax Rate: 2.041374

Estimated Taxes With Exemptions: \$118.16

Estimated Taxes Without Exemptions: \$118.16

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

CERTIFICATION
1309 GRAFA ST CASE NOTES

“This record, attached as **Exhibit M-2**, was made at or near the time by – or from information transmitted by a person or persons with the City with knowledge.

This record was kept in the course of a regularly conducted business activity of the Code Compliance Department of the City of Big Spring, Texas.

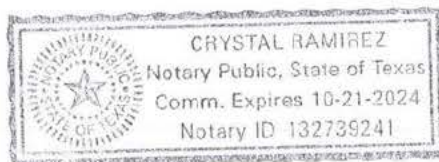
Making this record was a regular practice of that activity.

1. The City uses a computer.
2. The computer is reliable.
3. The City has developed procedures for inserting data into the computer.
4. The procedure has built-in safeguards to ensure accuracy and to identify errors.
5. The City keeps the computer in a good state of repair.
6. I had the computer readout certain data.
7. I used the proper procedures to obtain the readout.
8. The computer was in working order at the time I obtained the readout.
9. I recognize the attached **Exhibit M-2** as the readout.”

SIGNED on the 6TH day of APRIL, 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.




Notary Public, State of Texas

INCIDENT #: 70577
INCIDENT CODE: 300-0006 ACCUML ITEM
PROPERTY: 1309 GRAFA ST

ORIG. DATE:

NOTES

Incident Notes:

6/7/22 PROPERTY HAS AN ACCUMULATION OF MANY ITEMS INCLUDING, FURNITURE, APPLIANCES, TRASH, METAL, WOOD, PLASTIC, JUNK, TIRES AND MANY MORE ITEMS FROM FRONT TO BACK. WILL SEND NOTICE.

Task #: 111592 - INSPECT ACCUMULATED - 6/13/2022

7/8/22: SPOKE TO A LADY THAT SAID SHE WAS JUDY SAUSMAN LAST WEEK ON THE PROPERTY AND SHE SAID SHE WAS GOING TO TRY TO GET IT CLEARED UP. I WENT TO

REINSPECT PROPERTY TODAY AND I SAW NO CHANGE. PROPERTY FRONT AND BACK HAS PILES OF CLOTHES, BLANKETS, FURNITURE, CHAIRS, TRASH, JUNK, METAL, WOOD SCRAPS/MATERIAL AND MANY OTHER ITEMS. WILL SEND ANOTHER NOTICE.

Task #: 111593 - ACCUMULATED ITEMS - 6/13/2022

Task #: 111957 - REINSP ACCUMLTD ITEM - 7/08/2022

7/27/22 about 2 weeks ago- spoke to Dava Sausman and Arnold Velasco [REDACTED] on property. Told them about violations. They said they were working on it and living on the property.

Task #: 111958 - ACCUMULATED ITEMS - 7/08/2022

EXHIBIT M-2

STATE OF TEXAS

§

COUNTY OF HOWARD

§

§

**CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS**

“With regard to the photographs in **Exhibits M-3** I am familiar with and recognize the scene depicted in the photographs. On March 16, 2023 , I inspected the property described as:

LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172
ACRES Big Spring, Howard County, Texas, also known as **1309 GRAFA ST**,
Big Spring, Texas

Each of the photographs is a fair and accurate depiction of the scene at the relevant time.”

SIGNED on the 6TH day of APRIL, 2023.



AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL , 2023 by the above referenced Affiant.



Notary Public, State of Texas

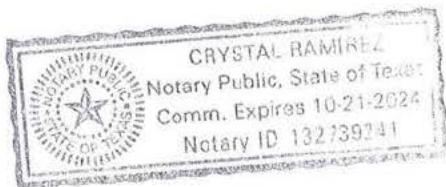


EXHIBIT M-3





3/16/2023 14:31







STATE OF TEXAS

COUNTY OF HOWARD

§
§
§

**CERTIFICATION
NOTICE SENT BY JACOB LEOS**

“The document in **Exhibit M-4** presents factual findings from a legally authorized investigation for code compliance. The document is a copy of the official record.”

Certified Mail Return for **Exhibit M-5** is also attached.

SIGNED on the 6TH day of APRIL, 2023.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.


Notary Public, State of Texas

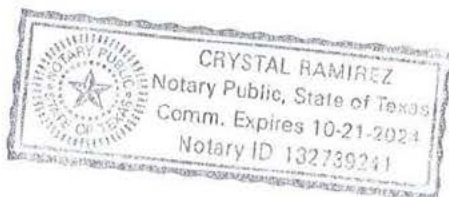


EXHIBIT M-4



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1309 GRAFA ST
Lot: 17 BK: 15 MONTICELLO 212

July 8, 2022

Case No: 70577

JUDY IRWIN SAUSMAN
1601 VINES AVE
BIG SPRING TX 79720-3649

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

Seven (7) days from date of mailing

THERE ARE SEVERAL ITEMS ON PROPERTY INCLUDING PILES OF CLOTHES, FURNITURE, APPLIANCES, TRASH, METAL, WOOD, PLASTIC, JUNK, TIRES AND MANY MORE ITEMS IN FRONT/BACK THAT NEEDS TO BE REMOVED AND TAKEN OUT OF PUBLIC VIEW. IF PROBLEM PERSIST CRIMINAL CHARGES WILL BE FILED.

For further information about this notice, please contact the following person:

Issued by

Jacob Leos
Name

Code Compliance
Department

432-264-2502

jleos@mybigspring.com

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES. If you fail to take the corrective action within the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

Jacob Leos
Code Compliance
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 • Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1309 GRAFA ST
Lot: 17 BK: 15 MONTICELLO 212

July 8, 2022

Case No: 70770

JUDY IRWIN SAUSMAN
1601 VINES AVE
BIG SPRING TX 79720-3649

Sent via: First Class US Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Property Maintenance Code Sec. 302.4 Weeds	Premises and exterior property not maintained free from weeds or plant growth in excess of 12 inches (not including shrubs, trees or cultivated flowers).

The following actions are required to correct these violations within the deadlines.

Corrective Action Required	Deadline for Compliance
Overgrown weeds on property and behind fence on easement needs to be cut. Trees hanging over to easement need to be cut back to property line. You are responsible for easement from property to center of alley. If problem persists criminal charges will be filed.	Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Jacob Leos
Name

432-264-2502

Code Compliance
Department

ileos@mybigspring.com

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES. If you fail to take the corrective action within the deadlines stated above, the City may proceed with abatement (taking the corrective action for you). If so, the City will send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

ANNUAL NOTICE FOR WEEDS. If a violation covered by this notice occurs before the first anniversary of the date of this notice, and the City had not been informed in writing by the owner of an ownership change, then the City, without further notice, may take the corrective action and charge the abatement costs to the owner and file the lien as above.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is

complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

Jacob Leos
Code Compliance
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND ORDER TO ABATE

1309 GRAFA ST
Lot: 17 BK: 15 MONTICELLO 212

June 13, 2022

Case No: 70577

JUDY IRWIN SAUSMAN
1601 VINES AVE
BIG SPRING TX 79720-5114

Sent via: First Class US Mail

The City of Big Spring has determined that the following section of the **Property Maintenance Code (PMC) of Big Spring** has been violated, constituting a nuisance:

VIOLATION

Description of Violation

Property Maintenance Code
Sec. 302.1 Sanitation

The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.

The following actions are required to correct these violations within the deadlines.

Corrective Action Required

Deadline for Compliance

PROPERTY HAS AN ACCUMULATION OF MANY ITEMS INCLUDING, FURNITURE, APPLIANCES, TRASH, METAL, WOOD, PLASTIC, JUNK, TIRES AND MANY MORE ITEMS FROM FRONT TO BACK OF PROPERTY THAT NEEDS TO BE REMOVED AND TAKEN AWAY FROM PUBLIC VIEW. IF PROBLEM PERSISTS CRIMINAL CHARGES WILL BE FILED.

Seven (7) days from date of mailing

For further information about this notice, please contact the following person:

Issued by

Jacob Leos

Name

432-264-2502

Phone

Code Compliance

Department

jlecos@mybigspring.com

E-mail

The City's goal is voluntary compliance.

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

FAILURE TO TAKE THE CORRECTIVE ACTION WITHIN THE DEADLINE MAY RESULT IN ABATEMENT BY THE CITY, CHARGING YOU AND/OR PROPERTY OWNER(S) WITH COSTS AND PENALTIES. If you fail to take the corrective action within the deadlines stated above, the City may initiate Proceedings to Abate. This proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big

Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,

Jacob Leos
Code Compliance
City of Big Spring, Texas



Code Compliance

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF VIOLATION AND NOTICE OF HEARING

1309 GRAFA ST, BIG SPRING, TEXAS 79720
LEGAL DESCRIPTION: LT 17 BK 15 MONTICELLO
60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES

March 31, 2023

Judy and David Sausman
1309 Grafa St
Big Spring, Texas 79720

Sent via: First Class US Mail and Certified Mail

The City of Big Spring has determined that the following section(s) of the **Property Maintenance Code (PMC) of Big Spring** and the **Big Spring Zoning Ordinance** have been violated, constituting a nuisance:

VIOLATION	Description of Violation
Sec. 111.1.5 (7) Hazardous structure or premises	The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
Sec. 304.13 Window, skylight and door frames	Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.
Sec. 304.6 Exterior Walls	Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.
Sec. 304.15 Doors.	Exterior doors, door assemblies, operator systems if provided, and hardware shall be maintained in good condition. Locks at all entrances to dwelling units and sleeping units shall tightly secure the door. Locks on

means of egress doors shall be in accordance with Section 702.3.

304.1.1 Unsafe Conditions (4),(7)

Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or watertight.

The following actions are required to correct these violations.

Corrective Action Required

Deadline for Compliance

The structure is dilapidated. Fix dilapidation. Fix windows. Fix doors. Fix exterior walls. Fix siding. Secure building so it is not an attractive nuisance to children or other persons.

Seven (7) days from date of mailing

Code Compliance is seeking an order to demolish and remove the structure.

For further information about this notice, please contact the following person:

Issued by

Nick Reyna

Code Compliance

Name

Department

432-264-2503

nreyna@mybigspring.com

Phone

E-mail

The City's goal is voluntary compliance.

700

FAILURE TO TAKE THE CORRECTIVE ACTION BY THE DEADLINE MAY

RESULT IN FINE. Failure to take the corrective action regarding the nuisance(s) by the prescribed deadline(s) may result in a complaint (a criminal charge, Class C Misdemeanor) sworn against you in the Municipal Court of Big Spring alleging the violation. A person found guilty may be convicted by the Court and fined. Each day that a violation continues after due notice has been served is deemed a separate offense. A convicted person may appeal their case to Howard County Court. This punishment is separate from and in addition to any abatement action that the City may perform and cannot result in a lien.

YOU ARE HEREBY NOTIFIED THAT THE CITY HAS INITIATED PROCEEDINGS TO ABATE THE ABOVE-DESCRIBED NUISANCES AT YOUR EXPENSE. This

proceeding is held before a hearing board (either City Council or the Board of Adjustment and Appeals). The hearing board will review the case and rule on the City's request to abate the nuisance. If so ordered by the hearing board, the City will abate the nuisance and send you

and/or the owner(s) an invoice for the City's costs plus a civil penalty, typically 25% of the amount of the costs. In the event you and/or the owner(s) do not pay the invoice promptly, the City of Big Spring will assess a lien against the property to secure payment for services rendered and the civil penalty. You have the right to appeal the costs, lien, and civil penalty to the District Court. The abatement procedure is separate from and in addition to any charge filed in Municipal Court.

The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **April 11th, 2023 at 5:30 p.m.** at the City Council Chambers located at **307 E 4th St., Big Spring, Texas 79720**. You are encouraged to attend this hearing to demonstrate the scope of work that may be required to comply with the Building Codes and the time it will take to reasonably perform the work.

CONDUCT OF THE HEARING. The Structural Standards Ordinance of the Big Spring City Code provides the following concerning the conduct of the hearing:

SECTION 9.02. - Rules; oral evidence; admissibility of evidence; exclusion of evidence; rights of parties.

- (a) Rules. Hearings need not be conducted according to the technical rules relating to evidence and witnesses.
- (b) Oral Evidence. Oral evidence shall be taken only on oath or affirmation.
- (c) Admissibility of Evidence. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this State.
- (d) Exclusion of Evidence. Irrelevant and unduly repetitious evidence shall be excluded.
- (e) Rights of Parties. Each party shall have the following rights, among others:
 - 1. To call and examine witnesses on any matter relevant to the issues of the hearing;
 - 2. To introduce documentary and physical evidence;
 - 3. To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;
 - 4. To impeach any witness regardless of which party first called him to testify;
 - 5. To rebut the evidence against him;
 - 6. To represent himself or to be represented by anyone of his choice who is lawfully permitted to do so.
- (f) The City Attorney shall present the case for the City. If the City Attorney is recused or disqualified, the City Manager shall determine who shall present the case for the City.

YOU HAVE A RIGHT TO APPEAL THE DECISION OF THE HEARING BOARD. If the Code Official's order is upheld by the Hearing Board, you may appeal its ruling to the District Court within thirty (30) days pursuant to Section 8.03 of the Structural Standards Ordinance of the Big Spring City Code. If you fail to appeal the Hearing Board's ruling within that time, such order shall be final.

FAILURE TO COMPLY/ATTACHMENT OF LIEN. If the owner of a premises fails to comply with an order of the Board within the time prescribed, and the City conducts abatement or work, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement work shall be charged against the real estate upon which the nuisance is located and shall be a lien on such real estate.

NOTICE TO OWNER: According to the real property records of Howard County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office not later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

NOTICE TO EMPLOYEE OF OWNER: If you are an individual employed by the owner of the property, or a company that manages the property on behalf of the owner, you may be personally liable for criminal or civil penalties resulting from the violation under Section 250.003, Texas Local Government Code, unless, not later than the fifth calendar day after this notice you provide the property owner's name, current street address, and telephone number to the Code Compliance Officer who sent this notice.

TRANSFER OF OWNERSHIP UNLAWFUL: Please be advised that until this order is complied with, it shall be unlawful (being a Class C Misdemeanor) to transfer ownership of the property— with conditions and exceptions stated in PMC Sec. 111.6.

RIGHTS AND REMEDIES RESERVED. The City of Big Spring expressly reserves any additional rights and remedies that may be available to it, including but not limited to injunctive or equitable relief.

CITY CODE. The City Code is online at https://library.municode.com/tx/big_spring. See Big Spring City Code, Chapter 36, Property Maintenance Code of Big Spring; and 2021 International Property Maintenance Code, available for public inspection at the Office of the City Secretary at 310 Nolan St., Big Spring, Texas and available online for free at <https://codes.iccsafe.org/codes/i-codes>.

Sincerely,



Nick Reyna, Building Official, Code Enforcement Officer
City of Big Spring, Texas

EXHIBIT M-5

7022 2410 0003 2470 6563

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

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

Big Springs, TX 79720

OFFICIAL USE

Certified Mail Fee	\$4.15
Extra Services & Fees (check box, add fee)	\$3.35
☐ Return Receipt (hardcopy)	\$0.00
☐ Return Receipt (electronic)	\$0.00
☐ Certified Mail Restricted Delivery	\$0.00
☐ Adult Signature Required	\$0.00
☐ Adult Signature Restricted Delivery	\$0.00

Postage \$0.63

Total Postage and Fees \$8.13

0475
06

Postmark
Here

03/31/2023

Sent To David & Judy Sausman

Street and Apt. No., or P.O. Box No.

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-6047 See Reverse for Instructions

USPS Tracking®

FAQs >

Tracking Number:

Remove X

70222410000324706563

Copy Schedule a Redelivery (<https://tools.usps.com/redelivery.htm>)

Latest Update

This is a reminder to arrange for redelivery of your item before April 15, 2023 or your item will be returned on April 16, 2023. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice.

Get More Out of USPS Tracking:
USPS Tracking Plus®

Feedback

Delivery Attempt: Action Needed
Reminder to Schedule Redelivery of your item before April 15, 2023
April 6, 2023

Notice Left (No Authorized Recipient Available)
BIG SPRING, TX 79720
April 1, 2023, 9:51 am

USPS in possession of item
BIG SPRING, TX 79720
March 31, 2023, 5:08 pm

Hide Tracking History

Text & Email Updates



Schedule Redelivery



USPS Tracking Plus®



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Feedback

EXHIBIT M-6

STATE OF TEXAS

§

§

COUNTY OF HOWARD

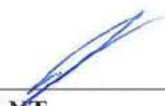
§

**CERTIFICATION
OF POSTING OF PUBLIC HEARING**

“The Hearing Board of the City of Big Spring, Texas notice of Public Hearing scheduled for **APRIL 11th, 2023**, attached as **Exhibit M-6**, was posted on or near the front door of each dwelling unit listed in the attached notice on April 4, 2023.

This notice was also published in the Big Spring Herald on March 29th, 2023.”

SIGNED on the 6TH day of APRIL, 2023.

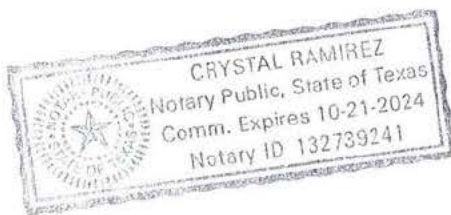


AFFIANT

SWORN TO AND SUBSCRIBED before me this 6TH day of APRIL, 2023 by the above referenced Affiant.



Notary Public, State of Texas





Code Enforcement

217 E 3rd St., Big Spring, Texas 79720 · Ph. 432-264-2505

NOTICE OF PUBLIC HEARING CONCERNING PUBLIC NUISANCES

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING CITY COUNCIL WILL HOLD A PUBLIC HEARING ON **APRIL 11th, 2023 AT 5:30 P.M.**, IN THE CITY OF BIG SPRING COUNCIL CHAMBERS AT 307 E 4TH ST., BIG SPRING, TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC NUISANCES ON PROPERTIES IN THE CITY OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS MAY SPEAK, THEN A DETERMINATION WILL BE MADE AND REMEDIAL ACTION ORDERED ON THE FOLLOWING PROPERTIES:

2004 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/50 NE/4 OF BK 27 COLLEGE HEIGHTS 50X140 1213 ACQ 04302015 0.161 ACRES – OWNER: JAMES ORN

2204 JOHNSON ST, BIG SPRING, TEXAS 79720 – S/100 NE/4 OF BK 43 COLLEGE HEIGHTS 100X140 1425 0.321 ACRES – OWNER: SHIRLEY J WHITE

711 E 16th ST, BIG SPRING, TEXAS 79720 – LT 7 BK 19 COLE & STRAYHORN 50X140 770 BLK/TRACT 19 0.161 ACRES – OWNER: FELIP L. VILLA AND ESTELLA VILLA

517 N GOLIAD ST, BIG SPRING, TEXAS 79720 – SE/4 OF SC 42 BK 32 1N TR 41 WILLIAM B CURRIE 40X160 819 ACQ 07312014 BLK/TRACT 32 1N 0.147 ACRES – OWNER: EMMANUEL PIERRE

707 W 7th ST, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: JOANA AGUIRRE

207 EDWARDS BLVD, BIG SPRING, TEXAS 79720 – LT 12 BK 11 EARLES 50X130 955 ACQ 08192021 BLK/TRACT 11 0.149 ACRES – OWNER: DANIEL A. MIRAMONTES AND SYLVIA MIRAMONTES

506 NE 8th, BIG SPRING, TEXAS 79720 – SC 42 BK 32 1N TR 29 WILLIAM B CURRIE 44X140 613 0.141 ACRES ACQ 05272015 – OWNER: RAMON RODRIGUEZ

111 N NOLAN ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: RAUL J. RUBIO AND SARA RUBIO

604 E 2nd ST, BIG SPRING, TEXAS 79720 – LT 12 BK 1 TENNYSON 50X140 065 BLK/TRACT 321N 0.161 ACRES – OWNER: L L MILLER

1710 YOUNG ST, BIG SPRING, TEXAS 79720 – LT 3 & 1.25X60 BK 2 MANNING 60X107 1025 0.147 ACRES – OWNER: TROY V. LITTLE AND JESSIE LEE LITTLE

602 ABRAMS, BIG SPRING, TEXAS 79720 – LT 2 BK 15 EARLES 50X130 2011 COMBINED ACCT 17900 896 BLK/TRACT 15 0.149 ACRES ACQ 04082019 – OWNER: EZEQUIEL NOEL ADAME AND FRANCISCO ADAME, III

1004 E 11th PLACE, BIG SPRING, TEXAS 79720 – LT 3 BK 26 COLE & STRAYHORN 50X140 132 ACQ 01152021 BLK/TRACT 26 0.161 ACRES – OWNER: MICHAEL WAYNE MULLER

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES – OWNER: JUDY AND DAVID SAUSMAN

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI DAVIS AT 432-264-2513 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING



Nick Reyna, Building Official

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The City Council of the City of Big Spring, Texas, met in a REGULAR AGENDA in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, March 28, 2023, with the following members present in person:

COUNCIL MEMBER GLORIA MCDONALD
COUNCIL MEMBER TROY TOMPKINS
MAYOR ROBERT MOORE
COUNCIL MEMBER MAURY SMITH
MAYOR PRO TEM NICK ORNELAS
COUNCIL MEMBER CODY HUGHES
COUNCIL MEMBER DIANE YANEZ

Same and constituting a quorum, for which four Councilmembers must be present; and the following staff in person;

TODD DARDEN	City Manager
JOHN MEDINA	Assistant City Manager
ANDREW HAGEN	City Attorney
SHANE BOWLES	Public Works Director
CHAD WILLIAMS	Police Chief
JAY HOLT	Deputy Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary
MANDY HAYNES	Municipal Judge

Open Session

Call to Order

Mayor Moore called the Council Meeting to order at 5:30 p.m.

Invocation

Brad Borgen gave the invocation.

Pledge of Allegiance to the United States Flag and to the Texas State Flag

Mayor Moore led the Pledge of Allegiance to the United States Flag and the Texas Flag.

Public Comment

Public Comment

One citizen spoke asking the council to revisit the homeless shelter issue.

Announcements, Presentations and Public Hearings

Presentation and Acceptance of the Big Spring Economic Development Corporation's Financial Statement for Year Ended September 30, 2022 by Bolinger, Segar, Gilbert & Moss

Presentation and Acceptance of the Comprehensive Annual Financial Report for Year Ended September 30, 2022 by Bolinger, Segar, Gilbert & Moss

David Copeland with Bolinger, Segar, Gilbert & Moss, presented the above captioned Annual Financial Reports for the Big Spring Economic Development Corporation and the City of Big Spring. Councilmembers accepted the above captioned reports. No action was necessary.

Public Hearing Concerning Abatements of Public Nuisances

Mayor Moore opened the public hearings listed below. Each public hearing was presented to the Council with an abatement order and pictures. The following citizens spoke regarding their property;

Ms. Puga 1411 Settles (11.)

James Alexander 408 Douglas (12.)

Amanda Eggleston 1105 North Scurry (15.)

Dorothy L. Deering 1109 East 4th St. (22.)

Shereda Mintz 1311 Madison (26.)

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1513 EAST 17TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: E/50 OF LT 20 BK 4 MAY THIXTON 50X150 924 ACQ 021700 BLK/TRACT 4 0.172 ACRES- OWNER: CHRISTINE WOODS BAKER

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1806 SETTLES, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: S/47.5 LT 7 ALL LT 8 BK 3 SETTLES (100X125.5) 1147 0.28 ACRES - OWNER: ELVIS EUGENE PAYNE

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 406 1/2 DOUGLAS, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 4 BK F EARLES 50X130 625 ACQ 110411 BLK/TRACT F 0.149 ACRES- OWNER: MARGIE ARSIAGA GARCIA

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 108 LOCKHART, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 2 BK 6 LAKEVIEW 50X140 350 0.161 ACRES ACQ 06132022- OWNER: TIMOTHY EDWARD WILSON

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1411 SETTLES, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 6 BK 1 SUNSET PLACE ANNEX 49X140 546 ACQ 012809 BLK/TRACT 1 0.145 ACRES- OWNER: ESTATE OF JOHNNY LEE PUGA

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 408 DOUGLAS, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 5-6 BK F EARLES 5100X130 0.298 ACRES 2012 COMBINED ACCT B3810004100 626 627 ACQ 021810 BLK/TRACT F 0.298 ACRES- OWNER: ANDREA MORENO MARSCH

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 510 YOUNG, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:LT 6 BK 6 PORTER 50X140 362 0.161 ACRES ACQ 121818- OWNER:ROLLO AND CYNTHIA GURASS IRREVOCABLE GRANDCHILDREN'S TRUST

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1207 LAMAR AVENUE, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS:LT 19 BK 10 MONTICELLO 60X125 298 ACQ 032309 BLK/TRACT 10 0.172 ACRES- OWNER:JULIA JOHNSTON

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1105 NORTH SCURRY, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: N/50 SE/4 OF BK 44 BAUER 50X140 059 0.161 ACRES- OWNER:JOE DIAS AND ROSARIO DIAZ

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 813 WEST 8TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 2 BK 7 CEDAR CREST IRR 1139 0.2 ACRES ACQ 08262020- OWNER:LUIS LLAMAS SOLIS

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1910 SCURRY STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 6 BK 19 COLLEGE HEIGHTS 50X140 934 ACQ 111299 BLK/TRACT 19 0.161 ACRES- OWNER: JERRY T WALTON AND JUANITA H WALTON

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 811 WEST 8TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LESS 65X40 OF LT 1 BK 7 CEDAR CREST IRR 1137 ACQ 0422016 0.152 ACRES- OWNER: RAUL MARQUEZ

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1510 WOOD, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 14 BK 1A BELVUE 70X125 1304 ACQ 02122021 BLK/TRACT 1-A 0.201 ACRES- OWNER: JEREY WISER

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1513 WOOD, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 7 BK 2A BELVUE 50X125 1274 ACQ 02122021 0.143 ACRES- OWNER: JEREY WISER

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1514 WOOD, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 12 BK 1A BELVUE 70X125 1302 ACQ 02122021 0.201 ACRES- OWNER: JEREY WISER

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1109 EAST 4TH STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 11 BK 19 BOYDSTUN 50X140 154 ACQ 040902 0.161 ACRES- OWNER: JOSEPH AND DOROTHY L. DEERING

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1607 EAST 3RD STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: ACRES 1.960, SC 44 BK 32 1N 049 BLK/TRACT 32 1N 1.96 ACRES ACQ 11262019- OWNER: CASEY CAMPERS, LLC

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 715 ANNA STREET, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 8 BK 12 SETTLES HEIGHTS 56X140 145 ACQ 01102014 BLK/TRACT 12 0.18 ACRES- OWNER: ROSA RODRIGUEZ

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 0 BIRDWELL LANE, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: SC 44 BK 22 1N 593 BLK/TRACT 32 1N 4.76 ACRES ACQ 070220014- OWNER: BIG SPRING MULTI FAMILY#1 LP

PUBLIC HEARING - Consideration and Possible Action Concerning Abatement of Public Nuisance, at 1311 MADISON, BIG SPRING, TEXAS 79720 - LEGAL ADDRESS: LT 19 BK 8 WRIGHTS AIRPORT (50X130) 632 ACQ 12302016 BLK/TRACT 8 0.149

ACRES- OWNER:SHEREDA MINTZ

MOTION WAS MADE BY Council Member Hughes to approve each above captioned abatement orders, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None**

MOTION PASSED

City Manager's Report

City Manager's report on the following items:

- Update on Large Item Pickup, District 3 - March 15, 2023
- Update on Animal Shelter
- Seasonal Jobs open for Golf Course & Aquatic Center

Todd Darden, City Manager, reported on the above captioned items as follows: Large Item Pickup for District 3 picked up 12 1/2 tons of trash; Animal Shelter update has hired a manager and should start next week, will have an open house soon and they have extended their working hours for adoption; Seasonal jobs are open in the golf course, parks, aquatic center and sports complex; City is having a job fair March 29th in the City Council Chamber from 1-4; City offices will be closed on Friday, April 7th for Good Friday.

Consent Items

Approval of the City Council Minutes of the Regular Meeting of March 14, 2023 and the Special Meeting of March 20, 2023.

Acknowledge Receipt of the Big Spring Economic Development Board Minutes of the Regular Meeting of February 21, 2023.

Final Reading of a Resolution Declaring the Unopposed Candidates in the May 6, 2023 General Election for City Council Member, District 1 and for City Council Member, District 3 to Office; Canceling the General Election for City Council Position for City Council Member, District 1 and for City Council Member, District 3; and Providing an Effective Date

Final Reading of a Resolution Joining with the State of Texas and Political Subdivisions of the State as a Party in the Texas Opioid Settlement Agreements Secured by the Office of the Attorney General Between the State of Texas and Allergan, CVS, Walgreens, and Walmart; Authorizing the City Manager to Execute Settlement Participation Forms; and Establishing an Effective Date

Final Reading of an Ordinance Amending the Big Spring Zoning Ordinance, Article 4 Entitled "Development Standards," Section 4-6 " Area Regulations For Accessory Buildings And Structures In Residential Districts," Subsection (E) To Revise Whom The Application Process Will Be Directed To; Providing For Severability; Providing For Publication; And Providing An Effective Date

Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of the 2022-23 Sealcoat Project; Providing for Severability; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing a Forklift for the Cardboard Recycling Program; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned minutes, resolutions and ordinances, seconded by Council Member Smith.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

Old Business

TABLED - Final Reading of a Resolution Authorizing and Directing the Sale of the 11.06 Acre Tract of Real Property at 1801 West Interstate 20, Big Spring, Texas 79720 to 3-D Development, LLC and Entering into an Economic Development Incentive with the Buyer Under Chapter 380, Texas Local Government Code and Setting an Effective Date

MOTION WAS MADE BY Council Member McDonald to remove the above captioned resolution off the table, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

MOTION WAS MADE BY Council Member Yanez to approve the above captioned amended resolution, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS:None

MOTION PASSED

Amendment to Resolution

MOTION WAS MADE BY Council Member Yanez to approve the recommended amendments to the above captioned resolution, seconded by Council Member Hughes.

YEAS:Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Final Reading of an Ordinance of the City of Big Spring Adopting the 2021 Edition of the International Fire Code, Regulating and Governing the Safeguarding of Life and Property from Fire and Explosion Hazards Arising from the Storage, Handling and Use of Hazardous Substances, Materials and Devices, and from Conditions Hazardous to Life or Property in the Occupancy of Buildings and Premises in the City of Big Spring, Texas; Providing for the Issuance of Permits and Collection of Fees Therefor; Repealing Section 24-1 of the Big Spring City Code and All Other Ordinances or Parts of Laws in Conflict Therewith

MOTION WAS MADE BY Council Member Hughes to approve the above captioned amended ordinance, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Amendment to Fire Code ordinance

MOTION WAS MADE BY Council Member Yanez to approve the recommended amendments to the Fire Code Ordinance, seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Final Reading of an Ordinance to Rename the Structural Standards Ordinance by

Renaming it the Structural Standards and Nuisance Abatement Ordinance, and to Amend the Ordinance by Dividing it into Three Subchapters, Subchapter A being Applicable to Each Type of Abatement Procedure, Subchapter B being Applicable to Sanitation and Exterior Premises Rules and Orders Abatement Procedures, and Subchapter C for the Abatement of Atructures Falling below Minimum Standards, Adopting Other Changes to the Ordinance, Providing for Severability, and Providing an Effective Date

MOTION WAS MADE BY Council Member Smith to approve the above captioned amended ordinance, seconded by Council Member Yanez.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

Amendment to Ordinance Renaming the Structural Standards Ordinance to the Structural Standards and Nuisance Abatement Ordinance and Amending Said Ordinance

MOTION WAS MADE BY Council Member McDonald to approve the recommended amendments to the Structural Standard Ordinance, seconded by Hughes.

**YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith**

NAYS: None

MOTION PASSED

Final Reading of an Ordinance Amending Chapter 46 of the Big Spring City Code of Ordinances Entitled "Streets, Sidewalks, and Other Places", Article V Entitled "Street Names and Building Numbers", Division 2 Entitled "Renaming Streets", Section 46-235 Entitled "Purpose; Application and Review of Name Change; Criteria for Street Names"; to Require a Hearing Before the Planning and Zoning Commission; Providing for Severability; and Providing an Effective Date

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance, seconded by Council Member Hughes.

**YEAS: Mayor Moore, Council Member Yanez, Council Member Hughes, 6
Council Member McDonald, Council Member Tompkins, Council Member 1
Smith**

NAYS: Mayor Pro Tem Ornelas

MOTION PASSED

Vouchers

Vouchers for 03/16/23 \$ 445,293.32
Vouchers for 03/23/23 \$ 821,538.88
Drafts \$ 808,903.56

Council Member Hughes reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Hughes to approve the above captioned vouchers, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for Replacing Astroturf on the Lazy River at the Russ McEwen Family Aquatic Center and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to award the above captioned bid to Alldredge Gardens in the amount of \$19,116.90, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for a Manufactured Home for Moss Lake and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to approve the above captioned bid to Oak Creek Homes in the amount of \$130,000.00, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith

NAYS: None

MOTION PASSED

Consideration and Possible Action on Awarding a Bid for (3) Three 30 Yard Containers for the City's Cardboard Recycling Program and Authorizing the City Manager or His Designee to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to award the above captioned bid to Roll Offs USA in the amount of \$28,170.00, seconded by Council Member

Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

New Business

Consideration and Possible Action Authorizing Event Funding Requests from CVB for Southwest Hoops

MOTION WAS MADE BY Council Member Hughes to approve the above captioned request, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

First Reading of an Ordinance Amending the Subdivision Ordinance , Article IV "Standards, Specifications, and Other Provisions", Section 8 Entitled "Sidewalks", by Requiring Sidewalks to Have a Minimum Width of Five Feet, Requiring that New Sidewalks be Installed as a Condition of a Certificate of Occupancy with Certain Exceptions; Providing for Repeal of Conflicting Ordinances; Providing a Savings and Severability Clause; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

First Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the Sanitation Enterprise Fund Budget for the Purpose of the Purchase of Three 30 Yard Roll-Off Containers for the Cardboard Recycling Program; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Yanez to approve the above captioned ordinance, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0

Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

First Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for the Purpose of Purchasing a HUD Code Manufactured Home for Moss Lake; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Tompkins to approve the above captioned ordinance, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

First Reading of an Ordinance Amending Ordinance Number 038-2022 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023 by Increasing the General Fund Budget for Purpose of Building a Splash Pad at Bert Andries Park; Providing for Severability; Providing for Publication; and Providing an Effective Date

MOTION WAS MADE BY Council Member Yanez to approve the above captioned ordinance, seconded by Mayor Pro Tem Ornelas.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, 7
Council Member Hughes, Council Member McDonald, Council Member 0
Tompkins, Council Member Smith
NAYS: None

MOTION PASSED

Council Input

Input

Mayor Moore encouraged the council members and city staff to attend the Star Ford open house on Thursday to show our appreciation for their donation to the splash pad.

Mayor Pro Tem Ornelas invited everyone to the Hoops-Dreams and Goals Sat. March 31st at the Dorothy Garrett Coliseum hosted by the West Texas Centers. Mr. Ornelas also thanked the Police Department and City Staff.

Council Member Yanez thanked Haylee for the work on the splash pad.

Executive Session

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.071, Texas Government Code, "Consultation with Attorney; Closed Meeting," and the Texas Disciplinary Rules of Professional Conduct, to Provide Legal Advice and Counsel with Respect to Litigation. City of Big Spring, Texas v. Fabian Scott Butler (11-21-00026-CV).

Mayor Moore adjourned into the above captioned executive session at 7:25 p.m.

RECONVENE into Open Session and Take any Necessary Action on Executive Session Item

Mayor Moore reconvened into open session at 7:38 p.m. No action was taken.

ADJOURN

Mayor Moore adjourned the City Council Meeting at 7:41p.m.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

STATE OF TEXAS :
COUNTY OF HOWARD :
CITY OF BIG SPRING :

The Planning and Zoning Commission of the City of Big Spring, Texas, met in a REGULAR Session in the City Council Chambers located at 307 E. 4th St., Big Spring, Texas, at 5:30 PM, February 22, 2023, with the following board members:

DALE AVANT	CHAIR
TERRY MCDANIEL	CO-CHAIR
KELLY HARRIS	MEMBER
KEVAN SCHOOLER	MEMBER
TJ STEWART	MEMBER

Same and constituting a quorum, for which four members must be present; and the following board members are present;

DALE AVANT	CHAIR
TERRY MCDANIEL	CO-CHAIR
KEVAN SCHOOLER	MEMBER
KELLEY HARRIS	MEMBER
	MEMBER

Open Session

Call to Order

The Planning and Zoning Commission met in regular session at 5:30, on February 22, 2023. The was called to order by Chairperson Avant.

Announcements, Presentations and Public Hearings

Concerning amendments to the Big Spring City Code Ordinance Division 2: Renaming Streets, Section 46-235.

The public hearing was opened by Chairperson Avant. The only public comment was from Councilman Diane Yanez .

She complimented Code Enforcement on doing a good job.

Z22-04: Agricultural (A) to Single Family Residential (SF-2) for approximately 5.08

acres of land out on N/2 of Section 8, Block 32, T-1-S, T&P RR. Co. Survey, Howard County, Texas, also known as the Holland Grace Subdivision in Big Spring, Howard County, Texas.

Cancelled item prior to meeting.

Consent

Approval of the Planning and Zoning Commission Meeting Minutes from the regular meeting held on January 17, 2023.

Cancelled due to having the wrong minutes.

New Business

Consideration and approval for the amendments made to the Big Spring City Code Ordinance as found in Division 2: Renaming Streets, Section 46-235.

The motion to accept as written with and striking the word "abutting", was made by Chairperson Avant.

1st by Kevan Schooler, 2nd by Member McDaniel,

Vote was 4 ayes 0 nays

Consideration and approval for Zone Change Z22-04: Agricultural (A) to Single Family Residential (SF-2) for approximately 5.08 acres of land out on N/2 of Section 8, Block 32, T-1-S, T&P RR. Co. Survey, Howard County, Texas, also known as the Holland Grace Subdivision in Big Spring, Howard County, Texas.

Cancelled prior to meeting.

Old Business

Commissioners Input

Adjourn

The motion to adjourn was made by Chairperson Avant.

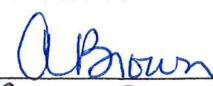
2ND by Member McDaniel

Vote was 4 ayes 0 Nays



DALE AVANT, Chairperson

ATTEST:



Angela Brown, Public Works Coordinator

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE SUBDIVISION ORDINANCE OF THE CITY OF BIG SPRING, ARTICLE IV "STANDARDS, SPECIFICATIONS, AND OTHER PROVISIONS", SECTION 8 ENTITLED "SIDEWALKS", BY REQUIRING SIDEWALKS TO HAVE A MINIMUM WIDTH OF FIVE FEET, REQUIRING THAT NEW SIDEWALKS BE INSTALLED AS A CONDITION OF A CERTIFICATE OF OCCUPANCY WITH CERTAIN EXCEPTIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS the City Council finds that the public health, safety, and general welfare will best be served by amendin the Subidvision regulations as follows;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS:

SECTION 1. The Subdivision Ordinance of the City of Big Spring, Article IV entitled, "Standards, Specifications, and Other Provisions," Section 8, entitled "Sidewalks," shall hereby be amended to read in its entirety as follows:

Subdivision Ordinance of Big Spring
Article IV – “Standards, Specifications, and Other Provisions”

SECTION 8. - SIDEWALKS.

- A. Sidewalks are required, ~~T~~they shall be ~~set~~ installed at a grade of ¼" per foot for five (5) feet above top of curb elevation and shall be located one (1) foot inside the dedicated right-of-way line and be situated wholly within the dedicated right-of-way.
- B. Sidewalks ~~within right-of-way abutting business properties~~ shall have a minimum width of five (5) feet; ~~residential sidewalks shall have a minimum width of four (4) feet.~~
- C. Parkways, where applicable, shall be excavated or filled to a grade of ¼" per one (1) foot for five (5) feet from top of curb elevation. Landing walks of a width not less than eighteen (18) inches may be installed abutting the rear of curb.
- D. Sidewalks shall be constructed according to the City of Big Spring construction standards and are required to be constructed and in place prior to issuance of a Certificate of Occupancy ~~for a new building or when fifty (50) percent valuation is added through permitted remodeling or add-on construction~~, subject to the exceptions listed in Subsections F and G.

E. Construction of handicap ramps are required to be in conformance with federal and state minimum standards.

F. Sidewalks shall not be required in any of the following cases:

- (i) If it is apparent that the strict application of requiring sidewalk would result in discontinuous strips of concrete thereby serving as a detriment rather than a community asset; or
- (ii) If curb and gutter is not present and the addition of sidewalks will impede drainage.

G. New sidewalk shall substantially match the location of existing sidewalk in the city's right-of-way. A transition from a sidewalk narrower than five feet shall begin on the portion of city right-of-way adjacent to the required new sidewalk. Said transition shall include a gentle widening from the existing sidewalk into the new five-foot portion for a length not to exceed twenty (20) feet.

NOTE* Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 2. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the reminder of this ordinance shall not be affected thereby.

SECTION 4. The City Secretary is hereby ordered and directed to cause the descriptive caption, as well as the penalties for violation of this ordinance to be published as provided by law.

SECTION 5. This Ordinance shall take effect immediately after passage in accordance with the provisions of the Charter of the City of Big Spring, and it is accordingly so ordained.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **28th** day of **March, 2023** with all members of the Council voting "aye" for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **11th** day of **April, 2023** with all members of the Council voting "aye" for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 038-2022 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 BY INCREASING THE SANITATION ENTERPRISE FUND BUDGET FOR THE PURPOSE OF THE PURCHASE OF THREE 30 YARD ROLL-OFF CONTAINERS FOR THE CARDBOARD RECYCLING PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2022-23 budget for the City of Big Spring, Texas on September 27, 2022 (“Budget”); and

WHEREAS the cost of the 30-yard roll-off containers was higher than the original budget estimate.

WHEREAS the City Manager and the Finance Director recommend that the City Council increase the General Fund budgeted expenditures and amend the Budget previously approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS THAT:

SECTION 1. The Sanitation Enterprise Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023 is hereby increased by the amount of \$30,000.00 to the capital expense account number 445-025-330-6312, and a transfer of \$10,000.00 from account 445-025-330-5128 Utilities, making the net increase to the budget of \$20,000 for the purpose of purchasing three 30 yard roll-off containers for the cardboard recycling project. The net increase will be funded through the fund balance.

SECTION 2. The remaining portions of Ordinance Number 038-2022 shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the reminder of this ordinance shall not be affected thereby.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 6. This ordinance shall be in full force and effective from and after its publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **28th** day of **March, 2023** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **11th** day of **April, 2023** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 038-2022 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 BY INCREASING THE GENERAL FUND BUDGET FOR THE PURPOSE OF PURCHASING HUD CODE MANUFACTURED HOME FOR MOSS LAKE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2022-23 budget for the City of Big Spring, Texas on September 27, 2022 (“Budget”); and

WHEREAS the cost of the HUD Code Manufactured Home was higher than the original budget estimate.

WHEREAS the City Manager and the Finance Director recommend that the City Council increase the General Fund budgeted expenditures and amend the Budget previously approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS THAT:

SECTION 1. The General Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023 is hereby increased by the amount of \$55,000.00 to the capital expense account number 002-027-410-6200, for the purpose of purchasing a HUD Code Manufactured Home for Moss Lake. The net increase will be funded through the fund balance.

SECTION 2. The remaining portions of Ordinance Number 038-2022 shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the reminder of this ordinance shall not be affected thereby.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 6. This ordinance shall be in full force and effective from and after its publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **28th** day of **March, 2023** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **11th** day of **April, 2023** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AMENDING ORDINANCE NUMBER 038-2022 WHICH ADOPTED THE ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 BY INCREASING THE GENERAL FUND BUDGET FOR THE PURPOSE OF BUILDING A SPLASH PAD AT BERT ANDRIES PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS the City Council adopted the annual 2022-23 budget for the City of Big Spring, Texas on September 27, 2022 (“Budget”); and

WHEREAS the City received donations from the Broughton Foundation and Star Dodge to build a splash pad at Bert Andries Park and was not included in the original budge; and

WHEREAS the City Manager and the Finance Director recommend that the City Council increase the General Fund budgeted expenditures and amend the Budget previously approved;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS THAT:

SECTION 1. The General Fund Budget of the Annual Budget for the City of Big Spring, Texas for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023 is hereby increased by the amount of \$142,500.00 to the capital expense account number 002-027-370-6226, for the purpose of building a splash pad at Bert Andries Park. The net increase will be funded through the donations from the Broughton Foundation and Star Dodge.

SECTION 2. The remaining portions of Ordinance Number 038-2022 shall remain in full force and effect.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the reminder of this ordinance shall not be affected thereby.

SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 5. The City Secretary is hereby authorized and directed to cause the publication of this ordinance in accordance with law.

SECTION 6. This ordinance shall be in full force and effective from and after its publication as required by law.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **28th** day of **March, 2023** with all members of the Council voting “aye” for the passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **11th** day of **April, 2023** with all members of the Council voting “aye” for the passage of same.

Robert H. Moore III, Mayor

ATTEST:

Tami L. Davis, City Secretary

City of Big Spring

Purchasing and Material Control

Memorandum

To: Honorable Mayor, City Council, City Manager

From: Albert Belez, Purchasing Agent

Date: April 5, 2023

Subject: Request approval to purchase 1 (one)-2023 John Deere backhoe

On Monday, March 27, 2023 at the request of the City's Street Department, the City of Big Spring's Purchasing department sought out pricing and availability of 1 (one)-2023 John Deere 310SL HL backhoe. The Purchasing department received a formal quote from Yellowhouse Machinery of Midland, TX in the amount of \$119,850.

Recommendation: Due to the uncertainty in the supply chain and availability, the City staff would like to respectfully request that the Council accept the quote from Yellowhouse machinery and proceed with the purchase of the backhoe.

Note: It is also important to note that the quoted backhoe is currently available. It is also important to note that the Yellowhouse Machinery will be taking in several pieces of equipment that the City currently owns as trade. The trade allowance for will be in the amount of \$24,9650. The original price of the backhoe was quoted at \$144,500. Therefore, bringing the final price of the requested backhoe to \$119,850.

The formal quote from Yellowhouse Machinery reflects Sourcewell cooperative pricing. This item has an approved budget in the amount of \$120,000.

Quote Id: 28472220

Prepared For:
CITY OF BIG SPRING



Prepared By: **JASON STACKER**

Yellowhouse Machinery Co.
12230 W Highway 191
Midland, TX 79707

Tel: 432-580-3337
Fax: 432-580-3464
Email: jasons@yhmc.com

Quote Summary

Prepared For:

CITY OF BIG SPRING
310 NOLAN ST
BIG SPRING, TX 79720
Business: 432-264-2388
abelez@mybigspring.com

Prepared By:

JASON STACKER
Yellowhouse Machinery Co.
12230 W Highway 191
Midland, TX 79707
Phone: 432-580-3337
jasons@yhmc.com

Quote Id: 28472220
Created On: 27 March 2023
Last Modified On: 27 March 2023
Expiration Date: 03 April 2023

Equipment Summary	Selling Price	Qty	Extended
2023 JOHN DEERE 310SL HL BACKHOE LOADER - 1T0310HLCPP444304	\$ 142,000.00 X	1 =	\$ 142,000.00
John Deere Extended Warranty-IN- HOUSE FULL 60months/3000hrs IN-HOUSE FULL, 3000Total Hours or 60Total Months, \$ 0.00 Deductible	\$ 2,500.00 X	1 =	\$ 2,500.00
Sub Total			\$ 144,500.00

Equipment Total \$ 144,500.00

Trade In Summary	Qty	Each	Extended
2000 GRADALL XL2300 - 0236419	1	\$ 7,000.00	\$ 7,000.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 7,000.00
CATERPILLAR 416-D	1	\$ 9,500.00	\$ 9,500.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 9,500.00
CASE 580 Super K	1	\$ 3,900.00	\$ 3,900.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 3,900.00
1997 CASE 1825	1	\$ 2,250.00	\$ 2,250.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 2,250.00
BOBCAT 853	1	\$ 1,000.00	\$ 1,000.00
PayOff			\$ 0.00
Total Trade Allowance			\$ 1,000.00
BOBCAT 853	1	\$ 1,000.00	\$ 1,000.00
PayOff			\$ 0.00

Salesperson : X _____

Accepted By : X _____

Total Trade Allowance	\$ 1,000.00
-----------------------	-------------

Trade In Total	\$ 24,650.00
-----------------------	---------------------

Quote Summary

Equipment Total	\$ 144,500.00
Trade In	\$ (24,650.00)
SubTotal	\$ 119,850.00
Total	\$ 119,850.00
Down Payment	(0.00)
Rental Applied	(0.00)
Balance Due	\$ 119,850.00

Salesperson : X _____

Accepted By : X _____

Selling Equipment

Quote Id: 28472220

Customer: CITY OF BIG SPRING

2023 JOHN DEERE 310SL HL BACKHOE LOADER - 1T0310HLCPF444304

Hours: 5
Stock Number: 75198

Code	Description	Qty
0A81T	JOHN DEERE JDLINK, FT4 ENG, CAB, AC, CP, EXT DPR, CTRWT	1

Standard Options - Per Unit

170K	JDLINK	1
1065	ENGINE FT4	1
2035	CAB STANDARD	1
2401	DECAL & PACKET ENGLISH	1
3095	AXLE MFWD W/LIM SLIP & AUTO	1
4466	TIRE GAL 21L24 12.5/80-18	1
5285	CONTROL PILOT	1
5420	COUPLER MULTI BRAND QUICK	1
5656	BUCKET 24" HD 7.5 CU FT	1
6020	DIPPER EXTENDABLE	1
6220	HYD REAR AUX 1WAY FLOW	1
7085	LDR CPLR 1LEV W/INT AUX W/RC	1
7690	LDR BKT 92" MULTI PURP BKT	1
8485	COUNTERWEIGHT 1250LB.	1
8685	BATTERY DUAL W/JUMP POST	1
9080	HEATER ENGINE COOLANT 110V	1
9116	ROOF W/LED LIGHTS	1
9120	HEAVY DUTY GRILL	1
9505	GUARD FULL MFWD	1
9515	FLUID SAMPLING	1
9916	RADIO PREMIUM PACKAGE	1
9970	SEAT AIR SUSP CLOTH W/HEAT	1

Service Agreements

John Deere Extended Warranty - IN-
HOUSE FULL 60months/3000hrs

City of Big Spring

Purchasing and Material Control

Memorandum

To: Honorable Mayor, City Council, City Manager

From: Albert Belez, Purchasing Agent

Date: April 6, 2023

Subject: Request approval to purchase of 28 (twenty eight)-4 (four) Yard Recycle Containers

On Tuesday, March, 2023 at the request of the Public Works Director the City of Big Spring's Purchasing department sought out pricing and availability of 28 (twenty eight)-4 (four) Yard Recycle Containers. The Purchasing department received pricing from Roll Offs USA. The price of each container is \$854.14 per container. The total for 28 (twenty eight)-4 (four) Yard Recycle Containers would be at a cost of \$23,915.92. The quoted price does include delivery.

. **Recommendation:** Due to the uncertainty in the supply chain and availability, the City staff would like to respectfully request that the Council accept the quote from Roll Offs USA and proceed with the purchase of the 28 (twenty eight)-4 (four) Yard Recycle Containers.

Note: The submitted quotes from Roll Offs USA reflects a Buyboard cooperative price. It is also important that due to the price of material, the quote is only good for 30 days.



**COMMUNITY SERVICES
MEMORANDUM**

TO: HONORABLE MAYOR AND CITY COUNCIL
MR. TODD DARDEN, CITY MANAGER

FROM: TERRI TELCHIK, FACILITIES COORDINATOR
HAYLEY LEWIS, COMMUNITY SERVICES DIRECTOR

SUBJECT: APPROVAL TO EXTEND AQUATIC CENTER RENTAL ALLOWANCES

DATE: APRIL 3, 2023

Tate's Place held a Back to School Event in 2022 that provided youth in the area with school supplies, shoes, and haircuts at no cost to the child. They are requesting to continue this event and have it on Sunday, August 6th from 1:00 p.m to 4:00 p.m. for a \$200 deposit and \$200 per hour rental as per Ordinance. Since the aquatic center closes on Saturday, August 5th, this would extend the season and lifeguard contract an additional 24 hours.

FIRST AMENDMENT TO THE
RUSS McEWEN FAMILY AQUATIC CENTER
LIFEGUARD AGREEMENT BETWEEN
THE CITY OF BIG SPRING AND THE BIG SPRING YMCA, ENTERED INTO
_____,_____, 2023

The Big Spring YMCA, Inc. and the City of Big Spring, Texas hereby amend their agreement for the year 2023 as follows:

1. The title of the agreement is corrected to: “RUSS McEWEN FAMILY AQUATIC CENTER LIFEGUARD AGREEMENT BETWEEN THE CITY OF BIG SPRING AND THE BIG SPRING YMCA”
2. The term of the Agreement shall extend from the June 3, 2023 until August 6, 2023.

All provisions of Section 8, “Miscellaneous Provisions,” are incorporated and included in this agreement.

Effective April 12, 2023.

EXECUTED in duplicate, each of which shall be deemed to be an original.

CITY OF BIG SPRING

Todd Darden, City Manager

ATTEST:

Tami Davis, City Secretary

APPROVED AS TO FORM ONLY;

Andrew Hagen, City Attorney

BIG SPRING YMCA, INC:

Dathan Jones, Director