CITY COUNCIL REGULAR AGENDA

Tuesday, September 13, 2022

Notice is hereby given that the City Council of the City of Big Spring, Texas will meet in Regular Session on Tuesday, September 13, 2022, 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
2. Invocation
3. Pledge of Allegiance to the United States Flag and to the Texas State Flag

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**

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** - Annual Budget for Fiscal Year 2022-2023		S. Smith
6.	**PUBLIC HEARING** - Proposed Tax Rate for Year 2022		S. Smith
7.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1309 GRAFA STREET, BIG SPRING, TEXAS 79720 - LT 17, BK 15, MONTICELLO ADDITION - OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720	8-64	Hagen
8.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 610 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 6, BK 7, COLE & STRAYHORN ADDITION - OWNER: RUTH SOLEDAD CANO, 610 E. 12TH STREET, BIG SPRING, TEXAS 79720	65-147	Hagen
9.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION - OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS 79720	148-210	Hagen
10.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1217 LINDBERG, BIG SPRING, TEXAS 79720 - LT 20 BK 4, WRIGHT'S AIRPORT ADDITION - OWNER: MISSY PUGA, 1217 LINDBERG, BIG SPRING, TEXAS 79720	211-249	Hagen
11.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 2802 APACHE STREET, BIG SPRING, TEXAS 79720 - LT 8 BK 5, WESTERN HILLS ADDITION - OWNER: KAYCIE SAUCEDO, 2802 APACHE STREET, BIG SPRING, TEXAS 79720	250-309	Hagen
12.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 - LT SC 42 BK 42, WILLIAM B CURRIE ADDITION - OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON	310-345	Hagen

STREET, BIG SPRING, TEXAS 79720

13.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 405 DONLEY, BIG SPRING, TEXAS 79720 - LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION - OWNER: JOHNNY RUDDA, 405 DONLEY, BIG SPRING, TEXAS 79720	346-396	Hagen
14.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 - LT SW/4, BK 44, BAUER ADDITION - OWNER: POWERHOUSE CHURCH OF GOD IN CHRIST, P.O. BOX 2407, BIG SPRING, TEXAS 79720	397-449	Hagen
15.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 2705 ANN DRIVE, BIG SPRING, TEXAS 79720 - LT LESS N/2 OF LT3, BK 15, KENTWOOD ADDITION - OWNER: THOMAS OLIVER BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720	450-520	Hagen
16.	**PUBLIC HEARING** for Consideration and Possible Action Concerning Abatement of Public Nuisance at 604 NE 10TH STREET, BIG SPRING, TEXAS 79720 - LT SE/4 OF SC 42, BK 32, WILLIAM B. CURRIE ADDITION - OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NORTH MAIN, APT 36, BIG SPRING, TEXAS 79720	521-567	Hagen

City Manager's Report

17.	City Manager's report on the following items: ○ Large Item Pickup, District 3 - Sept. 21, 2022 ○ Update - Large Trucks Traveling Thru Town		Darden

Consent Items

18.	Approval of the City Council Minutes of the Regular Meeting of August 23, 2022	568-574	Davis
19.	Final Reading of a Resolution Repealing City Council Resolution 003-2016 Which Set the Goal of Ending the Euthanization of Homeless Pets; Providing for Severability; and Providing an Effective Date	575	Moore

20.	Final Reading of an Ordinance Amending the Ordinance Establishing the Animal Rescue Committee to Reassign the Committee's Responsibility to the Shelter Manager and to Exclude from Such Responsibility Providing Assistance to the City in Becoming a No-Kill Shelter; and Amending Various Sections of Chapter 8 "Animals" to Balance a Policy Favoring Adoption and Placement of Animals into Permanent Homes where Possible with a Policy of Protecting Public Safety by Maintaining Safe and Adequate Space at the Animal Shelter, to Promote Microchipping and Other Identification Methods of Animals, and Amending and Repealing Various Sections for Clarity; and Stating the Sense of City Council on Expanding Public Access to the Animal Shelter, Providing for Severability; and Providing an Effective Date	576-580	Moore
21.	Acknowledge Receipt of the Big Spring Economic Development Corporation Board of Director's Minutes of the Regular Meeting of July 19, 2022	581-582	Mark Willis
22.	Acknowledge Receipt of the Zoning Board of Adjustments Minutes of the Regular Meeting of May, 25, 2022	583-585	Bowles
23.	Acknowledge Receipt of the Planning & Zoning Commission Minutes of the Regular Meeting of June 21, 2022	586-588	Bowles

Vouchers

24.	Vouchers for 08/25/22	$	444,158.17	Yanez
	Manual Cks & Drafts	$	567,269.15	
25.	Vouchers for 09/01/22	$	128,307.39	Hughes
	Vouchers for 09/08/22	$	955,824.94	
	Manual Cks & Drafts	$	562,074.38	

Bids

26.	**TABLED** - Consideration and Possible Action on Awarding a Bid for Fencing at the Big Sandy Landfill and Authorizing the City Manager or His Designee to Execute any Necessary Documents	589-590	Bowles

New Business

27.	Consideration and Possible Action Regarding Big Spring Economic Development Corporation's Annual Budget for 2022-2023	Handout	Mark Willis

28.	First Reading of a Resolution Seeking Permission to Apply for a Grant Through the Office of the Governor, Public Safety Office Criminal Justice Division for Funding of Bullet-Resistant Shields.	591-598	Williams
29.	First Reading of a Resolution Amending the Authorized Representatives Empowered to Transmit and Withdraw Funds from Texpool; and Declaring an Effective Date	599-600	S. Smith
30.	First Reading of a Resolution Reviewing and Approving the Investment Policy of the City of Big Spring	601-609	S. Smith
31.	First Reading of an Ordinance Amending Chapter 50 of the Code of Ordinances Entitiled "Utilities," Article IV Entitled "Utility Service Charges" by Amending Section 50-92 Entitled "Charges for Water Rates" Subsection B and Section 50-94 Entitled "Wastewater Rates" to Adjust Rates; Providing for Publication; and Providing an Effective Date	610-613	S. Smith
32.	First Reading of an Ordinance Amending Chapter 44 of the Big Spring Code of Ordinances Entitled "Solid Waste," Article I "In General," Section 44-11 "Permit for Private Collectors;" Amending Chapter 44 of the Big Spring Code of Ordinances Entitled "Solid Waste," Article II "Collections and Landfill Fees" Section 44-41 "Rates" to Amend the Rate Schedule; Providing for Severability; Providing for Publication; and Providing an Effective Date	614-617	Bowles
33.	First Reading of an Ordinance Fixing and Levying Municipal Ad Valorem Taxes for Said City for the Year 2022; Directing the Assessment and Collection Thereof; Providing for Severability; and Establishing an Effective Date	618-620	S. Smith
34.	First Reading of an Ordinance Adopting an Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2022 and Ending September 30, 2023; Providing for Severability; Providing for Publication; and Providing an Effective Date	621-624	S. Smith
35.	First Reading of an Ordinance Establishing the Pay Schedule for Classified Positions Within the Police Department for the Fiscal Year 2022-23; Providing for Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date	625-626	Medina
36.	First Reading of an Ordinance Establishing the Fire Department Pay Scale for the Fiscal Year 2022-23 in Accordance with Chapter 143 of the Texas Local	627-628	Medina

	Government Code; Providing for the Repeal of Ordinances in Conflict Herewith; and Providing for an Effective Date		
37.	First Reading of An Ordinance of the City Council Of Big Spring, Texas, Amending Chapter 32 of The Big Spring City Code Entitled “Licenses, Taxation And Miscellaneous Business,” Article Ii “Taxation,” Division 2 “Hotel Occupancy Tax,” Section 32-65 “Revenues-Use” to Add A New Subsection 3 to Waive the 5-Year Limitation on Assistance; and Amending Chapter 40 of the Big Spring City Code Entitled “Parks, Recreation And Cultural Affairs”, Article Iv “Dora Roberts Community Center”, Section 40-110 “Administration” Subsection (B) to Make Exceptions to the Board’s Duties; Providing For Severability; And Providing An Effective Date.	629-630	Hagen
38.	Consideration and Possible Action on a Recycling Agreement with Keep Texas Recycling and Authorizing the City Manager or His Designee to Execute any Necessary Documents	631-635	Bowles
39.	Discussion Regarding a Railroad Quiet Zone		M. Smith

Council Input

40.	Input		

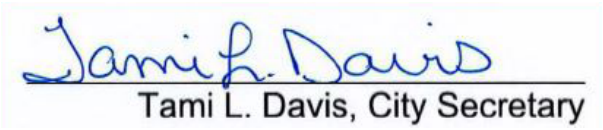
Executive Session

41.	**ADJOURN** into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of the following: City Attorney City Manager		Moore
42.	**ADJOURN** into Executive Session in Matters Covered by Texas Government Code Section 551.074 "Personnel Matters; Closed Meeting" to Deliberate the Appointment, Employment, Evaluation and Duties of Municipal Judge		Moore
43.	**RECONVENE** into Open Session and Take any Necessary Action on Executive Session Items		Moore
44.	**ADJOURN**		Moore

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 Friday, September 9, 2022 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.



PERSONS WISHING TO HAVE AN INTERPRETER SHOULD CONTACT TAMI DAVIS AT 264-2513 or tdavis@mybigspring.com. REQUESTS FOR AN INTERPRETER SHOULD BE MADE AT LEAST 72 HOURS IN ADVANCE OF THE MEETING TIME.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF JACOB LEOS
CONCERNING 1309 GRAFA

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, 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 17, Block 15 in the Monticello Addition of Big Spring, Howard County, Texas, also known as 1309 Grafa, 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.

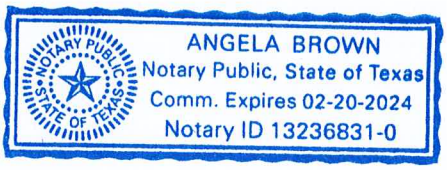
Using the above-described records, I verified that **David W. SAUSMAN and Judy SAUSMAN** are the owners of the property located at the above-described premises and his mailing address is **1601 Vines Avenue, Big Spring, Howard County, Texas,** as shown in **Exhibit A-1**.

Additional notices were sent to 700 E. 14th Street, Big Spring, Howard County, Texas. This address was obtained from property records of the Howard County Clerk in Big Spring, Texas.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.



Angela Brown
Notary Public, State of Texas

EXHIBIT A-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000007125 Geo ID : B4500028100 1/

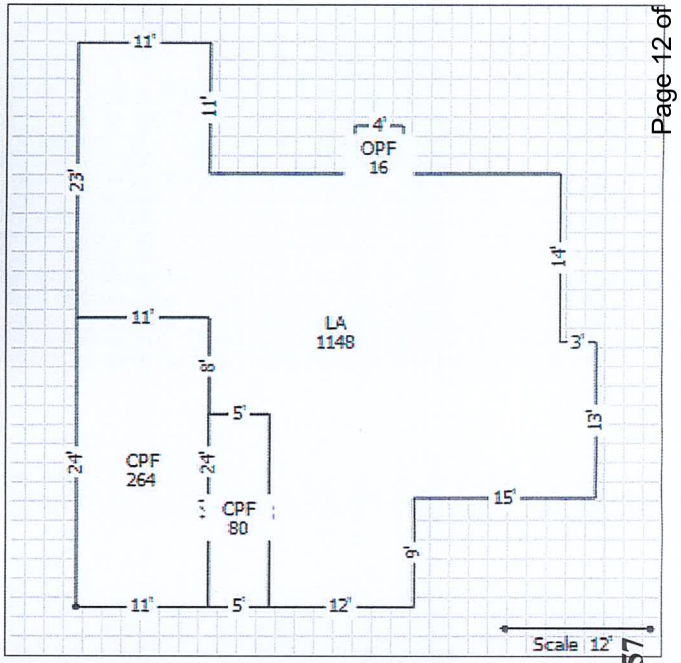
Ownership

SAUSMAN DAVID W &

SAUSMAN JUDY
1601 VINES AVE
BIG SPRING, TX 79720-5114

Exemptions/Deed

VOL: 0848
PAGE: 633
DATE: 1/4/2002



Legal Information

LEGAL: LT 17 BK 15 MONTICELLO 60X125 212 ACQ 010402 BLK/TRACT 15 0.172 ACRES
SITUS: 1309 GRAFA
ACRES:0.172
ALT:7125
XREF:7125.1

NOT CERTIFIED

Appraisal Coding

Appr By TG Appr Dt 11/01/21
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
1/4/02		0848	633	0	1/4/02	++++++	++++++	SAUSMAN DAVID W & JUDY	HOWELL RON
12/15/00		0818	81	0	1/4/02	++++++	++++++	HOWELL RON	DOWNEY, VONNIE N
1/11/94		0692	262	0	1/4/02	++++++	++++++	DOWNEY VONNIE N ET UX	DOWNEY VONNIE N ET UX

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
LA-LIVING AREA	Y	1952/NA	RS3F	1,148	101.79	116,855	0	VP -87%		0%	-90%	0%	100%	0%	-98.7%	1,519
CPF-COVERED PORCH FR	Y	1952/NA	RS3F	264	15.27	4,031	0	VP -87%		0%	-90%	0%	100%	0%	-98.7%	52
CPF-COVERED PORCH FR	Y	1952/NA	RS3F	80	15.27	1,221	0	VP -87%		0%	-90%	0%	100%	0%	-98.7%	16
OPF-OPEN PORCH / PAT	Y	1952/NA	RS3F	16	6.11	98	0	VP -87%		0%	-90%	0%	100%	0%	-99.0%	1
				1,508		122,205	0									1,588

SQFT MA: 1148 MKT CSF MA: 5.042 CSF IMPR: 1.383 LOC CODE: MT

Feature Code	Cpsf / Value
AST-1 STORY	0
AUT-ALL	0
CRM-COMPOSITION	0
EHC-WALL	0
FET-FRAME	0
HRT-HIP	0
PFN-PIER AND BE	0
1BT-1 BATH	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	60.0 FF/60.0 RF/125.0 DF LOTS	70.0		70.00		0%		Y	4,200	A1						
									4,200							0

Comments

	2022	Ptd	Change +/-	Prior	2021	Ptd
Impr Homesite +	1,588	A1	127	1,461		A1
Land Homesite +	4,200	A1	0	4,200		A1
Total Market =	5,788		127	5,661		
Assessed =	5,788		127	5,661		

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	5,788	.3275450		18.96
02B CITY OF BIG SPRING	0	5,788	.6731630		38.96
03B BIG SPRING ISD	0	5,788	1.0160000		58.81
052 HOWARD COLLEGE	0	5,788	.2367770		13.70
** ESTIMATED TOTAL					130.43

Nbh Coding	Misc Coding
GB20	MT22

User PERMITS2 Print Date 7/25/2022 11:23:47 AM Property ID : R000007125 Geo ID : B4500028100 Quick Link :

EXHIBIT A-1 1 of 1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1309 GRAFA 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT A-2

INCIDENT #: 70577
INCIDENT CODE: 300-0006 ACCUML ITEM
PROPERTY: 1309 GRAFA ST

ORIG. DATE:

EXHIBIT A-2 1 of 1

NOTES

Incident Notes:
6/7/22 PROPERTY HAS AN ACCUMULATION OF MANY ITEMS INCLUDING, FURNTITURE, APPLIANCES, TRASH, METAL, WOOD, PLASTIC, JUNK, TIRES AND MANY MORE ITESM 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 (432-517-8175) 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

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS

"With regard to the photographs in **Exhibits A-3 through A-5**, I am familiar with and recognize the scene depicted in the photographs. On June 7, 2022, July 8, 2022 and August 10,2022, I inspected the property described as:

> Lot 17, Block 15 in the Monticello Addition of Big Spring, Howard County, Texas, also known as 1309 Grafa, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT A-3

6/ 7/2022 12:41
EXHIBIT A-3 1 of 5

EXHIBIT A-3 2 of 5
6/7/2022 12:41

6/ 7/2022 12:41
EXHIBIT A-3 3 of 5

6/7/2022 12:42
EXHIBIT A-3 4 of 5

6/ 7/2022 12:42
EXHIBIT A-3 5 of 5

EXHIBIT A-4

7/ 8/2022 8:24
EXHIBIT A-4 1 of 3

Page 18 of 57
7/ 8/2022 8:24
EXHIBIT A-4 2 of 3

7/ 8/2022 8:24

EXHIBIT A-4 3 of 3

EXHIBIT A-5

8/10/2022 13:55
EXHIBIT A-5 1 of 6

8/10/2022 13:55
EXHIBIT A-5 2 of 6

8/10/2022 13:55
EXHIBIT A-5 3 of 6

8/10/2022 13:55
EXHIBIT A-5 4 of 6

8/10/2022 13:56

8/10/2022 13:56
EXHIBIT A-5

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY JACOB LEOS

"The document in **Exhibit A-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 A-6** is also attached.

SIGNED on the ____ day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this ____ day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT A-6

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, FURNTITURE, APPLIANCES, TRASH, METAL, WOOD, PLASTIC, JUNK, TIRES AND MANY MORE ITESM 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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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

BIG SPRING TEXAS Code Enforcement

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

June 13, 2022 Complaint No: 70579

JUDY IRWIN SAUSMAN
1601 VINES AVE
BIG SPRING TX 79720-5114

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
1309 GRAFA ST
Lot: 17 BK: 15 MONTICELLO 212

Dear JUDY IRWIN SAUSMAN:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 13** of the Health and Sanitation Code, specifically **Article 1, Section 36-63 et seq.**, thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 **Penaltv for Violation of this Article**

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Code Enforcement/City of Big Spring

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: 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
THERE ARE SEVERAL ITEMS ON PROPERTY INCLUDING PILES OF CLOTHES, FURNTITURE, 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.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*E-mail*

Exhibit A-6
5 of 25

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.

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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

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: 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
THERE ARE SEVERAL ITEMS ON PROPERTY INCLUDING PILES OF CLOTHES, FURNTITURE, 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.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*E-mail*

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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.

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Sincerely,

Jacob Leos
Code Compliance
City of Big Spring, Texas

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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com

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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.

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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.

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Sincerely,

Jacob Leos
Code Compliance
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1309 GRAFA STREET, BIG SPRING, TEXAS 79720
Lot: 17 BK 15 : MONTICELLO ADDITION

August 21, 2022

JUDY IRWIN AND DAVID WARD SAUSMAN
1309 GRAFFA STREET
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022 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.

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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.

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Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1309 GRAFA STREET, BIG SPRING, TEXAS 79720
Lot: 17 BK 15 : MONTICELLO ADDITION

August 21, 2022

JUDY IRWIN AND DAVID WARD SAUSMAN
1601 VINES AVE
BIG SPRING, TX 79720-5114

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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022 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,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1309 GRAFA STREET, BIG SPRING, TEXAS 79720
Lot: 17 BK 15 : MONTICELLO ADDITION

August 21 , 2022

JUDY IRWIN AND DAVID WARD SAUSMAN
700 E. 14TH STREET
BIG SPRING, TX 79720-4625

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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022 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

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 Official
City of Big Spring, Texas

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 September 13, 2022, attached as **Exhibit A-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Loos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT A-7

BIG SPRING
TEXAS
Code Enforcement
217 E 3rd St., Big Spring, Texas 79720 / Ph. 432-264-2505
NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE
NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON SEPTEMBER 13, 2022 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:
1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER JUDY AND DAVID SAUSMAN, 1603 VINES AVE, BIG SPRING, TEXAS 79720
610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 5, BK 7, COLE & STRAYHORN ADDITION – OWNER RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720
1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS
1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44 – OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721
1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 3, WIGGINS AIRPORT ADDITION – OWNER, MISS APUGA, 1217 LINDBERG STREET, BIG SPRING, TEXAS 79720
2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACHE SAUCEDO, 3015 WASSON ROAD, BIG SPRING, TEXAS 79720
604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS & CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NORTH MAIN STREET, BIG SPRING, TEXAS 79720
209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720
405 DONLEA, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOWDEN ADDITION – OWNER: JOHNNY RUBIO, 407 DONLEA, BIG SPRING, TEXAS 79720
2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS HEADBERD, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720
THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT CHANTEL DAVIS AT 432-264-2505 OR AT 310 N. MAIN, BIG SPRING, TEXAS 79720, AT LEAST 48 HOURS IN ADVANCE OF THE MEETING.
8/24/2022 13:03
EXHIBIT A-7 1 of 2
Page 63 of 635
Page 56 of 57

BIG SPRING TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF JACOB LEOS
CONCERNING 610 E. 12TH STREET

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 **610 E. 12TH STREET**, 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 6, Block 7 in the Cole & Strayhorn Addition of Big Spring, Howard County, Texas, also known as 610 E. 12th Street, 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 **RUTH SOLEDAD CANO** is the owner of the property located at the above-described premises and his mailing address is **610 E. 12TH STREET**, Big Spring, Howard County, Texas, as shown in **Exhibit B-1**.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Angela Brown
Notary Public, State of Texas

EXHIBIT B-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000002293 Geo ID : B2880007200 2/2

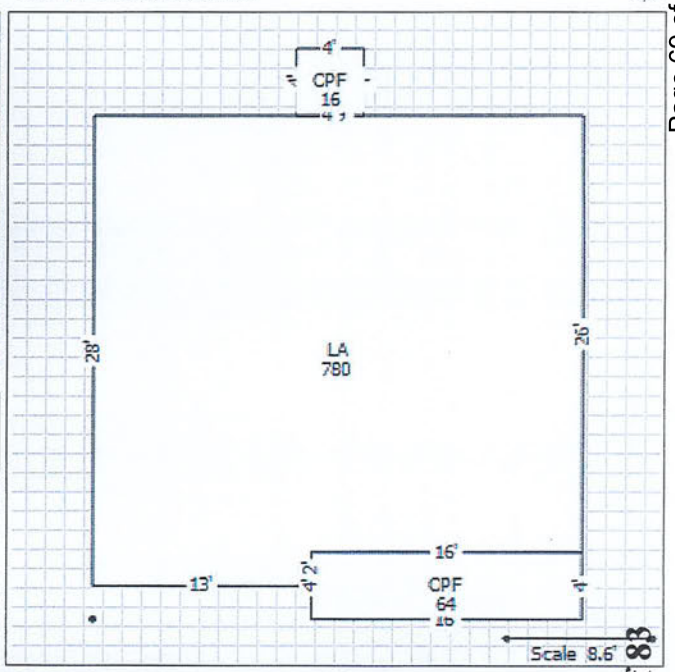
Ownership

CANO RUTH S

701 E 13TH
BIG SPRING, TX 79720

Exemptions/Deed

INST: 2014-00000424
VOL: 1375
PAGE: 24
DATE: 1/21/2014



Legal Information

LEGAL: LT 6 BK 7 COLE & STRAYHORN 50X140 205 BLK/TRACT 7 0.161 ACRES ACQ 012114
SITUS: 610 E 12TH
ACRES:0.161
ALT:2293
XREF:2293.1

NOT CERTIFIED

Appraisal Coding

Appr By	TG/CT	Appr Dt	12/08/20
Check By		Check Dt	

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
1/21/14		1375	24	2014-00000424	1/21/14	++++++	++++++	CANO RUTH S	SMITH DORRACE J

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
LA-LIVING AREA	N	1951/NA	RS2F	780	93.96	73,289	0	PO -81%		0%	0%	0%	100%	0%	-81.0%	*	13,925
CPF-COVERED PORCH FR	N	1951/NA	RS2F	64	14.09	902	0	PO -81%		0%	0%	0%	100%	0%	-81.0%	*	171
CPF-COVERED PORCH FR	N	1951/NA	RS2F	16	14.09	226	0	PO -81%		0%	0%	0%	100%	0%	-81.0%	*	43
				======		=======	======										=======
				860		74,417	0										14,139

SQFT MA: 780 MKT CSF MA: 29.21 CSF IMPR: 18.127 LOC CODE: GD

Feature Code	Cpsf / Value
AST-1 STORY	0
CRM-COMPOSITION	0
FET-FRAME	0
GRT-GABLE	0
PFN-PIER AND BE	0
1BT-1 BATH	0
NHC-NONE	0
NUT-NONE	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

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	5,145	A1	-1,622	6,767	A1
Impr Non Homesite +	14,139	A1	-501	14,640	A1
Land Homesite +	3,500	A1	0	3,500	A1
Total Market =	22,784		-2,123	24,907	
Assessed =	22,784		-2,123	24,907	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	22,784	.3275450		74.63
02B CITY OF BIG SPRING	0	22,784	.6731630		153.37
03B BIG SPRING ISD	0	22,784	1.0160000		231.49
052 HOWARD COLLEGE	0	22,784	.2367770		53.95
** ESTIMATED TOTAL					=======
					513.44

Nbh Coding	Misc Coding
	BSISDE
	GD22

User PERMITS2 Print Date 5/11/2022 8:32:05 AM Property ID : R000002293 Geo ID : B2880007200 Quick Link :

EXHIBIT B-1 1 of 2

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000002293 Geo ID : B2880007200 1/2

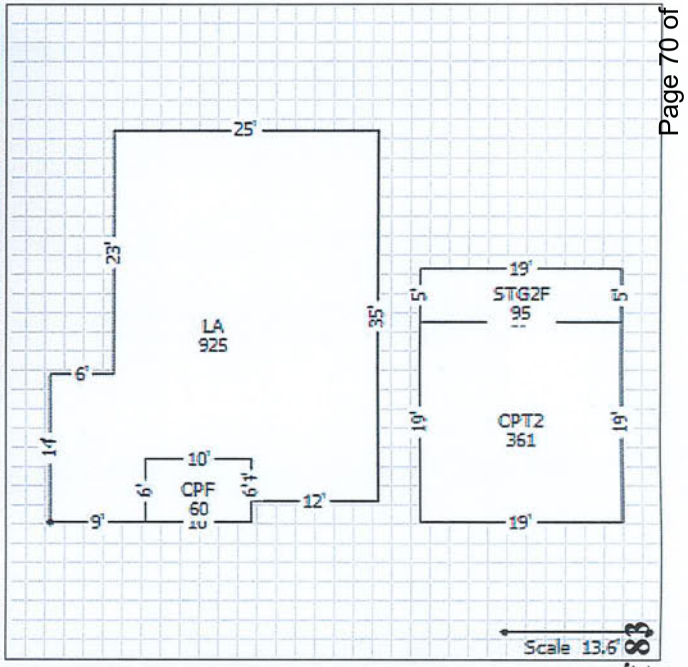
Ownership

CANO RUTH S

701 E 13TH
BIG SPRING, TX 79720

Exemptions/Deed

INST: 2014-00000424
VOL: 1375
PAGE: 24
DATE: 1/21/2014



Legal Information

LEGAL: LT 6 BK 7 COLE & STRAYHORN 50X140 205 BLK/TRACT 7 0.161 ACRES ACQ 012114
SITUS: 610 E 12TH
ACRES:0.161
ALT:2293
XREF:2293.1

NOT CERTIFIED

Appraisal Coding

Appr By TG/CT Appr Dt 12/08/20
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
1/21/14		1375	24	2014-00000424	1/21/14	++++++	++++++	CANO RUTH S	SMITH DORRACE J

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
LA-LIVING AREA	Y	1927/NA	RS3F	925	105.27	97,375	0	VP -95%		0%	0%	0%	100%	0%	-95.0%	*	4,869
CPT2-CARPORT AVERAGE	Y	1927/NA	RS3F	361	9.79	3,534	0	VP -95%		0%	0%	0%	100%	0%	-95.0%	*	177
STG2F-AVG QUALITY ST	Y	1927/NA	RS3F	95	11.00	1,045	0	VP -95%		0%	0%	0%	100%	0%	-95.0%	*	52
CPF-COVERED PORCH FR	Y	1927/NA	RS3F	60	15.79	947	0	VP -95%		0%	0%	0%	100%	0%	-95.0%	*	47
				1,441		102,901	0										5,145

SQFT MA: 925 MKT CSF MA: 24.631 CSF IMPR: 5.562 LOC CODE: GD

Feature Code	Cpsf / Value
AST-1 STORY	0
AUT-ALL	0
CRM-COMPOSITION	0
FET-FRAME	0
GRT-GABLE	0
PFN-PIER AND BE	0
WHC-WINDOW UNIT	0
1BT-1 BATH	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

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	5,145	A1	-1,622	6,767	A1
Impr Non Homesite +	14,139	A1	-501	14,640	A1
Land Homesite +	3,500	A1	0	3,500	A1
Total Market =	22,784		-2,123	24,907	
Assessed =	22,784		-2,123	24,907	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	22,784	.3275450		74.63
02B CITY OF BIG SPRING	0	22,784	.6731630		153.37
03B BIG SPRING ISD	0	22,784	1.0160000		231.49
052 HOWARD COLLEGE	0	22,784	.2367770		53.95
** ESTIMATED TOTAL					513.44

Nbh Coding

Misc Coding
BSISDE
GD22

User PERMITS2 Print Date 5/11/2022 8:31:55 AM Property ID : R000002293 Geo ID : B2880007200 Quick Link :

EXHIBIT B-1 2 of 2

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
610 E. 12TH STREET 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT B-2

INCIDENT CODE: 300-0006 ACCUML ITEM
PROPERTY: 610 E 12TH ST

NOTES

Incident Notes:
3/29/22 MAYOR REQUESTED INFO ABOUT THIS CASE.

Task #: 110671 - INSPECT ACCUMULATED - 3/21/2022
4/21/22 Inspected property. Observed several items including plastic, furniture, doors, windows, tires, barrls, sink, pallets, a shopping cart and many other items around property. Will send notice to Abate.
3/22/22 house on property closer to alley caught on fire 3/21/22.
several accumulated items around this house and property including furniture, wood, pallets, plastcs, and many other items. heard voices inside while doing an inspection today. possibly people living inside.

Task #: 110672 - ACCUMULATED ITEMS - 3/21/2022
3/15/22 COMPLAINT WAS MADE ABOUT THIS PROPERTY AND THAT IS WAS SO CLOSE TO THE HIGH SCHOOL WITH THIS VIOLATION (AI). INSPECTED AND PROPERTY 3/15/22 AND HOUSE HAS LOTS OF FURNITURE, WOOD MATERIALS, RANDOM MATERIALS, MATTRESSES, SEVERAL OTHER ITEMS ON PROPERTY AND SPILLING OUT OF HOUSE. (HOUSE HAS BACK WALL TORN OPEN) THERE IS A SECOND HOUSE ON PROPERTY THAT HAS ACCUMULATED ITEMS ALL AROUND IT AS WELL.

Task #: 110958 - REINSP ACCUMLTD ITEM - 4/21/2022

Task #: 110959 - ACCUMULATED ITEMS - 4/21/2022

INCIDENT CODE: 300-0008 RODENT
PROPERTY: 610 E 12TH ST

NOTES

Incident Notes:

Task #: 110673 - INSPECT - 3/22/2022
4/21/22 INSPECTED PROPERTY. STILL ACCUMULATION OF ITEMS INCLUDING PLASTIC, FURNITURE, DOORS, WINDOWS, TIRES, BARRELS, A SINK, PALLETS, SHOPPING CART AND MANY OTHER ITEMS AROUND PROPERTY. SOFAS AND PILES OF TRASH (DIRECTLEY ON THE GROUND) LEAVE POSSIBILITY OF HARBORAGE OF RODENTS AND BUG INFESTATIONS. WILL SEND NOTICE OF ABATEMENT.

Task #: 110674 - RODENT CONTROL - 3/22/2022
There are accumulated items on property that present conditions for rat harborage. Will send notice. If problem persists criminal charges will be filed.

Task #: 110962 - REINSPECT RODENT - 4/21/2022

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS

"With regard to the photographs in **Exhibits B-3 thru B-5**, I am familiar with and recognize the scene depicted in the photographs. On March 15, 2022, April 21, 2022 and August 10, 2022, I inspected the property described as:

> Lot 6, Block 7 in the Cole & Strayhorn Addition of Big Spring, Howard County, Texas, also known as **610 E. 12th Street**, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT B-3

3/15/2022 8:47
EXHIBIT B-3 1 of 13

MAIL
3/15/2022 8:47

3/15/2022
8:50
EXHIBIT B-3

3/15/2022 8:50

3/15/2022 8:51
EXHIBIT B-3 5 of 13

3/15/2022 8:51
EXHIBIT B-3 6 of 13

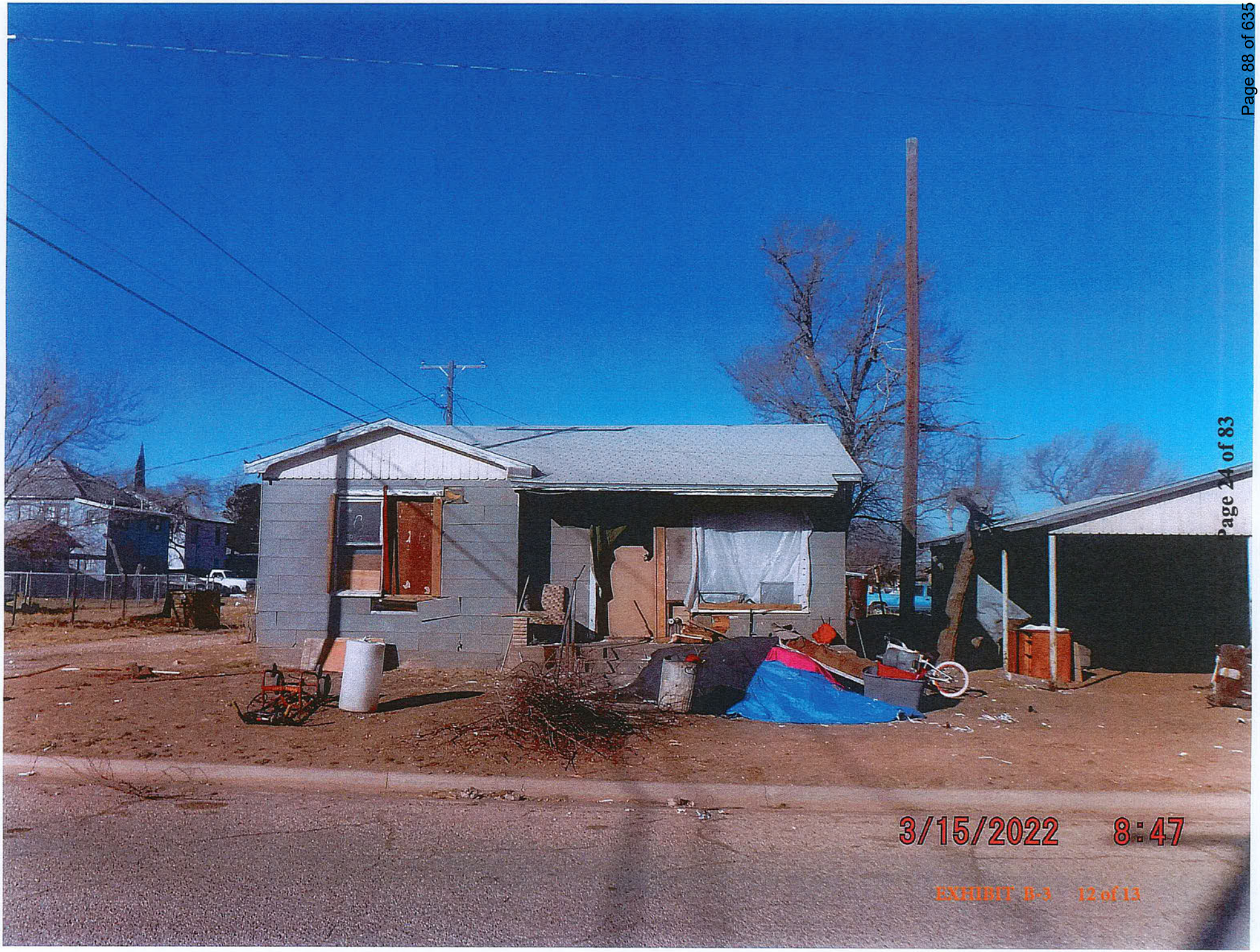
3/15/2022 8:51
EXHIBIT B-3 7 of 13

3/15/2022 8:53
EXHIBIT B-3 8 of 13

3/15/2022 8:53
EXHIBIT B-3 9 of 13

3/15/2022 8:53
EXHIBIT B-1
10 of 11

3/15/2022 8:54
EXHIBIT B-1 11 of 13


3/15/2022 8:47
EXHIBIT B-3 12 of 13

3/15/2022 8:47
EXHIBIT B-1 13 of 13

EXHIBIT B-4

4/21/2022 13:47
EXHIBIT B-1 1 of 8

EXHIBIT B-4 2 of 8

4/21/2022 13:48
EXHIBIT B-4 5 of 8

EXHIBIT B-4 4 of 8

4/21/2022 13:50
EXHIBIT B-4 5 of 8

4/21/2022 13:50
EXHIBIT B-4 6 of 8

4/21/2022 13:50

EXHIBIT B-4 8 of 8

EXHIBIT B-5

8/10/2022 15:09
Exhibit B-5 1 of 14

8/10/2022 15:08

8/10/2022 15:08
EXHIBIT B-5 3 of 14

8/10/2022 15:08
EXHIBIT B-5 4 of 14

8/10/2022 15:09
EXHIBIT B-5 5 of 14

8/10/2022 15:10
EXHIBIT B-5 8 of 14

8/10/2022 15:10
EXHIBIT B-5 7of14

8/10/2022 15:09
EXHIBIT D-5 8 of 14

8/10/2022 15:09
EXHIBIT B-5 9 of 14

8/10/2022 15:11
EXHIBIT B-5 10 of 14

8/10/2022 15:11
EXHIBIT B-5 11 of 14

EXHIBIT B-5 12 of 14

8/10/2022 15:12
EXHIBIT B-5 13 of 14

BOWFLEX
8/10/2022 15:12
EXHIBIT B-5 14 of 14

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY JACOB LEOS

"The documents in **Exhibit B-6** presents factual findings from a legally authorized investigation for code compliance. The documents are a copy of the official record."

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT B-6

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

March 21, 2022

Case No: 70132

RUTH SOLEDAD CANO
701 E 13TH ST
BIG SPRING TX 79720-4614

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 (furniture, mattresses, materials, junk, trash, tree trimmings and many other items) on the property that needs to be removed and taken out of 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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com

Phone *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 Officer
City of Big Spring, Texas

Code Enforcement

305 Johnson St. Big Spring, TX 79720. Ph 432-264-2505

March 22, 2022

Complaint No: 70135

RUTH SOLEDAD CANO
701 E 13TH ST
BIG SPRING TX 79720-4614

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

Dear RUTH SOLEDAD CANO:

This property has been inspected by this office and is found to be in violation of **Article 2 Section 4-2** of the Structural Standards Code of the City of Big Spring for the elimination or repair of unsafe buildings. You are required to correct these conditions in accordance with the attached violation report.

SECTION 4-2

Substandard Structure. Any structure or portion thereof, which fails to meet the requirements of this Code or the Building Codes is substandard and shall be abated in accordance with the procedures specified in this Code.

Please be advised that permits for repair or demolition of the structure must be obtained from the Building Inspections Department located at 217 E. 3rd St, Big Spring, TX 79720, prior to commencement of work or demolition. Repairs must be in conformance to local building codes and all permits must be approved by the Building Inspector or their designee. You are further advised that you have 10 days from the date of this notice to take corrective actions. In the event that you fail or refuse to comply within this length of time, a Public Hearing will be scheduled before the Board of Adjustments and Appeals at which time you may appear to show cause why corrective actions have not been taken. After that point the City of Big Spring will take action to correct the nuisance, and a lien may be placed against said property.

SECTION 2.04?? VIOLATIONS.

No person, firm or corporation, whether as owner, lessee, subleasee, or occupant, shall erect, construct, enlarge, alter, repair, move, improve, remove, demolish, equip, use, occupy, or maintain any building, structure, or premises, or cause or permit the same to be done contrary to or in violation of any of the provisions of this Code or any order issued by MEP Board of Adjustment hereunder. Any person violating the provisions of this Section shall be guilty of a misdemeanor and may be fined up to $2,000.00. Each day the violation continues shall constitute a separate offense.

If this matter has been taken care of before receipt of this letter please notify this office at (432) 264-2505. It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Jacob Leos
Code Enforcement/City of Big Spring
<MASTER_TOP_END><DOCUMENT_END>

BIG SPRING TEXAS Code Enforcement

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

March 22, 2022 Complaint No: 70133

RUTH SOLEDAD CANO
701 E 13th0
BIG SPRING TX 79720-4614

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

Dear RUTH SOLEDAD CANO:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 13** of the Health and Sanitation Code, specifically **Article 1, Section 36-63 et seq**., thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 **Penalty for Violation of this Article**

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Jacob Leos0
Code Enforcement/City of Big Spring

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

March 22, 2022 Case No: 70134

RUTH SOLEDAD CANO
701 E 13TH
BIG SPRING TX 79720-4614

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 needs to be cut	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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,

Jacob Leos
Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

April 21, 2022

Case No: 70132

RUTH SOLEDAD CANO
610 E 12TH ST
BIG SPRING TX 79720-4614

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 (plastic, furniture, doors, windows, tires, barrels, sink, pallets, shopping cart and other items) on the property that needs to be removed and taken out of 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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 Officer
City of Big Spring, Texas

BIG SPRING TEXAS Code Enforcement

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

April 21, 2022 Complaint No: 70133

RUTH SOLEDAD CANO
610 E 12TH ST
BIG SPRING TX 79720-4614

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

Dear RUTH SOLEDAD CANO:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 13** of the Health and Sanitation Code, specifically **Article 1, Section 36-63 et seq.**, thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 **Penalty for Violation of this Article**

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Jacob Leos
Code Enforcement/City of Big Spring

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

April 21, 2022

Case No: 70132

RUTH SOLEDAD CANO
701 E 13TH
BIG SPRING TX 79720-4614

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 (plastic, furniture, doors, windows, tires, barrels, sink, pallets, shopping cart and other items) on the property that needs to be removed and taken out of 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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 Officer
City of Big Spring, Texas

BIG SPRING TEXAS Code Enforcement

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

April 21, 2022 Complaint No: 70133

RUTH SOLEDAD CANO
701 E 13TH ST
BIG SPRING TX 79720-4614

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
610 E 12TH ST
Lot: PART LT 9 BK: 34 ORIGINAL TOWN 0744

Dear RUTH SOLEDAD CANO:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 13** of the Health and Sanitation Code, specifically **Article 1, Section 36-63 et seq**., thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 **Penalty for Violation of this Article**

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Jacob Leos
Code Enforcement/City of Big Spring

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

610 E. 12TH STREET, BIG SPRING, TEXAS 79720
Lot: 9 BK 34: ORIGINAL TOWN ADDITION

August 21, 2022

RUTH SOLEDAD CANO
610 E. 12TH STREET
BIG SPRING, TX 79720-4614

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 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.
Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with structural debris, tree trimmngs, shopping carts, pallets, windows, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	Jleos@mybigspring.com
Phone	*E-mail*

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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 **September 13, 2022** 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.

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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.

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Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

610 E. 12TH STREET, BIG SPRING, TEXAS 79720
Lot: 9 BK 34: ORIGINAL TOWN ADDITION

August 21, 2022

RUTH SOLEDAD CANO
701 E. 13TH STREET
BIG SPRING, TX 79720-4614

Sent via: First Class US Mail and Certified Mail

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Property Maintenance Code	
Sec. 111.1.5 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.
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Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
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Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with structural debris, tree trimmngs, shopping carts, pallets, windows, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	Jleos@mybigspring.com
Phone	*E-mail*

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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.

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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.

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Code Official
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BIG SPRING
TEXAS

Code Compliance

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

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610 E. 12TH STREET, BIG SPRING, TEXAS 79720
Lot: 9 BK 34: ORIGINAL TOWN ADDITION

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1103 E. 11th PLACE
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Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

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 September 13, 2022, attached as **Exhibit B-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Lees

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT B-7

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8/24/2022 13:22
EXHIBIT B-7 1 of 2

BIG SPRING TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF JACOB LEOS
CONCERNING 1006 E. 12TH STREET

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 **1006 E. 12TH STREET**, 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 4, Block 29 in the COLE & STRAYHORN Addition of Big Spring, Howard County, Texas, also known as 1006 E. 12TH STREET, 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 **RHETT DAYLON DEDMON** is the owner of the property located at the above-described premises and his mailing address is **1006 E. 12TH STREET**, Big Spring, Howard County, Texas, as shown in **Exhibit C-1**.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022

by the above referenced Affiant.

Angela Brown
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1006 E. 12TH STREET 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS

"With regard to the photographs in **Exhibits C-3 through C-7**, I am familiar with and recognize the scene depicted in the photographs. On January 7, 2022, April 21, 2022, May 25, 2022, July 6, 2022 and August 10, 2022, I inspected the property described as:

> Lot 4, Block 29 in the Cole & Strayhorn Addition of Big Spring, Howard County, Texas, also known as 1006 E. 12th Street, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY JACOB LEOS

"The document in **Exhibit C-8** 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-8** is also attached.

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

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 September 13, 2022, attached as **Exhibit C-9**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT C-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000002518 Geo ID : B2880029900

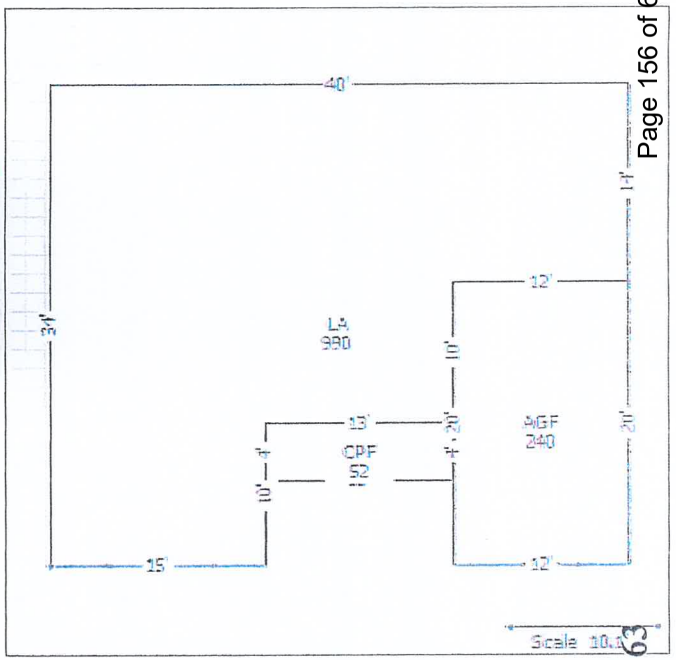
Ownership

DEDMON RHETT DAYLON

1006 E 12TH STREET
BIG SPRING, TX 79720

Exemptions/Deed

INST: 2021-00004032
VOL: 1992
PAGE: 152
DATE: 5/18/2021



Legal Information

LEGAL: LT 4 BK 29 COLE & STRAYHORN 50X140 249 BLK/TRACT 29 0.161 ACRES ACQ 05182021
SITUS: 1006 E 12TH
ACRES:0.161
ALT:2518
XREF:2518.1

Appraisal Coding

Appr By CLARISSA Appr Dt 11/19/20
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
5/18/21		1992	152	2021-00004032	5/18/21	++++++	++++++	DEDMON RHETT DAYLON	DEDMON SHARON

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
LA-LIVING AREA	Y	1938/NA	RS3F	990	105.27	104,217	0	PO -90%	0%	0%	0%	100%	0%	-90.0%	10,422
CPF-COVERED PORCH FR	Y	1938/NA	RS3F	52	15.79	821	0	PO -90%	0%	0%	0%	100%	0%	-90.0%	82
AGF-ATTACHED GARAGE	Y	1938/NA	RS3F	240	33.69	8,085	0	PO -90%	0%	0%	0%	100%	0%	-90.0%	808
				1,282		113,123	0								11,312

SQFT MA: 990 MKT CSF MA: 14.962 CSF IMPR: 11.426 LOC CODE: GD

Feature Code	Cpsf / Value
AST-1 STORY	0
AUT-ALL	0
CRM-COMPOSITION	0
FET-FRAME	0
HRT-HIP	0
PFN-PIER AND BE	0
1BT-1 BATH	0
WHC-WINDOW UNIT	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						0
									3,500							

Comments

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	11,312	A1	-3,881	15,193	A1
Land Homesite +	3,500	A1	0	3,500	A1
Total Market =	14,812		-3,881	18,693	
Assessed =	14,812		-3,881	18,693	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	14,812	.3275450		48.52
02B CITY OF BIG SPRING	0	14,812	.6731630		99.71
03B BIG SPRING ISD	0	14,812	1.0160000	2015	150.49
052 HOWARD COLLEGE	0	14,812	.2367770		35.07
** ESTIMATED TOTAL					333.79

Nbh Coding	Misc Coding
HSAPPNOT21	BSISDE
HSAPPNOT22	GD22

User PERMITS2 Print Date 7/7/2022 9:44:59 AM Property ID : R000002518 Geo ID : B2880029900 Quick Link :

EXHIBIT C-1 1 of 1

EXHIBIT C-2

07-07-2022 09:42 AM INCIDENT NOTES REPORT

INCIDENT #: 69660 ORIG. DATE:

INCIDENT CODE: 300-0006 ACCUML ITEM

PROPERTY: 1006 E 12TH ST

NOTES

Incident Notes:

Several items (trash, tires, rubbish, furniture, jacuzzi, and other items) Also two sets of firewood stacks. firewood needs to be off ground and away from public view. There is also a sign advertising the firewood for sale in the front yard attached to pallets.

Task #: 109811 - INSPECT ACCUMULATED - 1/07/2022

Task #: 109812 - ACCUMULATED ITEMS - 1/07/2022

07-07-2022 09:41 AM INCIDENT NOTES REPORT

INCIDENT #: 70275 ORIG. DATE:

INCIDENT CODE: 300-0006 ACCUML ITEM

PROPERTY: 1006 E 12TH ST

NOTES

Incident Notes:

4/22/22 INSPECTED PROPERTY. OBSERVED A VERY LARGE ACCUMUALTION OF ITEMS INCLUDING TIRES, BIKES, TRASH, APLLIANCES, TOOLS, COOLERS, CONTAINERS, SHELF FULL OF SPRAY CANS, AEROSOL TYPE CANS AND MANY MORE ITEMS. THERE IS AN EXCESSIVE AMOUNT COVERING THE WHOLE FRONT YARD AND SIDE OF PROPERTY. WILL SEND NOTICE.

Task #: 110972 - INSPECT ACCUMULATED - 4/22/2022

Task #: 110973 - ACCUMULATED ITEMS - 4/22/2022

Task #: 111905 - REINSP ACCUMLTD ITEM - 7/06/2022

7/6/22 REINSPECTED- PROPERTY HAS TIRES, FURNITURE, PLASTIC TUBS, WATER HEARTER, TRASH, INSTALLATION, ROLLED UP SAFETY FENCE, AND SEVERAL OTHER ITEMS ON PROPERTY. WILL SEND 3RD NOTICE.

Task #: 111906 - ACCUMULATED ITEMS - 7/06/2022

EXHIBIT C-3

2022. 1. 7 12:04
EXHIBIT C-3 1 of 4

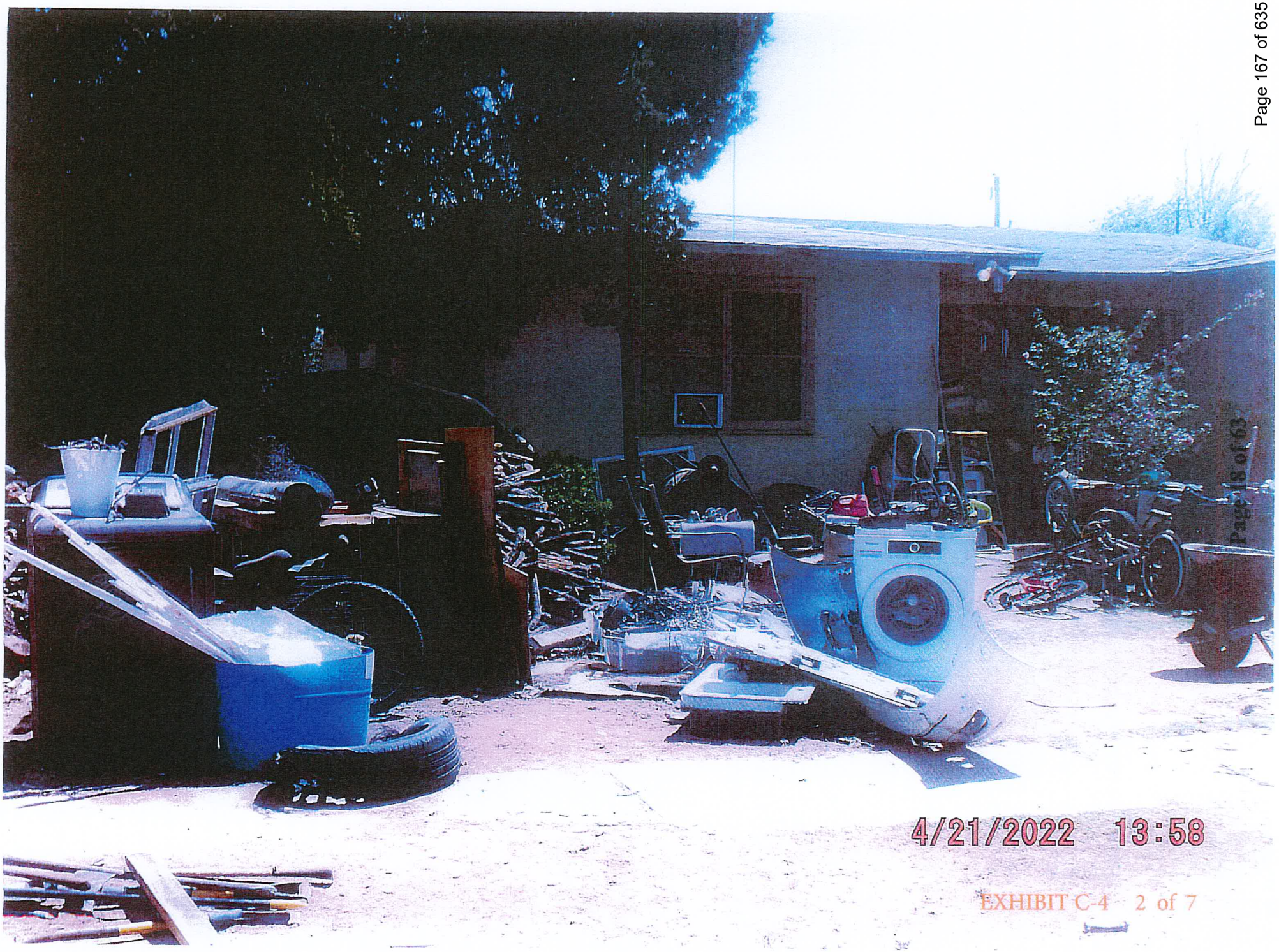
2022. 1. 7 12:03
EXHIBIT C-3 2 of 4

EXHIBIT C-3 - 3 of 4

2022. 1. 7 12:03
EXHIBIT C-3 4 of 4

EXHIBIT C-4

4/21/2022 13:58
EXHIBIT C-4 1 of 7


4/21/2022 13:58

4/21/2022 13:58

4/21/2022 13:58
EXHIBIT C-4 4 of 7

4/21/2022 13:58
EXHIBIT C-4 5 of 7

4/21/2022 13:58
EXHIBIT C-4 6 of 7

4/21/2022 13:58

EXHIBIT C-5

5/25/2022 13:22

EXHIBIT C-5 2 of 3

5/25/2022 13:22

EXHIBIT C-5 3 of 3

EXHIBIT C-6

7/6/2022 15:01

EXHIBIT C-6 1 of 3

Exhibit #2 of 3
7/6/2022 15:02

7/ 6/2022 15:02
EXHIBIT C-6 3 of 3

EXHIBIT C-7

8/10/2022 13:30
EXHIBIT C-7 1 of 11

8/10/2022 13:30
EXHIBIT C-7 2 of 11

8/10/2022 13:29
EXHIBIT C-7 3 of 11

8/10/2022 13:29
EXHIBIT C-7 4 of 11

8/10/2022 13:30

EXHIBIT C-7 5 of 11

8/10/2022 13:30

EXHIBIT C-7 6 of 11

8/10/2022 13:31
EXHIBIT C-7 7 of 11

EXHIBIT C-7 8 of 11

8/10/2022 13:31
EXHIBIT C-7 9 of 11

8/10/2022 13:31
EXHIBIT S-7 10 of 15

8/10/2022 13:31
EXHIBIT C-7 11 of 11

EXHIBIT C-8

BIG SPRING
TEXAS

Code Enforcement

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

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 36 AT:
1006 E 12TH ST
Lot: 4 BK: 29 COLE &STRAYHORN

January 7, 2022 Complaint No: 69660

RHETT D DEDMON
1006 E 12TH ST
BIG SPRING TX 79720-4714

Sent via: First Class US Mail

Dear RHETT D DEDMON:

An inspection of the property located at 1006 E 12TH ST was conducted to determine the presence of accumulated items. You are receiving this notice because you are believed to be one or more of the following: property owner, occupant/resident, or agent for the property owner.

REMOVAL OF ACCUMULATION REQUIRED

The inspection revealed that an accumulation of items exists at the above-referenced property. You are required to remove the following rubbish, garbage, or any other objectionable, unsightly and/or unsanitary accumulation from public view no later than the seventh (7th) day after the date of this notice:

There are several items (trash, tires, rubbish, furniture, jacuzzi and lots of other items) on the property that needs to be removed and taken out of public view. The firewood needs to be off the ground and away from view. There cannot be a sign in the front yard for selling items. If problem persists a citation will be issued.

PENALTY

Should you fail to remove the above-described accumulation as required by law, a criminal violation may be issued to you via the Municipal Court, which could result in a fine being assessed against you of not less than $250 for the first offense, and not less than $500 for subsequent offenses. Each day that the violation continues is a separate offense. This penalty is separate from any abatement action that the City may perform.

REMOVAL OF ACCUMULATION BY CITY

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

1006 E 12TH ST
Lot: 4 BK: 29

April 22, 2022

Case No: 70275

RHETT D DEDMON
1006 E 12TH ST
BIG SPRING TX 79720-4714

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 ON THE PROPERTY INCLUDING TIRES, BIKES, TRASH, APLLIANCES, TOOLS, COOLERS, CONTAINERS, SHELF FULL OF SPRAY CANS, AEROSOL TYPE CANS AND AN EXCESSEIVE AMOUNT OF MORE ITEMS THAT NEED TO BE REMOVED AND TAKEN OUT OF 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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com

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 Officer
City of Big Spring, Texas

BIG SPRING TEXAS Code Enforcement

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

April 22, 2022 Complaint No. 70276

RHETT D DEDMON
1006 E 12TH ST
BIG SPRING TX 79720-4714

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
1006 E 12TH ST
Lot: 4 BK: 29

Dear RHETT D DEDMON:

You, as owner/occupant of the above referenced property, are in violation of Chapter 13 of the Health and Sanitation Code, specifically Article 1, Section 36-63 et seq., thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 Penalty for Violation of this Article

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Jacob Leos
Code Enforcement/City of Big Spring

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

1006 E 12TH ST
Lot: 4 BK: 29

July 6, 2022 Case No: 70275

RHETT D DEDMON
1006 E 12TH ST
BIG SPRING TX 79720-4714

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, wood, plastic tubs, trash, safety fence bundle, sink, tables, water heater and several other items) on the property from back to front that needs to be removed and taken out of 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	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com

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

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720
Lot: 4 BK 29: COLE & STRAYHORN ADDITION

August 21, 2022

RHETT D. DEDMON
1006 E. 12TH STREET
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with bikes, tires, trash, furniture, rubbish, appliances, coolers, shelf full of spray cans, aerosol type cans, and other excessive accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022** 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,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720
Lot: 4 BK 29: COLE & STRAYHORN ADDITION

August 21, 2022

RHETT D. DEDMON
3108 SHERROD ROAD
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with bikes, tires, trash, furniture, rubbish, appliances, coolers, shelf full of spray cans, aerosol type cans, and other excessive accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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.

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The City Council will serve as the Hearing Board for your case. The hearing is scheduled for **September 13, 2022** 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

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(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,

Jacob Leos
Code Official
City of Big Spring, Texas

EXHIBIT C-9

e Enforcement
St., Big Spring, Texas 79720 Ph. 432-264-2505
PUBLIC HEARING
NG PUBLIC NUISANCE
IG SPRING HEARING BOARD WILL HOLD A PUBLIC
5:30 P.M. IN THE CITY OF BIG SPRING COUNCIL
TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC
OF BIG SPRING, TEXAS. ALL INTERESTED PERSONS
WILL BE MADE AND REMEDIAL ACTION ORDERED ON
XAS 79720 – LT 17, BK 15, SHONTICELLO ADDITION –
601 VINES AVE, BIG SPRING, TEXAS 79720
S 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION –
13TH STREET, BIG SPRING, TEXAS 79720
TEXAS 79720 – LT 4, BK 29, COLE & STRAYHORN
LOEDSON, 1006 E. 12TH STREET, BIG SPRING, TEXAS
, TEXAS 79720 – SW/4 OF BK 41 – OWNER: POWER HOUSE
15, P.O. BOX 2307, BIG SPRING, TEXAS 79721
ING, TEXAS 79720 – LT 30, BK 4, WRIGHTS AIRPORT
1217 LINDBERG STREET, BIG SPRING, TEXAS 79720
79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER
AD, BIG SPRING, TEXAS 79720
G, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B
ESTATE OF ADDIE OLIVER, 1002 NORTH MAIN STREET, BIG
SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS
RODRIGUEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING,
AS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION –
ADLEY, 1807 SPRING, TEXAS 79720
TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS
807 SPRING, TEXAS 79720
HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS
F YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT JAIE
432-264-2505, 1807 SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT
OUR PRIOR TO THE MEETING
8/24/2022 13:26
EXHIBIT C-9 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF JACOB LEOS
CONCERNING 1217 LINDBERG

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 **1217 LINDBERG**, 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Miranda Barela
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 20, Block 4 in the Wright's Airport Addition of Big Spring, Howard County, Texas, also known as 1217 Lindberg, 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 **MISSY PUGA** is the owner of the property located at the above-described premises and his mailing address is **1217 LINDBERG**, Big Spring, Howard County, Texas, as shown in **Exhibit D-1**.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Angela Brown
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
1217 LINDBERG 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS

"With regard to the photographs in **Exhibits D-3 through D-5**, I am familiar with and recognize the scene depicted in the photographs. On January 11, 2022, May 10, 2022 and August 10, 2022, I inspected the property described as:

> Lot 20, Block 4 in the Wright's Airport Addition of Big Spring, Howard County, Texas, also known as 1217 Lindberg, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY JACOB LEOS

"The document in **Exhibit D-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 D-6** is also attached.

SIGNED on the 1ST day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

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 September 13, 2022, attached as **Exhibit D-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT D-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000011021 Geo ID : B6240005500 1/1

Ownership

PUGA MISSY

1217 LINDBERG
BIG SPRING, TX 79720

Exemptions/Deed

INST: 201400006839
VOL: 1418
PAGE: 449
DATE: 10/6/2014

Legal Information

LEGAL: LT 20 BK 4 WRIGHTS AIRPORT MH 12X60 LABEL #TXS0527011 011 BLK/TRACT 4 0.149
ACRES ACQ 10062014
SITUS: 1217 LINDBERGH
ACRES:0.149
ALT:11021
XREF:11021.1

Appraisal Coding

Appr By JD Appr Dt 11/08/21
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
10/6/14		1418	449	201400006839	10/6/14	++++++	++++++	PUGA MISSY	ROMERO MARY &

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 / Val

Page 5 of 39

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	A2						
									=======							======
									2,000							0

Comments

	2023	Ptd	Change +/-	Prior 2022	Ptd
Land Homesite +	2,000	A2	0	2,000	A2
Total Market =	2,000		0	2,000	
Assessed =	2,000		0	2,000	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	2,000	.3275450		6.55
02B CITY OF BIG SPRING	0	2,000	.6731630		13.46
03B BIG SPRING ISD	0	2,000	1.0160000		20.32
052 HOWARD COLLEGE	0	2,000	.2367770		4.74
** ESTIMATED TOTAL					=======
					45.07

Nbh Coding

Misc Coding
WEST22

User PERMITS2 Print Date 7/28/2022 2:42:56 PM Property ID : R000011021 Geo ID : B6240005500 Quick Link :

EXHIBIT D-1 1 of 1

EXHIBIT D-2

07-25-2022 02:36 PM TASK NOTES REPORT

TASK #: 109892 ORIG. DATE:

TASK CODE: INSPECT ACCUMULATED DUE DATE:

PROPERTY: 1217 LINDBERGH

NOTES

Incident Notes:

MADE CONTACT WITH MISSY PUGA ON PROPERTY. I TOLD HER ABOUT HER CAR WAS NOT PARKED ON A DRIVEWAY. SHE MOVED IT. I ALSO NOTIFIED HER ABOUT THE AI ON THE PROPERTY. SHE SAID SHE WILL WORK ON GETTING IT REMOVED AND THAT SHE JUST GOT OUT OF JAIL THE DAY BEFORE.

Task #: 109892 - INSPECT ACCUMULATED - 1/11/2022

Task #: 109893 - ACCUMULATED ITEMS - 1/11/2022

EXHIBIT D-2 1 of 1

EXHIBIT D-3

2022. 1.11 10:51
EXHIBIT D-3 1of 2

2022. 1. 11 10:45
EXHIBIT D-3 2 of 2

EXHIBIT D-4

2021. 5. 10 8:43
EXHIBIT D-4 1 of 5

2021. 5. 10 13:37
EXHIBIT D-1 2 of 5

2021. 5.10 13:59
EXHIBIT D-4 3 of 5

2021. 5. 10 14:00
EXHIBIT D-4 4 of 5

2021. 5. 10 7:05
EXHIBIT D-4 5 of 5

EXHIBIT D-5

EXHIBIT D-5 1 of 8

8/10/2022 14:10
EXHIBIT D-5 2 of 8

8/10/2022 14:11

8/10/2022 14:11
EXHIBIT D-3 4 of 8

8/10/2022 14:11
EXHIBIT B-5 5 of 8

8/10/2022 14:12
EXHIBIT D-5 6 of 8

8/10/2022 14:12
EXHIBIT D-3 7 of 8

8/10/2022 14:12

EXHIBIT D-6

BIG SPRING
TEXAS

Code Enforcement

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

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 36 AT:
1217 LINDBERGH
Lot: 20 BK: 4 WRIGHTS AIRPORT

January 11, 2022

Complaint No: 69710

MISSY PUGA
1217 LINDBERG ST
BIG SPRING TX 79720-3809

Sent via: First Class US Mail

Dear MISSY PUGA:

An inspection of the property located at 1217 LINDBERGH was conducted to determine the presence of accumulated items. You are receiving this notice because you are believed to be one or more of the following: property owner, occupant/resident, or agent for the property owner.

REMOVAL OF ACCUMULATION REQUIRED

The inspection revealed that an accumulation of items exists at the above-referenced property. You are required to remove the following rubbish, garbage, or any other objectionable, unsightly and/or unsanitary accumulation from public view no later than the seventh (7th) day after the date of this notice:

There are several items (trash bags, tin/metal and other items) on the property that needs to be removed and taken out of public view. If problem persists a citation will be issued.

PENALTY

Should you fail to remove the above-described accumulation as required by law, a criminal violation may be issued to you via the Municipal Court, which could result in a fine being assessed against you of not less than $250 for the first offense, and not less than $500 for subsequent offenses. Each day that the violation continues is a separate offense. This penalty is separate from any abatement action that the City may perform.

REMOVAL OF ACCUMULATION BY CITY

If you fail to remove the above-described accumulation, the City will enter upon the premises and remove it. The City will attach a lien to the property to secure payment for the services

rendered.

ABATEMENT HEARING

You have the right to request a hearing to assert a legal defense as to why the City should not proceed with abatement and attachment of a lien. Any request for a hearing must be made in writing to the City Secretary at 310 Nolan St., Big Spring, Texas 79720 no later than five (5) days after receipt of this notice.

If you request a hearing, you shall have the right to meet with the City Manager or his/her designee within ten (10) days of the City's receipt of your request for a hearing. The City Attorney will represent the City, present the City's evidence, and call the City's witnesses. You shall also have a right to present evidence and call witnesses.

If a preponderance of the evidence at the hearing shows that the accumulation constitutes a public nuisance, the City Manager, or his/her designee, shall order that the accumulation be removed.

ANNUAL NOTICE

If any future violations of the same kind or nature that pose a public nuisance on or before the first anniversary of the date of this notice, the City, without further notice, may correct the violation at the owner's expense and assess the expense against the property. The City may enter upon the premises to remedy public nuisance violations at 30-day intervals during the year.

APPLICABLE CITY CODE

Sec. 36-22. – Accumulation of weeds, rubbish, garbage, and other matter declared a public nuisance and unlawful.

(a) *Violation; public nuisance.* Whenever and wherever weeds, rubbish, garbage, or any other objectionable, unsightly, and unsanitary matter of whatever nature, as defined herein, shall exist, covering or partly covering the surface of any lot or parcel of real estate within the corporate limits of the city or within 5,000 feet outside the corporate limits of the city, such condition is hereby declared to be a public nuisance and unlawful and the prompt abatement of such condition shall be a public necessity. The person owning or having supervision or control of the lot or parcel of real estate shall be subject to the penalties provided in section 36-28 if such condition is not promptly abated.

You may also view the City's ordinances concerning accumulation online by going to https://library.municode.com/tx/big_spring, Big Spring City Code Chapter 36, Article II. – Unsanitary, Unsightly, and Public Nuisance Conditions of Property.

Sincerely,

Jacob Leos
Code Enforcement Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720
Lot: 20 BK 4: WRIGHTS AIRPORT ADDITION

August 21, 2022

MISSY PUGA
1217 LINDBERG STREET
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with tires, trash, furniture, appliances, rubbish, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022** 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,

JACOB LEOS
Code Official
City of Big Spring, Texas

EXHIBIT D-7

BIG SPRING
TEXAS
Code Enforcement
NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE
8/24/2022 13:47
EXHIBIT D-7 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

EXHIBIT D-7 2 of 2

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF MALISSA GARCIA
CONCERNING 2802 APACHE STREET

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 **2802 APACHE STREET**, 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 31 day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Miranda Barela
Notary Public, State of Texas

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 8, Block 5 in the Western Hills Addition of Big Spring, Howard County, Texas, also known as 2802 Apache Street, Big Spring, Texas

by searching the following records:

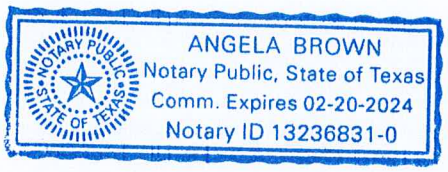
1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the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

Using the above-described records, I verified that **KAYCIE SAUCEDO** is the owner of the property located at the above-described premises and his mailing address is **2802 APACHE STREET**, Big Spring, Howard County, Texas, as shown in **Exhibit E-1.**

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.



Angela Brown
Notary Public, State of Texas

EXHIBIT E-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000010702 Geo ID : B6060004200 1/1

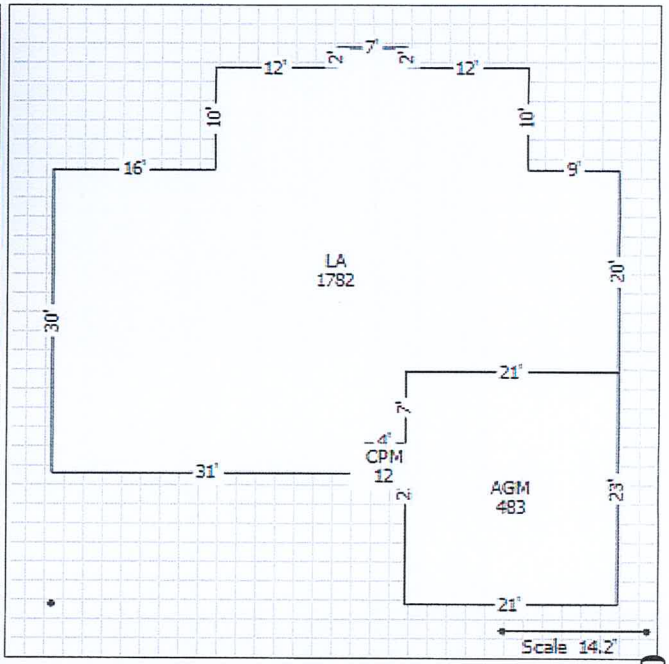
Ownership

SAUCEDO KAYCIE

2802 APACHE
BIG SPRING, TX 79720

Exemptions/Deed

INST: 2017-00012445
VOL: 1671
PAGE: 398
DATE: 11/20/2017



Legal Information

LEGAL: LT 8 BK 5 WESTERN HILLS (125X130) 106 ACQ 11202017 BLK/TRACT 331S 0.373 ACRES
SITUS: 2802 APACHE
ACRES:0.373
ALT:10702
XREF:10702.1

NOT CERTIFIED

Appraisal Coding

Appr By LS Appr Dt 09/05/17
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
11/20/17		1671	398	2017-00012445	11/20/17	++++++	++++++	SAUCEDO KAYCIE	GREEN VAUGHN AVERY
8/2/16		1560	372	2016-00007692	8/2/16	++++++	++++++	GREEN VAUGHN AVERY	GREEN MONA
12/17/99		0791	234	0	12/17/99	++++++	++++++	GREEN MONA	LONG MILDRED ESTATE

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
LA-LIVING AREA	Y	1966/NA	RS3M	1,782	152.19	271,203	0	AV -36%		0%	0%	0%	100%	0%	-36.0%	173,570
CPM-COVERED PORCH MA	Y	1966/NA	RS3M	12	22.83	274	0	AV -36%		0%	0%	0%	100%	0%	-36.1%	175
AGM-ATTACHED GARAGE	Y	1966/NA	RS3M	483	48.70	23,523	0	AV -36%		0%	0%	0%	100%	0%	-36.0%	15,055
				======		=======	======									=======
				2,277		295,000	0									188,800

SQFT MA: 1782 MKT CSF MA: 112.963 CSF IMPR: 105.948 LOC CODE: MS

Feature Code	Cpsf / Value
AHC-CEN HT AIR	0
AST-1 STORY	0
AUT-ALL	0
BFP-MASONARY	0
CRM-COMPOSITION	0
GRT-GABLE	0
SFN-SLAB	0
VET-VENEER	0
1BT-1 BATH	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
LFF24	125.0 FF/125.0 RF/130.0 DF LOTS	100.0		100.00		0%		Y	12,500	A1						
									=======							======
									12,500							0

Comments

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	188,800	A1	29,401	159,399	A1
Land Homesite +	12,500	A1	0	12,500	A1
Total Market =	201,300		29,401	171,899	
Hs Cap Loss -	17,535		12,695	4,840	
Assessed =	183,765		16,706	167,059	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	36,753	147,012	.3275450		481.53
02B CITY OF BIG SPRING	36,753	147,012	.6731630		989.63
03B BIG SPRING ISD	76,753	107,012	1.0160000		1,087.24
052 HOWARD COLLEGE	36,753	147,012	.2367770		348.09
** ESTIMATED TOTAL					=======
					2,906.49

Nbh Coding	Misc Coding
NOTE20CORR	MS22

User PERMITS2 Print Date 6/29/2022 4:35:38 PM Property ID : R000010702 Geo ID : B6060004200 Quick Link :

EXHIBIT E-1 1 of 1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
2802 APACHE STREET 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 31st day of August, 2022.

Melissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT E-2

TASK #: 111246
TASK CODE: REINSP ACCUMLTD ITEM
PROPERTY: 2802 APACHE DR

ORIG. DATE:
DUE DATE:

NOTES

Incident Notes:

Task #: 110067 - INSPECT ACCUMULATED - 1/24/2022

Task #: 110068 - ACCUMULATED ITEMS - 1/24/2022

Task #: 111246 - REINSP ACCUMLTD ITEM - 5/23/2022
1-20-2022 got complaints on this property for all the accumulation on the side of the house, went by and took pictures 2-22-2022 drove by and they have added to the accumulation so i took pictures
3-11-2022 drove by and nothing has been done to clean up this property.
4-11-2022 drove by and still nothing has been done
5-23-2022 drove by and took pictures to show nothing has been done on this property
6-30-2022 drove by and nothing has been done, will send to legal for complaint.

Task #: 111247 - ACCUMULATED ITEMS - 5/23/2022

Task #: 111248 - COMPLAINT REQUEST - 5/23/2022

TASK #: 111368
TASK CODE: REINS FRONT YARD PAR
PROPERTY: 2802 APACHE DR

DUE DATE:

NOTES

Incident Notes:

Task #: 110069 - INSPECT FRONT YARD - 1/24/2022

Task #: 110070 - FRONT YARD PARKING - 1/24/2022

Task #: 111368 - REINS FRONT YARD PAR - 5/31/2022
1-20-2022 drove by and 3 vihicles parked on yard
2-22-2022 drove by and 2 vehicles parked on yard
3-11-2022 drove by and 2 vehicles parked on yard
4-11-2022 drove by and same 2 vehicles still parked on yard
5-23-2022 drove by and now there are 3 vihicles parked on yard
6-30-2022 drove by and 1 vehicle is parked on yard
will send to legal for complaint

Task #: 111369 - FRONT YARD PARKING - 5/31/2022

STATE OF TEXAS §

§

COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY MALISSA GARCIA

"With regard to the photographs in **Exhibit E-3 through E-8**, I am familiar with and recognize the scene depicted in the photographs. On June 6, 2022, June 27, 2022 and August 10, 2022, I inspected the property described as:

Lot 8, Block 5 in the Western Hills Addition of Big Spring, Howard County, Texas, also known as 2802 Apache Street, Big Spring, Texas.

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

SIGNED on the 31st day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Miranda Barela
Notary Public, State of Texas

EXHIBIT E-3

12 of 60

EXHIBIT E-3 1 of 4

EXHIBIT E-3 2 of 4

13 of 60

1/20/2022 11:23
EXHIBIT E-3 3 of 4

EXHIBIT E-3 4 of 4

EXHIBIT E-4

17 of 60
2/22/2022 11:53
EXHIBIT E-4 1 of 2

18 of 60

EXHIBIT E-4 2 of 2

EXHIBIT E-5

TEXAS
HMX-8382
3/11/2022 10:35
EXHIBIT E-5 1 of 4

3/11/2022 10:34
EXHIBIT E-5 2 of 4

3/11/2022 10:35
EXHIBIT E-5 3 of 4

TEXAS
MMX-8382
3/11/2022 10:35
EXHIBIT E-5 4 of 4

EXHIBIT E-6

25 of 60
4/11/2022 7:20
EXHIBIT E-6 1 of 1

EXHIBIT E-7

EXHIBIT E-7 1 of 5

5/23/2022 13:51
EXHIBIT E-7 2 of 5

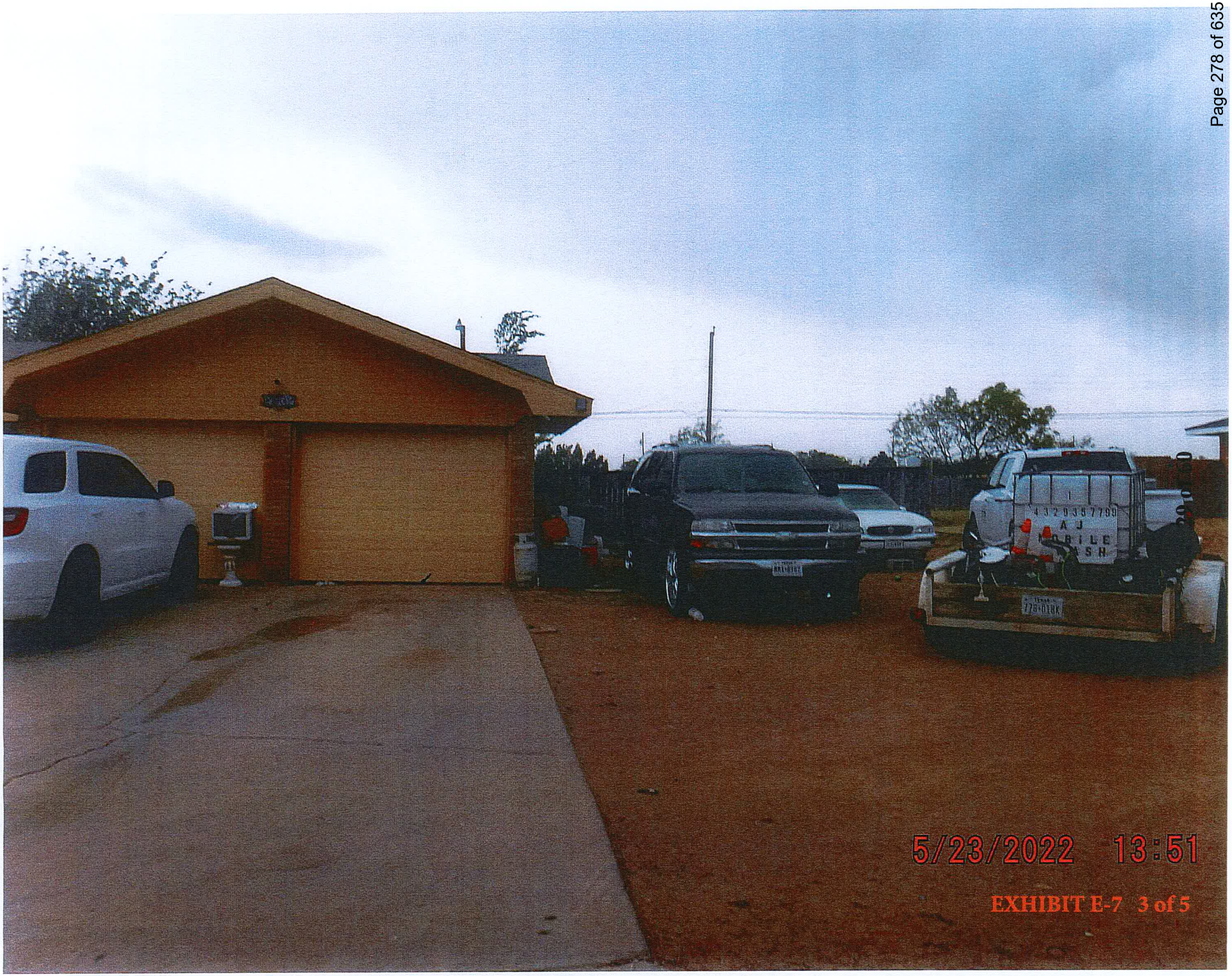


EXHIBIT E-7 3 of 5

5/23/2022 13:51
EXHIBIT E-7 4 of 5

EXHIBIT E-7 5 of 5

EXHIBIT E-8

EXHIBIT E-8 1 of 5

EXHIBIT E-8 2 of 5

EXHIBIT E-8 3 of 5

36 of 60
2022. 8. 25 11:28
EXHIBIT E-8 4 of 5

2022. 8. 25 11:28
EXHIBIT E-8 5 of 5

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY MALISSA GARCIA

"The document in **Exhibit E-9** 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-9** is also attached.

SIGNED on the 31st day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Notary Public, State of Texas

EXHIBIT E-9

BIG SPRING
TEXAS

Code Enforcement

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

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 36 AT:
2802 APACHE DR
Lot: 8 BK: 5 WESTERN HILLS

January 24, 2022 Complaint No: 69797

KAYCIE RANAE SAUCEDO
2802 APACHE DR
BIG SPRING TX 79720-6307

Sent via: First Class US Mail

Dear KAYCIE RANAE SAUCEDO:

An inspection of the property located at **2802 APACHE DR** was conducted to determine the presence of accumulated items. You are receiving this notice because you are believed to be one or more of the following: property owner, occupant/resident, or agent for the property owner.

REMOVAL OF ACCUMULATION REQUIRED

The inspection revealed that an accumulation of items exists at the above-referenced property. You are required to remove the following rubbish, garbage, or any other objectionable, unsightly and/or unsanitary accumulation from public view no later than the seventh (7th) day after the date of this notice:

There are several items (trailer, tires, water tank, gas can and ton of accumulated items) that need to be removed and taken out of public view. If problem persists a citation will be issued.

PENALTY

Should you fail to remove the above-described accumulation as required by law, a criminal violation may be issued to you via the Municipal Court, which could result in a fine being assessed against you of not less than $250 for the first offense, and not less than $500 for subsequent offenses. Each day that the violation continues is a separate offense. This penalty is separate from any abatement action that the City may perform.

REMOVAL OF ACCUMULATION BY CITY

If you fail to remove the above-described accumulation, the City will enter upon the premises and remove it. The City will attach a lien to the property to secure payment for the services rendered.

ABATEMENT HEARING

You have the right to request a hearing to assert a legal defense as to why the City should not proceed with abatement and attachment of a lien. Any request for a hearing must be made in writing to the City Secretary at 310 Nolan St., Big Spring, Texas 79720 no later than five (5) days after receipt of this notice.

If you request a hearing, you shall have the right to meet with the City Manager or his/her designee within ten (10) days of the City's receipt of your request for a hearing. The City Attorney will represent the City, present the City's evidence, and call the City's witnesses. You shall also have a right to present evidence and call witnesses.

If a preponderance of the evidence at the hearing shows that the accumulation constitutes a public nuisance, the City Manager, or his/her designee, shall order that the accumulation be removed.

ANNUAL NOTICE

If any future violations of the same kind or nature that pose a public nuisance on or before the first anniversary of the date of this notice, the City, without further notice, may correct the violation at the owner's expense and assess the expense against the property. The City may enter upon the premises to remedy public nuisance violations at 30-day intervals during the year.

APPLICABLE CITY CODE

Sec. 36-22. – Accumulation of weeds, rubbish, garbage, and other matter declared a public nuisance and unlawful.

(a) *Violation; public nuisance*. Whenever and wherever weeds, rubbish, garbage, or any other objectionable, unsightly, and unsanitary matter of whatever nature, as defined herein, shall exist, covering or partly covering the surface of any lot or parcel of real estate within the corporate limits of the city or within 5,000 feet outside the corporate limits of the city, such condition is hereby declared to be a public nuisance and unlawful and the prompt abatement of such condition shall be a public necessity. The person owning or having supervision or control of the lot or parcel of real estate shall be subject to the penalties provided in section 36-28 if such condition is not promptly abated.

You may also view the City's ordinances concerning accumulation online by going to https://library.municode.com/tx/big_spring, Big Spring City Code Chapter 36, Article II. – Unsanitary, Unsightly, and Public Nuisance Conditions of Property.

Sincerely,

M. Garcia

MALISSA GARCIA
Code Enforcement Officer
City of Big Spring, Texas

Code Enforcement

217 E 3RD Big Spring, TX 79720. Ph 432-264-2505

January 24, 2022 Complaint No: 69798

KAYCIE SAUCEDO
2802 APACHE
BIG SPRING TX 79720

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 18 AT:
2802 APACHE
Lot 8 BK 5 WESTERN HILLS

Dear KAYCIE SAUCEDO:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 18 of the Traffic Code, specifically Article 5, Division 1, Section 18-145a.**, thereof which reads as follows:

Section 48-124 **Prohibition**

"It shall be unlawful for any person to park or to cause, suffer , maintain or allow to be parked upon any property under his control, either as owner or tenant, any vehicle, trailer, boat or recreational vehicle on any unpaved surface in the front yard or street yard, as defined herein, of an lot zoned for residential purposes."

There is a white pick-up truck plate # NCW 7940 and black chevy plate # MMX 8382 … This is your notice to and in accordance with the Code of Ordinances of the city to correct, remedy or remove the following unsightly, objectionable, or unsanitary conditions from the above reference premises within ten (10) days of receive of notice. This is the only notice you will receive. If problem, persist a citation will be issued.

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises upon receipt of this notice.

Sec. 48-124.2?? **Exceptions**

Persons operation authorized emergency vehicles and persons displaying valid state issued displayed parking placard/plates are exempt from the requirements of this section.

Sec. 48-124.3?? **Penalty for Violation of this Article**

" Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be punishable by a fine of not less than Fifty-Dollars ($50.00)_ nor more than One-Hundred Dollars ($100.00) for the first (1st) offense, no less than One-Hundred ($100.00) nor more than One -Hundred Fifty ($150.00) for the second (2nd) offense, and no less than One-Hundred Fifty Dollars ($150.00) nor more than Two-Hundred Fifty Dollars ($250.00) for

subsequent offenses. Each day that violation occurs constitutes a separate offence "

If this matter has been taken care of before receipt of this letter, please notify this office. It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

M. Garcia

MALISSA GARCIA
Code Enforcement
City of Big Spring

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

2802 APACHE DR
Lot: 8 BK: 5 WESTERN HILLS

May 23, 2022 Case No: 69797

KAYCIE RANAE SAUCEDO
2802 APACHE DR
BIG SPRING TX 79720-6307

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 (trailer, tires, water tank, gas can and tons of accumulated items) that needs to be removed and taken out of 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

MALISSA GARCIA	Code Compliance
Name	*Department*
(432)264-2506	mgarcia@mybigspring.com
Phone	*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,

M. Garcia

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF VIOLATION
OF THE BIG SPRING CITY CODE, CHAPTER 48 AT:

2802 APACHE DR
Lot: 8 BK: 5 WESTERN HILLS

May 31, 2022 Complaint No: 69798

KAYCIE RANAE SAUCEDO
2802 APACHE DR
BIG SPRING TX 79720-6307

Sent via: First Class US Mail

Dear KAYCIE RANAE SAUCEDO:

An inspection of the property located at **2802 APACHE DR** was conducted to determine the presence of front yard parking. You are receiving this notice because you are believed to be one or more of the following: property owner, occupant/resident, or agent for the property owner.

REMOVAL OF ILLEGALLY PARKED VEHICLE

The inspection revealed that one or more vehicle(s), trailer(s), boat(s), or recreational vehicle(s) not displaying a valid state-issued disabled parking placard/plate is being parked illegally at the above-described property. Parking on an unpaved surface in the front or street yard or over sidewalks, easements or public access property is prohibited.

A paved parking space must be: 1) at least nine feet by 20 feet and constructed of four (4) inches of concrete; 2) constructed of two (2) inches of asphalt or gravel; or 3) constructed of pavers at least two (2) inches thick.

You are required to move any vehicle, trailer, boat, or recreational vehicle not displaying a valid state-issued disabled parking placard/plate to a paved surface.

PENALTY

Should you fail to remove the vehicle, trailer, boat, or recreational vehicle to a paved surface as required by law, a criminal violation may be issued to you via the Municipal Court, which could result in a fine being assessed against you of not less than $50.00 nor more than $100.00 for the

first offense, no less than $100.00 nor more than $150.00 for the second offense, and no less than $150.00 nor more than $250.00 for subsequent offenses. Each day that a violation occurs constitutes a separate offense.

APPLICABLE CITY CODE

Sec. 48-124. – Parking in residential front yards.

Parking on the front yard or street yard of a residence is allowed only on paved surfaces. Rear yard and side yard parking is allowed on unpaved surfaces when compliant with all other city ordinances.

1. *Prohibition.*
   a. It shall be unlawful for any person to park or to cause, suffer, maintain, or allow to be parked upon any property under his control, either as owner or tenant, any vehicle, trailer, boat, or recreational vehicle on any unpaved surface in the front yard or street yard, as defined herein, of any lot zoned for residential purposes.

   b. Each paved parking space on a front or street yard must be at least nine feet by 20 feet. Paving may be constructed of four inches of concrete, two inches of asphalt or gravel, or two-inch pavers.

   The location and construction of required paved front yard surfaces must be in compliance with all city ordinances, regulations, and driveway standards. Parking or paving over sidewalks, easements or public access property is prohibited.

2. *Exceptions*. Persons operating authorized emergency vehicles and persons displaying valid state issued disabled parking placard/plates are exempt from the requirements of this section.

You may also view the City's ordinances concerning front yard parking online by going to https://library.municode.com/tx/big_spring, Big Spring City Code Chapter 48, Article IV. – Stopping, Standing, and Parking.

Sincerely,

M. Garcia

Code Enforcement Officer
City of Big Spring

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

2802 APACHE, BIG SPRING, TEXAS 79720
Lot: 8 BK 5: WESTERN HILLS ADDITION

August 21, 2022

KAYCIE SAUCEDO
2802 APACHE
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance

The premises is littered with a trailer, water tank, gas, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Malissa Garcia	Code Compliance
Name	*Department*
432-264-2506	mgarcia@mybigspring.com
Phone	*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 **September 13, 2022** 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.

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Sincerely,

M. Garcia

Malissa Garcia
Code Official
City of Big Spring, Texas

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

2802 APACHE, BIG SPRING, TEXAS 79720
Lot: 8 BK 5: WESTERN HILLS ADDITION

August 21, 2022

KAYCIE SAUCEDO
5015 WASSON ROAD
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance

The premises is littered with a trailer, water tank, gas, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Malissa Garcia	Code Compliance
Name	*Department*
432-264-2506	mgarcia@mybigspring.com
Phone	*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 **September 13, 2022** 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,

M. Garcia

Malissa Garcia
Code Official
City of Big Spring, Texas

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 September 13, 2022, attached as **Exhibit E-10**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 31st day of August, 2022.

Melissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT E-10

EXHIBIT 10 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF KALEB SMITH
CONCERNING 209 N. JOHNSON STREET

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 **209 N. JOHNSON STREET**, 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 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 **SC 42**, Block **42** in the **WILLIAM B CURRIE** Addition of Big Spring, Howard County, Texas, also known as 209 N. JOHNSON STREET, 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 **CAYETANO RESENDEZ SALDIVAR** is the owner of the property located at the above-described premises and his mailing address is **209 N. JOHNSON STREET**, Big Spring, Howard County, Texas, as shown in **Exhibit F-1**.

SIGNED on the 30th day of August, 2022.

Miranda Burch
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Angela Brown
Notary Public, State of Texas

EXHIBIT F-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000046912 Geo ID : 51442031000 1/1

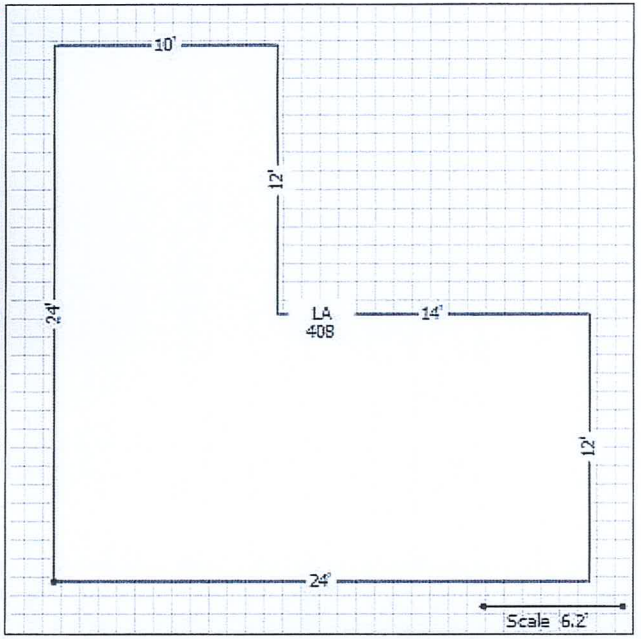
Ownership

SALDIVAR CAYETANO RESENDEZ

209 N JOHNSON ST
BIG SPRING, TX 79720

Exemptions/Deed

INST: 201900008700
VOL: 1850
PAGE: 279
DATE: 8/28/2019



Legal Information

LEGAL: SC 42 BK 32 1N TR 38 WILLIAM B CURRIE 70X115 787 0.185 ACRES ACQ 08282019
SITUS: 209 N JOHNSON
ACRES:0.185
ALT:46912
XREF:46912.1

NOT CERTIFIED

Appraisal Coding

Appr By JD Appr Dt 11/15/21
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
8/28/19		1850	279	201900008700	8/28/19	++++++	++++++	SALDIVAR CAYETANO	WILLIAMS ALVIN
3/15/13		1320	391		3/15/13	++++++	++++++	WILLIAMS ALVIN	JUAREZ JUAN

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
LA-LIVING AREA	Y	1960/NA	RS2F	408	99.18	40,465	0	FA -66%		0%	0%	0%	100%	0%	-66.0%	13,758
				======		=======	======									=======
				408		40,465	0									13,758

SQFT MA: 408 MKT CSF MA: 40.583 CSF IMPR: 33.721 LOC CODE: NC

Feature Code	Cpsf / Value
AST-1 STORY	0
AUT-ALL	0
CRM-COMPOSITION	0
FET-FRAME	0
GRT-GABLE	0
MHC-MOIST AIR	0
PFN-PIER AND BE	0
1BT-1 BATH	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
LFF12	70.0 FF/70.0 RF/115.0 DF LOTS	40.0		40.00		0%		Y	2,800	A1						
									=======							======
									2,800							0

Comments

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	13,758	A1	4,275	9,483	A1
Land Homesite +	2,800	A1	0	2,800	A1
Total Market =	16,558		4,275	12,283	
Assessed =	16,558		4,275	12,283	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	16,558	.3275450		54.23
02B CITY OF BIG SPRING	0	16,558	.6731630		111.46
03B BIG SPRING ISD	0	16,558	1.0160000		168.23
052 HOWARD COLLEGE	0	16,558	.2367770		39.21
** ESTIMATED TOTAL					=======
					373.13

Nbh Coding
MULTI
HSAPPNOT20
HSAPPNOT21
HSAPPNOT22

Misc Coding
BSISD_NE
BSI_MAP2
NC22

User PERMITS2 Print Date 7/12/2022 3:46:40 PM Property ID : R000046912 Geo ID : 51442031000 Quick Link :

EXHIBIT F-1 1 of 1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
209 N. JOHNSON STREET CASE NOTES

"This record, attached as **Exhibit F-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 F-2** as the readout."

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT F-2

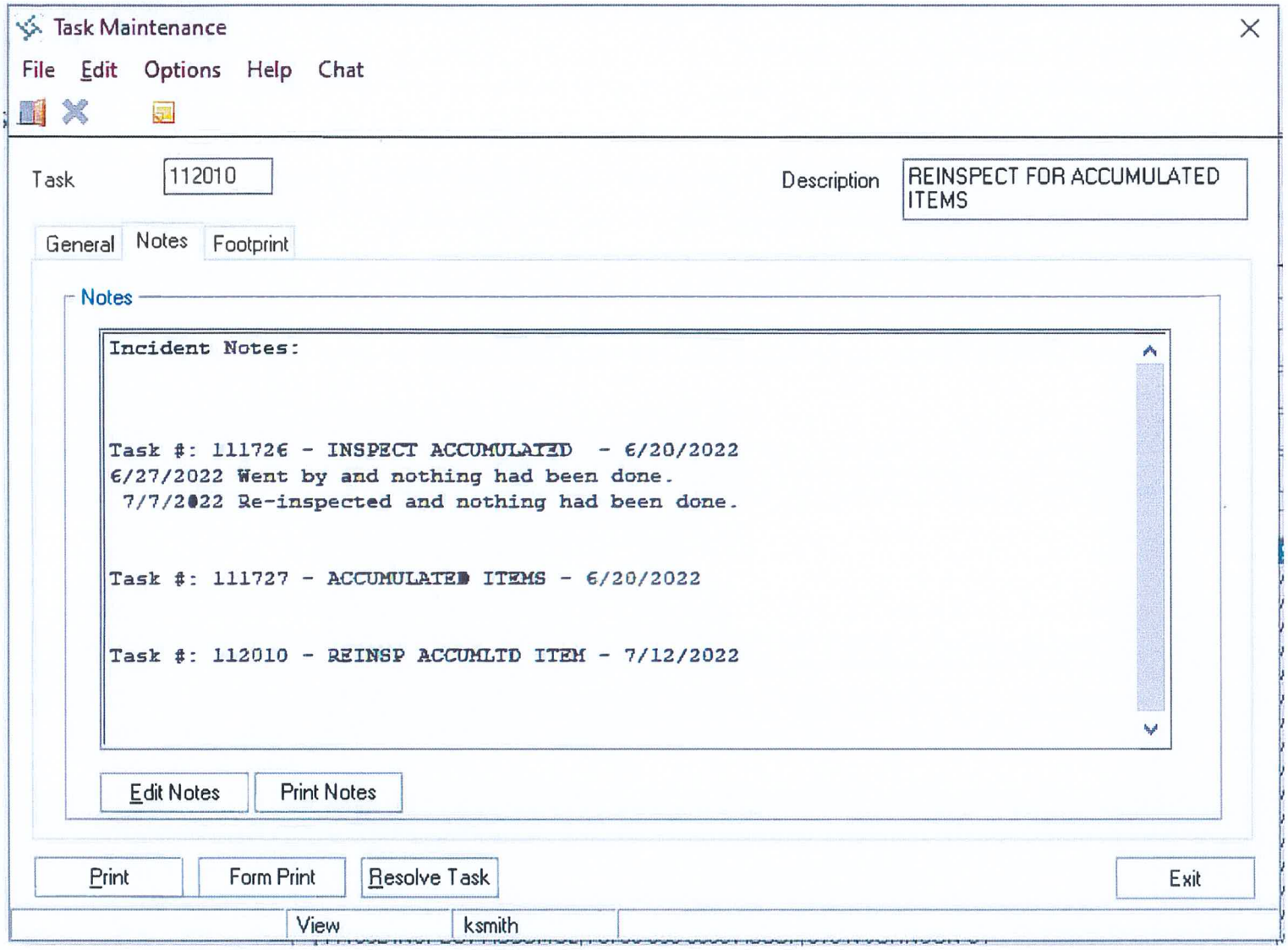
NOTES

Incident Notes:

Task #: 111726 - INSPECT ACCUMULATED - 6/20/2022
6/27/2022 Went by and nothing had been done.
7/7/2022 Re-inspected and nothing had been done.

Task #: 111727 - ACCUMULATED ITEMS - 6/20/2022

Task #: 112010 - REINSP ACCUMLTD ITEM - 7/12/2022


Task Maintenance
File Edit Options Help Chat
Task 112010
Description REINSPECT FOR ACCUMULATED ITEMS
General Notes Footprint
Notes
Incident Notes:
Task #: 111726 - INSPECT ACCUMULATED - 6/20/2022
6/27/2022 Went by and nothing had been done.
7/7/2022 Re-inspected and nothing had been done.
Task #: 111727 - ACCUMULATED ITEMS - 6/20/2022
Task #: 112010 - REINSP ACCUMLTD ITEM - 7/12/2022
Edit Notes
Print Notes
Print
Form Print
Resolve Task
Exit
View
ksmith

STATE OF TEXAS §

§

COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY KALEB SMITH

"With regard to the photographs in **Exhibits F-3 through F-6,** I am familiar with and recognize the scene depicted in the photographs. On June 13, 2022, June 27, 2022, July 7, 2022 and August 10, 2022, I inspected the property described as:

> Lot SC 42, Block 32 in the William B. Currie Addition of Big Spring, Howard County, Texas, also known as 209 N. JOHNSON STREET., Big Spring, Texas.

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

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT F-3

6/13/2022 15:55
Exhibit E3 1 of 1

EXHIBIT F-4

EXHIBIT F-4 1 of 1

EXHIBIT F-5

EXHIBIT F-5 1 of 1

EXHIBIT F-6

EXHIBIT F-6 1 of 6

2022. 8. 10 14:02
EXHIBIT 1-6 2 of 6

2022. 8. 10 14:02
EXHIBIT F-6 3 of 6

2022. 8. 10 14:03
EXHIBIT F-6 4 of 6

EXHIBIT 5 of 6
2022-8-10 14:04

2022. 8. 10 14:04

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY KALEB SMITH

"The document in **Exhibit F-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 F-7** is also attached.

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT F-7

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

209 N JOHNSON ST
Lot: SC 42 BK: 32 1N TR 38 WILLIAM B CURRIE

June 20, 2022 Case No: 70641

CAYETANO SALDIVAR
209 N JOHNSON ST
BIG SPRING TX 79720-1621

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
You have several items (refrigerators, scrap metal, scrap wood, and tons of accumulated items) 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

Kaleb Smith	Code Compliance
Name	*Department*
432-264-2504	ksmith@mybigspring.com
Phone	*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,

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720
SC 42 BK 32: WILLIAM B CURRIE ADDITION

August 21, 2022

CAYETANO RESENDEZ SALDIVAR
209 N. JOHNSON STREET
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance

The premises is littered with trash, furniture, appliances, rubbish, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Kaleb Smith	Code Compliance
Name	*Department*
432-264-2504	Ksmith@mybigspring.com
Phone	*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 September 13, 2022 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.

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 Official
City of Big Spring, Texas

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 September 13, 2022, attached as **Exhibit F-8**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT F-8

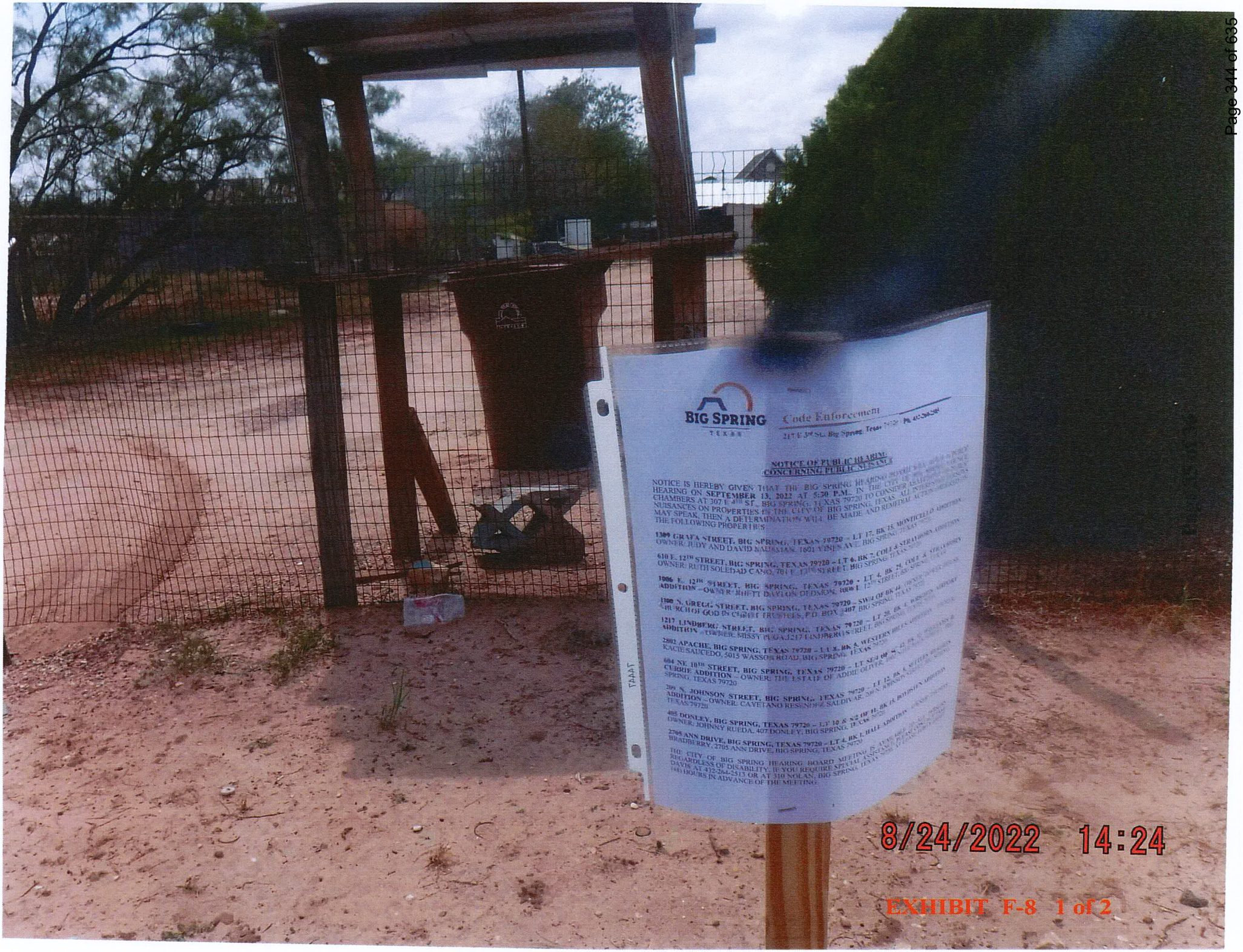


EXHIBIT F-8 1 of 2

BIG SPRING TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF JACOB LEOS
CONCERNING 405 DONLEY

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 **405 DONLEY**, 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 **10 & S/2 of 11**, Block **15** in the **BOYDSTUN** Addition of Big Spring, Howard County, Texas, also known as **405 DONLEY**, 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 **JOHNNY RUDDA** is the owner of the property located at the above-described premises and his mailing address is **405 DONLEY**, Big Spring, Howard County, Texas, as shown in **Exhibit G-1**.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Angela Brown
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
405 DONLEY 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY ROY MARQUEZ

"With regard to the photographs in **Exhibit G-3**, I, JACOB LEOS, am familiar with and recognize the scene depicted in the photographs. On June 1, 2022, Roy Marquez inspected the property described as:

> Lot 10 & S/2 of 11, Block 15 in the Boydstun Addition of Big Spring, Howard County, Texas, also known as 405 Donley, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS

"With regard to the photographs in **Exhibits G-4 and G-5**, I am familiar with and recognize the scene depicted in the photographs. On August 2, 2022 and August 10, 2022, I inspected the property described as:

> Lot 10 & S/2 of 11, Block 15 in the Boydstun Addition of Big Spring, Howard County, Texas, also known as 405 Donley, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY ROY MARQUEZ

"I, JACOB LEOS, certify that the documents in **Exhibit G-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 G-6** is also attached.

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY JACOB LEOS

"The documents in **Exhibit G-7** presents factual findings from a legally authorized investigation for code compliance. The documents are a copy of the official record."

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

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 September 13, 2022, attached as **Exhibit G-8**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT G-1

HOWARD COUNTY APPRAISAL DISTRICT (2023)

Property ID : R000001002 Geo ID : B2400012100 1/1

Ownership

RUDDA JOHNNY
407 DONLEY
BIG SPRING, TX 79720-0000

Exemptions/Deed

VOL: 1289
PAGE: 249
DATE: 9/6/2012

METES AND BOUNDS

Legal Information

LEGAL: LT 10 & S/2 OF LT 11 BK 15 BOYDSTUN 75X140 330 ACQ 090612 BLK/TRACT 15 0.241 ACRES
SITUS: 405 DONLEY
ACRES:0.241
ALT:1002
XREF:1002.1

NOT CERTIFIED

Appraisal Coding

Appr By BS/LS Appr Dt 08/31/17
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
9/6/12		1289	249	0	9/6/12	++++++	++++++	RUDDA JOHNNY	BRAY DELBERT &
6/27/07		1054	269	0	9/6/12	++++++	++++++	BRAY DELBERT &	HOWARD COUNTY TRUSTEE
6/7/06		1010	414	0	9/6/12	++++++	++++++	HOWARD COUNTY TRUSTEE	PIBULDHANAPATA Y

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

5 of 11

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	75.0 FF/75.0 RF/140.0 DF LOTS	40.0		40.00		0%		N	3,000	C1						
									=======							======
									3,000							0

Comments

	2023	Ptd	Change +/-	Prior 2022	Ptd
Land Non Homesite +	3,000	C1	0	3,000	C1
Total Market =	3,000		0	3,000	
Assessed =	3,000		0	3,000	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	3,000	.3275450		9.83
02B CITY OF BIG SPRING	0	3,000	.6731630		20.19
03B BIG SPRING ISD	0	3,000	1.0160000		30.48
052 HOWARD COLLEGE	0	3,000	.2367770		7.10
** ESTIMATED TOTAL					=======
					67.60

Nbh Coding

MULTI

Misc Coding

BSISDEN
MC22

User PERMITS2 Print Date 8/2/2022 11:09:23 AM Property ID : R000001002 Geo ID : B2400012100 Quick Link :

EXHIBIT G-1 1 of 1

EXHIBIT G-2

INCIDENT #: 70583 ORIG. DATE: 6/14/2022

INCIDENT CODE: 300-0006 ACCUML ITEM

PROPERTY: 405 DONLEY

NOTES

Incident Notes:

THERE IS LARGE PILES OF ACCUMULATED ITEMS, TRASH, DEBRIS, FURNITURE, MATTRESSES, NUMEROUS MISCELLANOUS ITEMS. ALL THIS NEEDS TO BE PICKED UP AND PROPERLY DISPOSED AT LANDFILL. IT IS ASKED THAT PROPERTY BE MAINTAINED ON REGULAR BASIS.

Task #: 111604 - INSPECT ACCUMULATED - 6/14/2022

ON 6-1-22 @ 13:48 CODE ENFORCEMENT ROY MARQUEZ INSPECTED PROPERTY FOR ACCUMULATED ITEMS VIOLATION, FOUND NUMEROUS PILES OF DEBRIS, TRASH, FURNITURE, MATTRESSES, AND MISCELLANOUS ITEMS ON PROPERTY AND ALLEY EASEMENT. PICTURES WERE TAKEN, LETTER WILL BE SENT.

Task #: 111605 - ACCUMULATED ITEMS - 6/14/2022

INCIDENT #: 70578 ORIG. DATE: 6/13/2022

INCIDENT CODE: 300-0001 WEEDY LOT

PROPERTY: 405 DONLEY

NOTES

Incident Notes:

THIS PROPERTY NEEDS TO BE MOWED TO THE CENTER OF THE EASEMENTS, INCLUDING CURBLINE AND SPECIFICALLY IN THE ALLEY AND BACKYARD. A CLEAR ZONE NEEDS TO BE ESTABLISHED ALONG THE RIGHT OF WAYS. ALL WEEDS/GRASS/BRUSH GROWING ALONG THE CURBLINE NEED TO BE CUT TO CITY ORDINANCE OF UNDER 12 INCHES. IT IS ASKED THAT PROPERTY BE MAINTAINED ON A REGULAR BASIS

Task #: 111594 - INSPECT WEEDL LOT - 6/13/2022

ON 6-1-22 @ 13:49 CODE ENFORCEMENT ROY MARQUEZ INSTPECTED PROPERTY FOR WEEDY LOT VIOLATION, FOUND WEEDS AND GRASS TALLER THAN 12 INCHES, MAINLY IN BACKYARD AND ALLEY. PICTURES WERE TAKEN, LETTER WILL BE SENT

Task #: 111595 - WEEDY LOT LTR - 6/13/2022

EXHIBIT G-3

EXHIBIT G-3 1 of 3

EXHIBIT G-3 2 of 3

6/ 1/2022 13:49
EXHIBIT G-3 3 of 3

EXHIBIT G-4

8/2/2022 9:51

EXHIBIT G-4 1 of 4

8/ 2/2022 9:51
EXHIBIT G-4 2 of 4
18 of 51

8/ 2/2022 9:51
EXHIBIT G-4 3 of 4

8/2/2022 9:51

EXHIBIT G-4 4 of 4

EXHIBIT G-5

8/10/2022 15:02
EXHIBIT G-5 1 of 6
22 of 51

23 of 51
8/10/2022 15:02
EXHIBIT G-5 2 of 6

8/10/2022 15:03
EXHIBIT G-5 3 of 6

8/10/2022 15:02
EXHIBIT G-5 4 of 6

8/10/2022 15:02
EXHIBIT G-5 5 of 6

NO TRESPASSING
8/10/2022 15:03
EXHIBIT G-5 6 of 6

EXHIBIT G-6

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

405 DONLEY

LT 10 & S/2 OF LT 11 BK 15 BOYDSTUN 75X140 330 ACQ 090612 BLK/TRACT 15 0.241 ACRES

June 13, 2022 Case No: 70578

ARNOLDO VELASCO
607 AVE D
ACKERLY TX 79713

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
THIS PROPERTY NEEDS TO BE MOWED TO THE CENTER OF THE EASEMENTS, INCLUDING CURBLINE AND SPECIFICALLY IN THE ALLEY AND BACKYARD. A CLEAR ZONE NEEDS TO BE ESTABLISHED ALONG THE RIGHT OF WAYS. ALL WEEDS/GRASS/BRUSH GROWING ALONG THE CURBLINE NEED TO BE CUT TO CITY ORDINANCE OF UNDER 12 INCHES. IT IS ASKED THAT PROPERTY BE MAINTAINED ON A REGULAR BASIS	Seven (7) days from date of mailing

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

Issued by

Roy Marquez	Code Compliance
Name	*Department*
432-264-2507	rmarquez@mybigspring.com
Phone	*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,

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

405 DONLEY
LT 10 & S/2 OF LT 11 BK 15 BOYDSTUN 75X140 330 ACQ 090612 BLK/TRACT 15
0.241 ACRES

June 14, 2022 Case No: 70583

ARNOLDO VELASCO
607 AVE D
ACKERLY TX 79713

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 IS LARGE PILES OF ACCUMULATED ITEMS, TRASH, DEBRIS, FURNITURE, MATTRESSES, NUMEROUS MISCELLANOUS ITEMS. ALL THIS NEEDS TO BE PICKED UP AND PROPERLY DISPOSED AT LANDFILL. IT IS ASKED THAT PROPERTY BE MAINTAINED ON REGULAR BASIS.	Seven (7) days from date of mailing

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

Issued by

Roy Marquez	Code Compliance
Name	*Department*
432-264-2507	rmarquez@mybigspring.com
Phone	*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,

Code Compliance Officer
City of Big Spring, Texas

EXHIBIT G-7

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

405 DONLEY, BIG SPRING, TEXAS 79720
Lot: 10 & S/2 OF 11 BK 15: BOYDSTUN ADDITION

August 21, 2022

JOHNNY RUDDA
407 DONLEY
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with debris, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	Jleos@mybigspring.com
Phone	*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 **September 13, 2022** 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,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

405 DONLEY, BIG SPRING, TEXAS 79720
Lot: 10 & S/2 OF 11 BK 15: BOYDSTUN ADDITION

August 21, 2022

ARNOLDO VELASCO
607 AVE D
ACKERLY TX 79713

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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with debris, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	Jleos@mybigspring.com
Phone	*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 **September 13, 2022** 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.

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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

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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.

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Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

405 DONLEY, BIG SPRING, TEXAS 79720
Lot: 10 & S/2 OF 11 BK 15: BOYDSTUN ADDITION

August 21, 2022

JOHNNY RUDDA
2000 JOHNSON STREET
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	
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Corrective Action Required	Deadline for Compliance
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For further information about this notice, please contact the following person:

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	Jleos@mybigspring.com
Phone	*E-mail*

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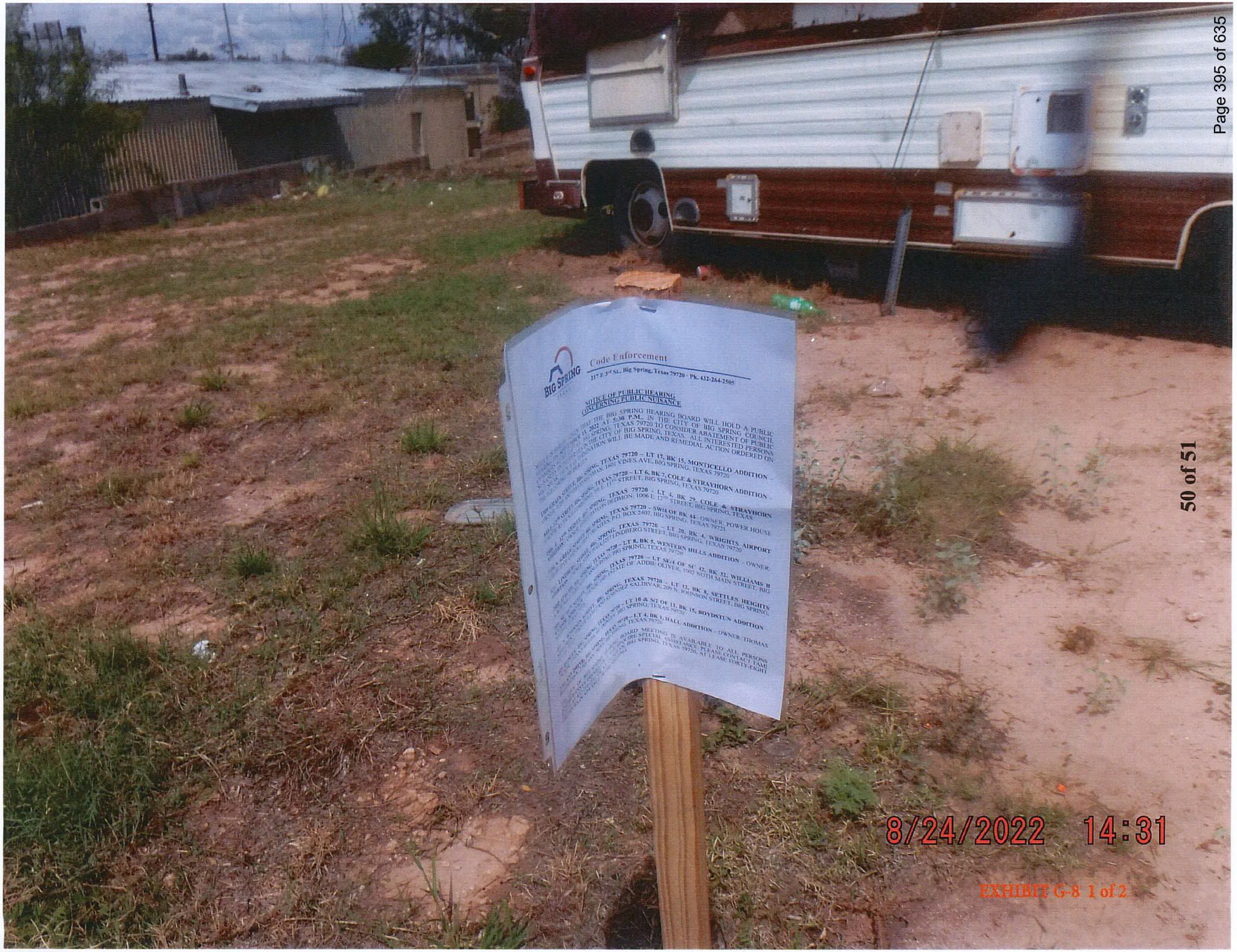
Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

EXHIBIT G-8


BIG SPRING
TEXAS
Code Enforcement
117 E 3rd St., Big Spring, Texas 79720 - Ph. 432-264-2505
NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE
THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC
AT 5:30 P.M., IN THE CITY OF BIG SPRING COUNCIL
TEXAS 79720 TO CONSIDER ABATEMENT OF PUBLIC
BIG SPRING, TEXAS. ALL INTERESTED PERSONS
BE MADE AND REMEDIAL ACTION ORDERED ON
TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION –
1601 VINES AVE, BIG SPRING, TEXAS 79720
TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION –
STREET, BIG SPRING, TEXAS 79720
TEXAS 79720 – LT 4, BK 29, COLE & STRAYHORN
1006 E 12TH STREET, BIG SPRING, TEXAS
TEXAS 79720 – SW/4 OF BK 44 – OWNER, POWER HOUSE
P.O. BOX 2407, BIG SPRING, TEXAS 79721
TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT
LINDBERG STREET, BIG SPRING, TEXAS 79720
TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER-
BIG SPRING, TEXAS 79720
TEXAS 79720 – LT, SE/4 OF SC 42, BK 32, WILLIAMS B
OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG
TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS
SALDIVAR, 2093 N. JOHNSON STREET, BIG SPRING,
LT 10 & N/2 OF 11, BK 15, BOYDSTUN ADDITION
SPRING, TEXAS 79720
LT 4, BK 1, HALL ADDITION – OWNER- THOMAS
TEXAS 79720
BOARD MEETING IS AVAILABLE TO ALL PERSONS
SPECIAL ASSISTANCE, PLEASE CONTACT CODE
BIG SPRING, TEXAS 79720, AT LEAST FORTY-EIGHT
50 of 51
8/24/2022 14:31
EXHIBIT G-8 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF JACOB LEOS
CONCERNING 1100 N. GREGG STREET

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 **1100 GREGG STREET** , 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

Notary Public, State of Texas

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 SW/4, Block 44 in the BAUER Addition of Big Spring, Howard County, Texas, also known as 1100 GREGG STREET, 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 **POWERHOUSE CHURCH OF GOD IN CHRIST** is the owner of the property located at the above-described premises and his mailing address is P.O. BOX 2407, Big Spring, Howard County, Texas, as shown in **Exhibit H-1**.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022

by the above referenced Affiant.

Angela Brown

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
FIRE MARSHAL'S FIRE REPORT

"The fire report, attached as **Exhibit H-2** presents factual findings from a legally authorized investigation of the Fire Marshal. The document is a copy of the official record."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY JACOB LEOS

"With regard to the photographs in **Exhibit H-5**, I am familiar with and recognize the scene depicted in the photographs. On August 10, 2022, I inspected the property described as:

> Lot SW/4 of Block 44 in the Bauer Addition of Big Spring, Howard County, Texas, also known as 1100 Gregg Street, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

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MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY ROY MARQUEZ

"I, JACOB LEOS certify that the documents in **Exhibit H-6** presents factual findings from a legally authorized investigation by Roy Marquez 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 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY JACOB LEOS

"The document in **Exhibit H-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 H-7** is also attached.

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

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 September 13, 2022, attached as **Exhibit H-8** was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT H-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000000679 Geo ID : B2280039000

Ownership

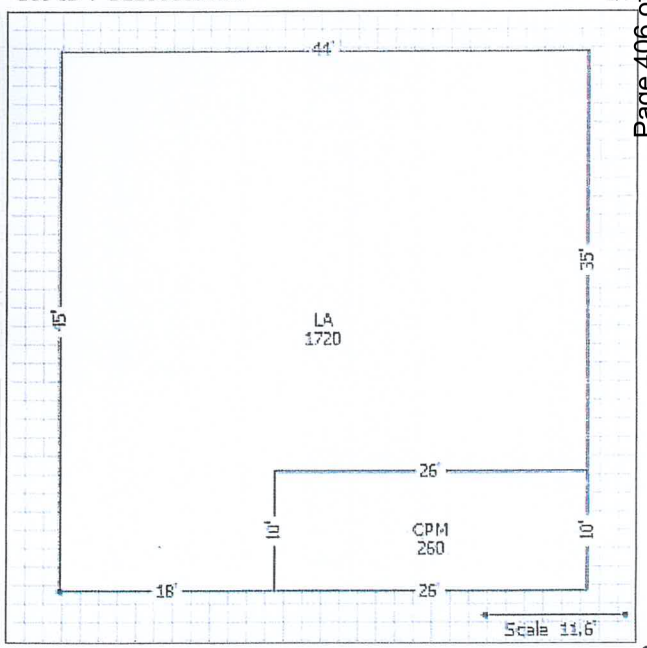
POWER HOUSE CHURCH OF

GOD IN CHRIST TRUSTEES
PO BOX 2407
BIG SPRING, TX 79721-2407

Exemptions/Deed

Legal Information

LEGAL: SW/4 OF BK 44 BAUER 150X140 056 BLK/TRACT 44 0.482 ACRES
SITUS: 1100 N GREGG
ACRES:0.482
ALT:679
XREF:679.1



Appraisal Coding

Appr By TG Appr Dt 11/06/20
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
LA-LIVING AREA	Y	1940/NA	RS3M	1,720	152.19	261,767	0	VP -95%		0%	0%	0%	100%	0%	-95.0%	*	13,088
PC-PATIO COVERED	Y	1940/NA	RS3M	26	22.83	594	0	VP -95%		0%	0%	0%	100%	0%	-94.9%	*	30
CPM-COVERED PORCH MA	Y	1940/NA	RS3M	260	22.83	5,935	0	VP -95%		0%	0%	0%	100%	0%	-95.0%	*	297
				2,006		268,296	0										13,415

SQFT MA: 1720 MKT CSF MA: 11.288 CSF IMPR: 7.799 LOC CODE: NC

Feature Code	Cpsf / Value
AST-1 STORY	0
AUT-ALL	0
BFP-MASONARY	0
CRM-COMPOSITION	0
GRT-GABLE	0
MET-MASONRY	0
MHC-MOIST AIR	0
PFN-PIER AND BE	0
1BT-1 BATH	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
LFF12	150.0 FF/150.0 RF/140.0 DF LOTS	40.0		40.00		0%		Y	6,000	A1						0
									6,000							

Comments

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	13,415	A1	2,428	10,987	A1
Land Homesite +	6,000	A1	0	6,000	A1
Total Market =	19,415		2,428	16,987	
Assessed =	19,415		2,428	16,987	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	19,415	.3275450		63.59
02B CITY OF BIG SPRING	0	19,415	.6731630		130.69
03B BIG SPRING ISD	0	19,415	1.0160000		197.26
052 HOWARD COLLEGE	0	19,415	.2367770		45.97
** ESTIMATED TOTAL					437.51

Nbh Coding	Misc Coding
NOTE20CORR	BSISD_NE
	BSI_MAP2
	NC22

User PERMITS2 Print Date 6/17/2022 8:37:17 AM Property ID : R000000679 Geo ID : B2280039000 Quick Link :

EXHIBIT H-1 1 of 1

EXHIBIT H-2

A

FDID	State	Incident Date (MM DD YYYY)	Station	Incident Number	Exposure
	TX	05 27 2022		0000894	000

☐ Delete ☐ Change ☐ No Activity — NFIRS-1 Basic

B Location Type ☆

☐ Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section B, "Alternative Location Specification." Use only for wildland fires.

Census Tract: ____ - ____

☑ Street address
☐ Intersection
☐ In front of
☐ Rear of
☐ Adjacent to
☐ Directions
☐ U.S. National Grid

Number/Milepost	Prefix	Street or Highway	Street Type	Suffix
1100	N	Gregg		

Apt./Suite/Room	City	State	ZIP Code
	Big Spring	TX	79720 -

Cross Street, Directions or National Grid, as applicable:

C Incident Type ☆

111 Building fire

Incident Type

D Aid Given or Received ☆ ☑ None

1 ☐ Mutual aid received
2 ☐ Auto. aid received
3 ☐ Mutual aid given
4 ☐ Auto. aid given
5 ☐ Other aid given

Their FDID | Their State

Their Incident Number

E1 Dates and Times — Midnight is 0000

Check boxes if dates are the same as Alarm Date.

	Month	Day	Year	Hour	Min
Alarm ☆ (ALARM always required)	05	27	2022	0737	
☑ Arrival ☆ (ARRIVAL required, unless canceled or did not arrive)				0741	
☑ Controlled (CONTROLLED optional, except for wildland fires)				0815	
☑ Last Unit Cleared (LAST UNIT CLEARED, required except for wildland fires)				0822	

E2 Shifts and Alarms

Local Option

Shift or Platoon	Alarms	District
		004

E3 Special Studies

Local Option

Special Study ID# | Special Study Value

F Actions Taken ☆

12 Salvage & overhaul

Primary Action Taken (1)

Additional Action Taken (2)

Additional Action Taken (3)

G1 Resources ☆

☑ Check this box and skip this block if an Apparatus or Personnel Module is used.

	Apparatus	Personnel
Suppression		
EMS		
Other		

☐ Check box if resource counts include aid received resources.

G2 Estimated Dollar Losses and Values

LOSSES: Required for all fires if known. Optional for non-fires. — None

Property $ ____,____,____ ☑
Contents $ ____,____,____ ☑

PRE-INCIDENT VALUE: Optional

Property $ ____,____,____ ☐
Contents $ ____,____,____ ☐

Completed Modules

☑ Fire–2
☑ Structure Fire–3
☐ Civilian Fire Cas.–4
☐ Fire Service Cas.–5
☐ EMS–6
☐ HazMat–7
☐ Wildland Fire–8
☑ Apparatus–9
☑ Personnel–10
☐ Arson–11

H1 Casualties ☆ ☑ None

	Deaths	Injuries
Fire Service		
Civilian		

H2 Detector

Required for confined fires

1 ☐ Detector alerted occupants
2 ☐ Detector did not alert them
U ☐ Unknown

H3 Hazardous Materials Release ☐ None

1 ☐ Natural gas: slow leak, no evacuation or HazMat actions
2 ☐ Propane gas: <21-lb tank (as in home BBQ grill)
3 ☐ Gasoline: vehicle fuel tank or portable container
4 ☐ Kerosene: fuel burning equipment or portable storage
5 ☐ Diesel fuel/fuel oil: vehicle fuel tank or portable storage
6 ☐ Household solvents: home/office spill, cleanup only
7 ☐ Motor oil: from engine or portable container
8 ☐ Paint: from paint cans totaling <55 gallons
0 ☐ Other: special HazMat actions required or spill > 55 gal (Please complete the HazMat form.)

I Mixed Use Property ☐ Not mixed

10 ☐ Assembly use
20 ☐ Education use
33 ☐ Medical use
40 ☐ Residential use
51 ☐ Row of stores
53 ☐ Enclosed mall
58 ☐ Business & residential
59 ☐ Office use
60 ☐ Industrial use
63 ☐ Military use
65 ☐ Farm use
00 ☐ Other mixed use

J Property Use ☆ ☐ None

Structures

131 ☐ Church, place of worship
161 ☐ Restaurant or cafeteria
162 ☐ Bar/Tavern or nightclub
213 ☐ Elementary school, kindergarten
215 ☐ High school, junior high
241 ☐ College, adult education
311 ☐ Nursing home
331 ☐ Hospital
341 ☐ Clinic, clinic-type infirmary
342 ☐ Doctor/Dentist office
361 ☐ Prison or jail, not juvenile
419 ☑ 1- or 2-family dwelling
429 ☐ Multifamily dwelling
439 ☐ Rooming/Boarding house
449 ☐ Commercial hotel or motel
459 ☐ Residential, board and care
464 ☐ Dormitory/Barracks
519 ☐ Food and beverage sales
539 ☐ Household goods, sales, repairs
571 ☐ Gas or service station
579 ☐ Motor vehicle/boat sales/repairs
599 ☐ Business office
615 ☐ Electric-generating plant
629 ☐ Laboratory/Science laboratory
700 ☐ Manufacturing plant
819 ☐ Livestock/Poultry storage (barn)
882 ☐ Non-residential parking garage
891 ☐ Warehouse

Outside

124 ☐ Playground or park
655 ☐ Crops or orchard
669 ☐ Forest (timberland)
807 ☐ Outdoor storage area
919 ☐ Dump or sanitary landfill
931 ☐ Open land or field
936 ☐ Vacant lot
938 ☐ Graded/Cared for plot of land
946 ☐ Lake, river, stream
951 ☐ Railroad right-of-way
960 ☐ Other street
961 ☐ Highway/Divided highway
962 ☐ Residential street/driveway
981 ☐ Construction site
984 ☐ Industrial plant yard

Look up and enter a Property Use code and description only if you have NOT checked a Property Use box.

⇨ Property Use ____ Code

Property Use Description

NFIRS-1 Revision 01/01/05

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location (Section B). Then skip the three duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

☐ More people involved? Check this box and attach Supplemental Forms (NFIRS–1S) as necessary.

K2 Owner

Local Option

☐ Same as person involved? Then check this box and skip the rest of this block.

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location (Section B). Then skip the three duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

L Remarks:

Jordan Barron
May 28,2022 08:08:46

Engine 4 responded to the above location in reference to a rekindle on a structure fire that happened a few hours earlier. When arrived on scene, Engine 4 crew found some smoldering and smoke coming from a few spots in the burned structure. Engine 4 crew moved debris around and applied water to ensure the smoldering spots were extinguished. All equipment was replaced on Engine 4. Engine 4 is back in service.

☐ More remarks? Check this box and attach Supplemental Forms (NFIRS–1S) as necessary.

M Authorization

Officer in charge ID	Signature	Position or rank	Assignment	Month	Day	Year
1495			Station 4	05	27	2022

Check box if same as Officer in charge ⇨ ☑

Member making report ID	Signature	Position or rank	Assignment	Month	Day	Year
1495			Station 4	05	27	2022

A

FDID	State	Incident Date (MM / DD / YYYY)	Station	Incident Number	Exposure
	TX	05 / 27 / 2022		0000894	000

☐ Delete ☐ Change — NFIRS–2 Fire

B Property Details

B1 — 1 — Estimated number of residential living units in building of origin *whether or not all units became involved.* ☐ Not Residential

B2 — ____ — Number of buildings involved ☐ Buildings not involved

B3 — ____ . ____ — Acres burned (outside fires) ☑ None ☐ Less than one acre

C On-Site Materials or Products ☐ None

Complete if there were any significant amounts of commercial, industrial, energy, or agricultural products or materials on the property, *whether or not they became involved.*

Enter up to three codes. Check one box for each code entered.

	On-site material	On-Site Materials Storage Use
(1)		1 ☐ Bulk storage or warehousing 2 ☐ Processing or manufacturing 3 ☐ Packaged goods for sale 4 ☐ Repair or service U ☐ Undetermined
(2)		1 ☐ Bulk storage or warehousing 2 ☐ Processing or manufacturing 3 ☐ Packaged goods for sale 4 ☐ Repair or service U ☐ Undetermined
(3)		1 ☐ Bulk storage or warehousing 2 ☐ Processing or manufacturing 3 ☐ Packaged goods for sale 4 ☐ Repair or service U ☐ Undetermined

D Ignition

D1 — UU — Undetermined — Area of fire origin ☆

D2 — UU — Undetermined — Heat source ☆

D3 — 11 — Exterior roof covering, surface, finish — Item first ignited ☆ 1 ☐ Check box if fire spread was confined to object of origin.

D4 — UU — Undetermined — Type of material first ignited — Required only if item first ignited code is 00 or ≤70.

E1 Cause of Ignition ☆ ☐ Check box if this is an exposure report. ⇨ Skip to Section G

1 ☐ Intentional
2 ☑ Unintentional
3 ☐ Failure of equipment or heat source
4 ☐ Act of nature
5 ☐ Cause under investigation
U ☐ Cause undetermined after investigation

E2 Factors Contributing to Ignition ☆ ☐ None

UU — Undetermined — Factor contributing to ignition (1)

____ — Factor contributing to ignition (2)

E3 Human Factors ☆ **Contributing to Ignition**

Check all applicable boxes ☑ None

1 ☐ Asleep
2 ☐ Possibly impaired by alcohol or drugs
3 ☐ Unattended person
4 ☐ Possibly mentally disabled
5 ☐ Physically disabled
6 ☐ Multiple persons involved
7 ☐ Age was a factor

Estimated age of person involved ____

1 ☐ Male 2 ☐ Female

F1 Equipment Involved in Ignition

☐ None ⇨ If equipment was not involved, skip to Section G.

Equipment Involved ____

Brand ____

Model ____

Serial # ____

Year ____

F2 Equipment Power Source

Equipment Power Source ____

F3 Equipment Portability

1 ☐ Portable
2 ☐ Stationary

Portable equipment normally can be moved by one or two persons, is designed to be used in multiple locations, and requires no tools to install.

G Fire Suppression Factors ☐ None

Enter up to three codes.

Fire suppression factor (1) ____

Fire suppression factor (2) ____

Fire suppression factor (3) ____

H1 Mobile Property Involved ☐ None

1 ☐ Not involved in ignition, but burned
2 ☐ Involved in ignition, but did not burn
3 ☐ Involved in ignition and burned

H2 Mobile Property Type and Make

Mobile property type ____

Mobile property make ____

Mobile property model ____ Year ____

License Plate Number ____ State ____ VIN ____

Structure fire? Please be sure to complete the Structure Fire form (NFIRS–3).

Local Use

☐ Pre-Fire Plan Available

Some of the information presented in this report may be based upon reports from other agencies:

☐ Arson report attached
☐ Police report attached
☐ Coroner report attached
☐ Other reports attached

NFIRS–2 Revision 01/01/05

I1 Structure Type ☆

If fire was in an enclosed building or a portable/mobile structure, complete the rest of this form.

1 ☑ Enclosed building
2 ☐ Portable/Mobile structure
3 ☐ Open structure
4 ☐ Air-supported structure
5 ☐ Tent
6 ☐ Open platform (e.g., piers)
7 ☐ Underground structure (work areas)
8 ☐ Connective structure (e.g., fences)
0 ☐ Other type of structure

I2 Building Status ☆

1 ☐ Under construction
2 ☐ In normal use
3 ☐ Idle, not routinely used
4 ☐ Under major renovation
5 ☐ Vacant and secured
6 ☑ Vacant and unsecured
7 ☐ Being demolished
0 ☐ Other
U ☐ Undetermined

I3 Building Height ☆

Count the roof as part of the highest story.

001
Total number of stories at or above grade.

00
Total number of stories below grade.

I4 Main Floor Size ☆

NFIRS-3 Structure Fire

00 , 000 , 900
Total square feet

OR

0 , 030 BY 0 , 030
Length in feet Width in feet

J1 Fire Origin ☆

001
Story of fire origin

☐ Below grade

J2 Fire Spread ☆

If fire spread was confined to object of origin, do not check a box (Ref. Block D3, Fire Module).

2 ☐ Confined to room of origin
3 ☑ Confined to floor of origin
4 ☐ Confined to building of origin
5 ☐ Beyond building of origin

J3 Number of Stories Damaged by Flame

Count the roof as part of the highest story.

_____ Number of stories w/minor damage (1 to 24% flame damage)

_____ Number of stories w/significant damage (25 to 49% flame damage)

_____ Number of stories w/heavy damage (50 to 74% flame damage)

_____ Number of stories w/extreme damage (75 to 100% flame damage)

K Type of Material Contributing Most to Flame Spread

☐ Check if no flame spread OR if same as Material First Ignited (Block D4, Fire Module) OR if unable to determine. → Skip to Section L

K1 _____ _____
Item contributing most to flame spread

K2 _____ _____
Type of material contributing most to flame spread

Required only if item contributing code is 00 or <70.

L1 Presence of Detectors ☆

(In area of the fire)

N ☑ None Present → Skip to Section M
1 ☐ Present
U ☐ Undetermined

L2 Detector Type

1 ☐ Smoke
2 ☐ Heat
3 ☐ Combination smoke and heat
4 ☐ Sprinkler, water flow detection
5 ☐ More than one type present
0 ☐ Other
U ☐ Undetermined

L3 Detector Power Supply

1 ☐ Battery only
2 ☐ Hardwire only
3 ☐ Plug-in
4 ☐ Hardwire with battery
5 ☐ Plug-in with battery
6 ☐ Mechanical
7 ☐ Multiple detectors & power supplies
0 ☐ Other
U ☐ Undetermined

L4 Detector Operation

1 ☐ Fire too small to activate
2 ☐ Operated → Complete Block L5
3 ☐ Failed to operate → Complete Block L6
U ☐ Undetermined

L5 Detector Effectiveness

Required if detector operated.

1 ☐ Alerted occupants, occupants responded
2 ☐ Alerted occupants, occupants failed to respond
3 ☐ There were no occupants
4 ☐ Failed to alert occupants
U ☐ Undetermined

L6 Detector Failure Reason

Required if detector failed to operate

1 ☐ Power failure, shutoff, or disconnect
2 ☐ Improper installation or placement
3 ☐ Defective
4 ☐ Lack of maintenance, includes not cleaning
5 ☐ Battery missing or disconnected
6 ☐ Battery discharged or dead
0 ☐ Other
U ☐ Undetermined

M1 Presence of Automatic Extinguishing System ☆

N ☑ None Present
1 ☐ Present
2 ☐ Partial System Present → Complete rest of Section M
U ☐ Undetermined

M2 Type of Automatic Extinguishing System

Required if fire was within designed range of AES

1 ☐ Wet-pipe sprinkler
2 ☐ Dry-pipe sprinkler
3 ☐ Other sprinkler system
4 ☐ Dry chemical system
5 ☐ Foam system
6 ☐ Halogen-type system
7 ☐ Carbon dioxide (CO_2) system
0 ☐ Other special hazard system
U ☐ Undetermined

M3 Operation of Automatic Extinguishing System

Required if fire was within designed range

1 ☐ Operated/effective (go to M4)
2 ☐ Operated/Not effective (go to M4)
3 ☐ Fire too small to activate
4 ☐ Failed to operate (go to M5)
0 ☐ Other
U ☐ Undetermined

M4 Number of Sprinkler Heads Operating

Required if system operated.

_____
Number of sprinkler heads operating

M5 Reason for Automatic Extinguishing System Failure

Required if system failed or not effective

1 ☐ System shut off
2 ☐ Not enough agent discharged
3 ☐ Agent discharged but did not reach fire
4 ☐ Wrong type of system
5 ☐ Fire not in area protected
6 ☐ System components damaged
7 ☐ Lack of maintenance
8 ☐ Manual intervention
0 ☐ Other
U ☐ Undetermined

NFIRS-3 Revision 01/01/06

A | FDID ☆ | State ☆: TX | Incident Date ☆: MM 05 DD 27 YYYY 2022 | Station | Incident Number ☆: 0000894 | Exposure ☆: 000 | ☐ Delete ☐ Change | NFIRS-10 Personnel

B Apparatus or Resources	Dates and Times (Midnight is 0000; Check if same date as Alarm date on the Basic Module (Block E1).) Month Day Year Hour/Min	Sent [X]	Number of People ☆	Apparatus Use ☆ (Check ONE box for each apparatus to indicate its main use at the incident.)	Actions Taken (List up to 4 actions for each apparatus and each personnel.)
1 ID: Engine ☆Type: 11	Dispatch ☑ 0737 Arrival ☑ 0741 Clear ☑ 0822	Sent ☑	3	☑ Suppression ☐ EMS ☐ Other	

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
1495	Jordan Barron		☑				
1619	Stefan McAnally		☑				
2158	TY SPEARS		☑				
			☐				
			☐				
			☐				

2 ID ☆Type	Dispatch Arrival Clear	Sent ☐		☐ Suppression ☐ EMS ☐ Other	

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
			☐				
			☐				
			☐				
			☐				
			☐				
			☐				

3 ID ☆Type	Dispatch Arrival Clear	Sent ☐		☐ Suppression ☐ EMS ☐ Other	

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
			☐				
			☐				
			☐				
			☐				
			☐				
			☐				

NFIRS-10 Revision 01/01/04

A

FDID ☆	State ☆	MM Incident Date ☆	DD Incident Date ☆	YYYY Incident Date ☆	Station	Incident Number ☆	Exposure ☆	Delete / Change / No Activity	ESO-1 Non-NFIRS Fields
	TX	05	27	2022		0000894	000	☐ ☐ ☐	

E1 Additional Incident Times

	Month	Day	Year	Hour Min		Month	Day	Year	Hour Min
PSAP Recieved	05	27	2022		Dispatch Notified	05	27	2022	0737

B Apparatus or Resources — Dates and Times (Midnight is 0000)

	ID	Type	En Route (Month Day Year Hour/Min)	District (Month Day Year Hour/Min)
1			05 27 2022 0737	05 27 2022
2				
3				
4				
5				
6				
7				
8				
9				

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY ROY MARQUEZ

"With regard to the photographs in **Exhibit H-3 through H-4**, I, JACOB LEOS am familiar with and recognize the scene depicted in the photographs. On June 6, 2022 and June 27, 2022, Roy Marquez inspected the property described as:

> Lot SW/4 of Block 44 in the Bauer Addition of Big Spring, Howard County, Texas, also known as 1100 Gregg Street, Big Spring, Texas.

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

SIGNED on the 1st day of September, 2022.

AFFIANT Jacob Leos

SWORN TO AND SUBSCRIBED before me this 1st day of September, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT H-3

6/ 6/2022 10:48
EXHIBIT H-3 1 of 5

6/ 6/2022 10:49
EXHIBIT E-3 2 of 5

6/ 6/2022 10:49
EXHIBIT B3 3 of 5

EXHIBIT H3 pg5
6/ 6/2022 10:49

6/6/2022 10:49
EXHIBIT H-3 5 of 5

EXHIBIT H-4

6/27/2022 13:36
EXHIBIT #4 1 of 1

EXHIBIT H-5

8/10/2022 13:43
EXHIBIT B-5 1 of 1

EXHIBIT H-6

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

1100 N GREGG ST
Lot: BK: SW/4 OF BK 44 BAUER 056

June 17, 2022

Case No: 70623

POWERHOUSE CHURCH OF GOD IN CHRIST
PO BOX 2407
BIG SPRING TX 79721-2407

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 IS A LARGE AMOUNT OF DEBRIS AND BUILDING MATERIAL (ROCK, WOOD, PIPE, PLUMBING FIXTURES) REMNANTS FROM A STRUCTURE FIRE ON THE PROPERTY. THIS NEEDS TO BE PICKED UP AND PROPERLY DISPOSED AT LANDFILL.	Seven (7) days from date of mailing

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

Issued by

Roy Marquez	Code Compliance
Name	*Department*
432-264-2507	rmarquez@mybigspring.com
Phone	*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,

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

1100 N GREGG ST
Lot: BK: SW/4 OF BK 44 BAUER 056

June 17, 2022 Case No: 70624

POWERHOUSE CHURCH OF GOD IN CHRIST
PO BOX 2407
BIG SPRING TX 79721-2407

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
THIS PROPERTY NEEDS TO BE MOWED TO THE CENTER OF THE EASEMENTS, INCLUDING CURBLINE. A CLEAR ZONE NEEDS TO BE ESTABLISHED ALONG THE RIGHT OF WAYS. ALL WEEDS/GRASS/BRUSH GROWING ALONG THE CURBLINE NEED TO BE CUT TO CITY ORDINANCE OF UNDER 12 INCHES. IT IS ASKED THAT PROPERTY BE MAINTAINED ON A REGULAR BASIS	Seven (7) days from date of mailing

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

Issued by

Roy Marquez	Code Compliance
Name	*Department*
432-264-2507	rmarquez@mybigspring.com
Phone	*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.

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Sincerely,

Code Compliance Officer
City of Big Spring, Texas

EXHIBIT H-7

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720
Lot: SW/4 OF BK 44: BAUER ADDITION

August 21, 2022

POWERHOUSE CHURCH OF GOD IN CHRIST
P.O. BOX 2407
BIG SPRING, TX 79721-24007

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 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.
Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
A fire on the premises occurred on May 27, 2022. The structure was destroyed. The premises is littered with structural debris, remnants from fire, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022** 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

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.

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Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720
Lot: SW/4 OF BK 44: BAUER ADDITION

August 21, 2022

POWERHOUSE CHURCH OF GOD IN CHRIST
1103 NORTH GREGG STREET
BIG SPRING, TX 79721-24007

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 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.
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Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
A fire on the premises occurred on May 27, 2022. The structure was destroyed. The premises is littered with structural debris, remnants from fire, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*E-mail*

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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.

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

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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.

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Sincerely,

Jacob Leos
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720
Lot: SW/4 OF BK 44: BAUER ADDITION

August 21, 2022

POWERHOUSE CHURCH OF GOD IN CHRIST
1311 GOLIAD ST
BIG SPRING, TX 79721-24007

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:

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*E-mail*

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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 Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720
Lot: SW/4 OF BK 44: BAUER ADDITION

August 21, 2022

POWERHOUSE CHURCH OF GOD IN CHRIST
9118 HIRSCH ROAD
HOUSTON, TX 77016

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 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.
Sec. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
A fire on the premises occurred on May 27, 2022. The structure was destroyed. The premises is littered with structural debris, remnants from fire, tires, trash, furniture, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Jacob Leos	Code Compliance
Name	*Department*
432-264-2502	jleos@mybigspring.com
Phone	*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 **September 13, 2022** 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

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 Official
City of Big Spring, Texas

EXHIBIT H-8

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44 – OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 42, WILLIAMS & CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RUSENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 405 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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.

TAMI

8/24/2022 13:37

EXHIBIT H-8 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022 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:

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610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF MALISSA GARCIA
CONCERNING 2705 Ann Drive

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 **2705 ANN DRIVE** , 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 31st day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

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 Less N/2 of LT3, Block 15 in the KENTWOOD Addition of Big Spring, Howard County, Texas, also known as 2705 ANN DRIVE, 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.

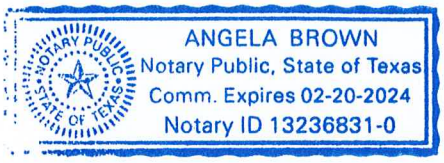
Using the above-described records, I verified that **THOMAS OLIVER BRADBERRY** is the owner of the property located at the above-described premises and his mailing address is 2705 ANN DRIVE, Big Spring, Howard County, Texas, as shown in **Exhibit I-1**.

SIGNED on the 31st day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022

by the above referenced Affiant.



Angela Brown

Notary Public, State of Texas

EXHIBIT I-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000006024 Geo ID : B4085002400 1

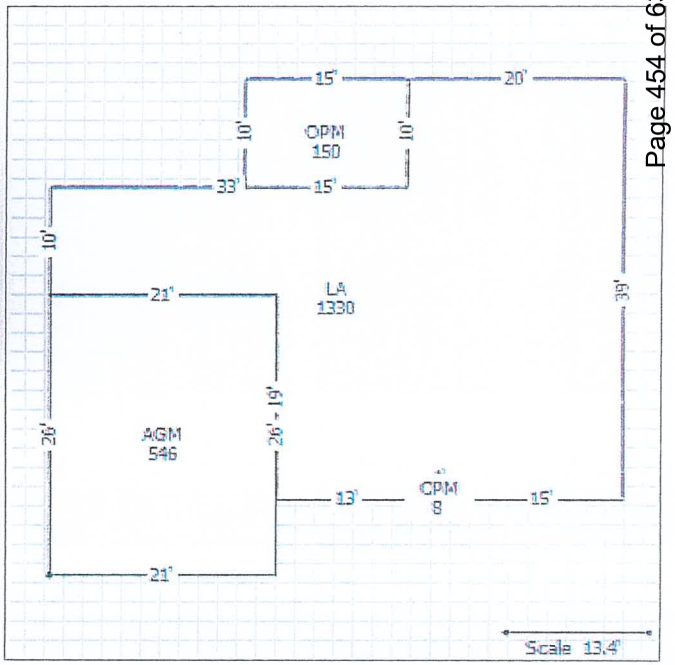
Ownership

BRADBERRY THOMAS OLIVER

2705 ANN DRIVE
BIG SPRING, TX 79720

Exemptions/Deed

INST: 2016-00006243
VOL: 1551
PAGE: 207
DATE: 6/24/2016



Legal Information

LEGAL: LESS N/2 OF LT 3 BK 15 KENTWOOD #2 71X130 348 BLK/TRACT 15 0.206 ACRES ACQ 06242016
SITUS: 2705 ANN
ACRES:0.206
ALT:6024
XREF:6024.1

Appraisal Coding

Appr By TG Appr Dt 02/10/21
Check By Check Dt

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
6/24/16		1551	207	2016-00006243	6/24/16	++++++	++++++	BRADBERRY THOMAS OLIVER	BRADBERRY ANNA LOU
3/1/82		0518	21	0	3/1/82	++++++	++++++	WALLACE JAMES F ET UX	WALLACE JAMES F ET UX

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
LA-LIVING AREA	Y	1963/NA	RS3M	1,330	132.37	176,052	0	PO -69%	0%	0%	0%	100%	0%	-69.0%	54,576
CPM-COVERED PORCH MA	Y	1963/NA	RS3M	8	19.86	159	0	PO -69%	0%	0%	0%	100%	0%	-69.2%	49
AGM-ATTACHED GARAGE	Y	1963/NA	RS3M	546	50.30	27,464	0	PO -69%	0%	0%	0%	100%	0%	-69.0%	8,514
OPM-OPEN PORCH / PAT	Y	1963/NA	RS3M	150	7.94	1,191	0	PO -69%	0%	0%	0%	100%	0%	-69.0%	369
* EXTRA FEATURES							-9250								-2868
				2,034		204,866	-9,250								60,640

SQFT MA: 1330 MKT CSF MA: 52.253 CSF IMPR : 45.594

Feature Code	Cpsf / Value
AHC-CEN HT AIR	0
AST-1 STORY	0
AUT-ALL	0
BFP-MASONARY	0
CRM-COMPOSITION	0
GRT-GABLE	0
SFN-SLAB	0
VET-VENEER	0
2BT-2 BATHS	-2,868
	-2,868

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
LFF24	69.0 FF/69.0 RF/130.0 DF LOTS	100.0		100.00		0%		Y	6,900	A1					
									6,900						0

Comments

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	62,597	A1	0	62,597	A1
Land Homesite +	6,900	A1	0	6,900	A1
Total Market =	69,497		0	69,497	
Assessed =	69,497		0	69,497	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	13,899	55,598	.2995620		166.55
02B CITY OF BIG SPRING	13,899	55,598	.7173000		398.80
03B BIG SPRING ISD	38,899	30,598	1.1164000		341.60
052 HOWARD COLLEGE	13,899	55,598	.2166750		120.47
** ESTIMATED TOTAL					1,027.42

Nbh Coding: NOTE20CORR

Misc Coding:

User PERMITS2 Print Date 3/9/2022 2:09:59 PM Property ID : R000006024 Geo ID : B4085002400 Quick Link :

EXHIBIT I-1 1 of 1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
2705 ANN DRIVE CASE NOTES

"This record, attached as **Exhibit I-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 I-2** as the readout."

SIGNED on the 31st day of August, 2022.

Melissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Miranda Barela
Notary Public, State of Texas

EXHIBIT I-2

TASK #: 110686 ORIG. DATE:
TASK CODE: REINSP ACCUMLTD ITEM DUE DATE:
PROPERTY: 2705 ANN DR

NOTES

Incident Notes:

Task #: 110508 - INSPECT ACCUMULATED - 3/07/2022
3-21 thomas called me and informed me he was busy with his job but will try to get to it
3-24 drove by on my way to work and nothing has been touched. will send to legal for complaint.

Task #: 110509 - ACCUMULATED ITEMS - 3/07/2022

Task #: 110686 - REINSP ACCUMLTD ITEM - 3/24/2022

Task #: 110687 - ACCUMULATED ITEMS - 3/24/2022

Task #: 110688 - COMPLAINT REQUEST - 3/24/2022

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
FIRE MARSHAL'S FIRE REPORT

"The fire report, attached as **Exhibit I-3** presents factual findings from a legally authorized investigation of the Fire Marshal. The document is a copy of the official record."

SIGNED on the 31st day of August, 2022.

Marissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT I-3

BIG SPRING FIRE DEPARTMENT
OFFICE OF THE FIRE MARSHALL

March 8, 2022

TO: Chief Ferguson
FROM: Dan Hendrickson, Fire Marshall, City of Big Spring
REF: 2705 Ann Fire Scene

A report of a fire at 2705 Ann Street occurred on March 4, 2022 at 4:40 p.m. It appears that in the back yard of the private residence had a vehicle, a couple of trailers holding trash, a pull behind camper and a generator supplying power to the camper. Images were obtained under exigent circumstances.

During the fire, severe damage was sustained to the camper and surrounding items. It is apparent the camper is no longer usable and should not be utilized as living quarters. The original fire was in close courters to other combustible items which is how the fire managed to progress from one item to another. The camper is no longer a safe standing structure, the collapse hazard has increased and I believe it would be dangerous for anyone to make entry into it.

Due to the burn damage sustained to the camper and the surrounding items I would now classify this fire scene as a hazard and it would be my recommendation for abatement of the property and camper.

A — FDID: KW601 ☆ | State: TX ☆ | Incident Date: MM 03 / DD 04 / YYYY 2022 ☆ | Station: 003 | Incident Number: 0000422 ☆ | Exposure: 000 ☆ | ☐ Delete ☐ Change ☐ No Activity | NFIRS-1 Basic

B Location Type ☆

- ☐ Street address
- ☐ Intersection
- ☐ In front of
- ☑ Rear of
- ☐ Adjacent to
- ☐ Directions
- ☐ U.S. National Grid

☐ Check this box to indicate that the address for this incident is provided on the Wildland Fire Module in Section B, "Alternative Location Specification." Use only for wildland fires.

Census Tract: ____ - ____

Number/Milepost: 2705 | Prefix: | Street or Highway: Ann | Street Type: | Suffix:

Apt./Suite/Room: | City: Big Spring | State: TX | ZIP Code: 79720 - ____

Cross Street, Directions or National Grid, as applicable:

C Incident Type ☆

137 | Camper or recreational...

Incident Type

D Aid Given or Received ☆ ☑ None

1 ☐ Mutual aid received
2 ☐ Auto. aid received
3 ☐ Mutual aid given
4 ☐ Auto. aid given
5 ☐ Other aid given

Their FDID | Their State | Their Incident Number

E1 Dates and Times — Midnight is 0000

Check boxes if dates are the same as Alarm Date.

	Month	Day	Year	Hour	Min
Alarm ☆ (ALARM always required)	03	04	2022	1640	
☑ Arrival ☆ (ARRIVAL required, unless canceled or did not arrive)				1645	
☐ Controlled (CONTROLLED optional, except for wildland fires)					
☑ Last Unit Cleared (LAST UNIT CLEARED, required except for wildland fires)				1815	

E2 Shifts and Alarms — Local Option

Shift or Platoon: | Alarms: 1 | District: 003

E3 Special Studies — Local Option

Special Study ID#: | Special Study Value:

F Actions Taken ☆ — Extinguishment by fire service personnel

Primary Action Taken (1): 11

Additional Action Taken (2):

Additional Action Taken (3):

G1 Resources ☆

☑ Check this box and skip this block if an Apparatus or Personnel Module is used.

	Apparatus	Personnel
Suppression		
EMS		
Other		

☐ Check box if resource counts include aid received resources.

G2 Estimated Dollar Losses and Values

LOSSES: Required for all fires if known. Optional for non-fires. ☐ None

Property: $ 000 , 010 , 000 ☐
Contents: $ 000 , 005 , 000 ☐

PRE-INCIDENT VALUE: Optional

Property: $, , ☐
Contents: $, , ☐

Completed Modules

- ☑ Fire–2
- ☐ Structure Fire–3
- ☐ Civilian Fire Cas.–4
- ☐ Fire Service Cas.–5
- ☐ EMS–6
- ☐ HazMat–7
- ☐ Wildland Fire–8
- ☑ Apparatus–9
- ☑ Personnel–10
- ☐ Arson–11

H1 ☆Casualties ☑ None

	Deaths	Injuries
Fire Service		
Civilian		

H2 Detector — Required for confined fires.

1 ☐ Detector alerted occupants
2 ☐ Detector did not alert them
U ☐ Unknown

H3 Hazardous Materials Release ☐ None

1 ☐ Natural gas: slow leak, no evacuation or HazMat actions
2 ☐ Propane gas: <21-lb tank (as in home BBQ grill)
3 ☐ Gasoline: vehicle fuel tank or portable container
4 ☐ Kerosene: fuel burning equipment or portable storage
5 ☐ Diesel fuel/fuel oil: vehicle fuel tank or portable storage
6 ☐ Household solvents: home/office spill, cleanup only
7 ☐ Motor oil: from engine or portable container
8 ☐ Paint: from paint cans totaling <55 gallons
0 ☐ Other: special HazMat actions required or spill > 55 gal (Please complete the HazMat form.)

I Mixed Use Property ☐ Not mixed

10 ☐ Assembly use
20 ☐ Education use
33 ☐ Medical use
40 ☐ Residential use
51 ☐ Row of stores
53 ☐ Enclosed mall
58 ☐ Business & residential
59 ☐ Office use
60 ☐ Industrial use
63 ☐ Military use
65 ☐ Farm use
00 ☐ Other mixed use

J Property Use ☆ ☐ None

Structures

131 ☐ Church, place of worship
161 ☐ Restaurant or cafeteria
162 ☐ Bar/Tavern or nightclub
213 ☐ Elementary school, kindergarten
215 ☐ High school, junior high
241 ☐ College, adult education
311 ☐ Nursing home
331 ☐ Hospital
341 ☐ Clinic, clinic-type infirmary
342 ☐ Doctor/Dentist office
361 ☐ Prison or jail, not juvenile
419 ☐ 1- or 2-family dwelling
429 ☐ Multifamily dwelling
439 ☐ Rooming/Boarding house
449 ☐ Commercial hotel or motel
459 ☐ Residential, board and care
464 ☐ Dormitory/Barracks
519 ☐ Food and beverage sales
539 ☐ Household goods, sales, repairs
571 ☐ Gas or service station
579 ☐ Motor vehicle/boat sales/repairs
599 ☐ Business office
615 ☐ Electric-generating plant
629 ☐ Laboratory/Science laboratory
700 ☐ Manufacturing plant
819 ☐ Livestock/Poultry storage (barn)
882 ☐ Non-residential parking garage
891 ☐ Warehouse

Outside

124 ☐ Playground or park
655 ☐ Crops or orchard
669 ☐ Forest (timberland)
807 ☐ Outdoor storage area
919 ☐ Dump or sanitary landfill
931 ☐ Open land or field
936 ☐ Vacant lot
938 ☐ Graded/Cared for plot of land
946 ☐ Lake, river, stream
951 ☐ Railroad right-of-way
960 ☐ Other street
961 ☐ Highway/Divided highway
962 ☐ Residential street/driveway
981 ☐ Construction site
984 ☐ Industrial plant yard

Look up and enter a Property Use code and description only if you have NOT checked a Property Use box.

⇨ Property Use: 900 (Code)

Outside or special... (Property Use Description)

NFIRS-1 Revision 01/01/05

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location (Section B). Then skip the three duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

☐ More people involved? Check this box and attach Supplemental Forms (NFIRS–1S) as necessary.

K2 Owner

Local Option

☐ Same as person involved? Then check this box and skip the rest of this block.

Business Name (if applicable) | Area Code: 432 | Phone Number: 466 - 5659

☐ Check this box if same address as incident location (Section B). Then skip the three duplicate address lines.

Mr., Ms., Mrs. | First Name: Thomas | MI | Last Name: Bradberry | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

L Remarks:

JACE WILLIAMS
March 4,2022 22:11:17

E3, E5, R2, M5 and B1 responded to 2705 Ann for structure fire. E3 first on scene found a camper in the back yard on fire, also another utility trailer full of construction trash on fire. Behind the camper that could not see at the time was a pickup that was also involved in the fire. The fire was not threatening the structure. E3 pulled 200' of 1.5" line around to the back yard and began to extinguish the fires. R2 parked in the alley and pulled 150' of 1.5" line and began to extinguish the fire. All fire was extinguished except the utility trailer. In order to get the utility trailer extinguished we flipped in on its side in the yard. Used approximately 1800 gallons of water between both trucks to extinguish fires. Area of origin looked to be in the camper, but is listed as undetermined. All units returned to service w/o incident.

Camper

License plate: New Mexico 35082A

☑ More remarks? Check this box and attach Supplemental Forms (NFIRS–1S) as necessary.

M Authorization

Officer in charge ID	Signature	Position or rank	Assignment	Month	Day	Year
1341			3	03	04	2022

Check box if same as Officer in charge. ⇨ ☑

Member making report ID	Signature	Position or rank	Assignment	Month	Day	Year
1341			3	03	04	2022

Printed 16:31 03/09/2022

A | FDID: KW601 | State: TX | Incident Date (MM DD YYYY): 03 04 2022 | Station: | Incident Number: 0000422 | Exposure: 000 | ☐ Delete ☐ Change | NFIRS–1S Supplemental

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location. Then skip these three duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location. Then skip these these duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location. Then skip these three duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location. Then skip these three duplicate address lines.

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

K1 Person/Entity Involved

Local Option

Business Name (if applicable) | Area Code | Phone Number

☐ Check this box if same address as incident location. Then skip these three duplicate address lines

Mr., Ms., Mrs. | First Name | MI | Last Name | Suffix

Number | Prefix | Street or Highway | Street Type | Suffix

Post Office Box | Apt./Suite/Room | City

State | ZIP Code

E3 **Supplemental Special Studies**
Local Option

NFIRS–1S
Supplemental

1 Special Study ID#	Special Study Value	2 Special Study ID#	Special Study Value	3 Special Study ID#	Special Study Value	4 Special Study ID#	Special Study Value
5 Special Study ID#	Special Study Value	6 Special Study ID#	Special Study Value	7 Special Study ID#	Special Study Value	8 Special Study ID#	Special Study Value

L **Remarks:**
Local Option

Unable to determine make of camper had to click something for report to lock.

Utility trailer: no plate or tags to be identified

Truck

License plate: Texas 998101C

A

FDID	State	MM	DD	YYYY	Station	Incident Number	Exposure
KW601	TX	03	04	2022	003	0000422	000

☐ Delete ☐ Change

NFIRS-2 Fire

B Property Details

B1 ☐ Not Residential
Estimated number of residential living units in building of origin *whether or not all units became involved.*

B2 ☐ Buildings not involved
Number of buildings involved

B3 ☑ None ☐ Less than one acre
Acres burned (outside fires)

C On-Site Materials or Products ☐ None

Complete if there were any significant amounts of commercial, industrial, energy, or agricultural products or materials on the property, *whether or not they became involved.*

Enter up to three codes. Check one box for each code entered.

On-site material (1)
On-site material (2)
On-site material (3)

On-Site Materials Storage Use
1 ☐ Bulk storage or warehousing
2 ☐ Processing or manufacturing
3 ☐ Packaged goods for sale
4 ☐ Repair or service
U ☐ Undetermined

D Ignition

Function areas,

D1 20 other
Area of fire origin ☆

D2 UU Undetermined
Heat source ☆

D3 UU Undetermined
Item first ignited ☆ 1 ☐ Check box if fire spread was confined to object of origin.

D4
Type of material first ignited — Required only if item first ignited code is 00 or <70.

E1 Cause of Ignition ☆

☐ Check box if this is an exposure report. ⇨ Skip to Section G

1 ☐ Intentional
2 ☐ Unintentional
3 ☐ Failure of equipment or heat source
4 ☐ Act of nature
5 ☐ Cause under investigation
U ☑ Cause undetermined after investigation

E2 Factors Contributing to Ignition ☆ ☐ None

UU Undetermined
Factor contributing to ignition (1)
Factor contributing to ignition (2)

E3 Human Factors ☆ Contributing to Ignition

Check all applicable boxes ☑ None

1 ☐ Asleep
2 ☐ Possibly impaired by alcohol or drugs
3 ☐ Unattended person
4 ☐ Possibly mentally disabled
5 ☐ Physically disabled
6 ☐ Multiple persons involved
7 ☐ Age was a factor

Estimated age of person involved
1 ☐ Male 2 ☐ Female

F1 Equipment Involved in Ignition

☐ None ⇨ If equipment was not involved, skip to Section G.

Equipment Involved
Brand
Model
Serial #
Year

F2 Equipment Power Source

Equipment Power Source

F3 Equipment Portability

1 ☐ Portable
2 ☐ Stationary

Portable equipment normally can be moved by one or two persons, is designed to be used in multiple locations, and requires no tools to install.

G Fire Suppression Factors ☐ None

Enter up to three codes.

Fire suppression factor (1)
Fire suppression factor (2)
Fire suppression factor (3)

H1 Mobile Property Involved ☐ None

1 ☐ Not involved in ignition, but burned
2 ☐ Involved in ignition, but did not burn
3 ☑ Involved in ignition and burned

H2 Mobile Property Type and Make

15 Trailer - travel, designed to be towed
Mobile property type

AV Antique Vehicle
Mobile property make

Mobile property model — Year

License Plate Number — State — VIN

Structure fire? Please be sure to complete the Structure Fire form (NFIRS-3).

Local Use

☐ Pre-Fire Plan Available

Some of the information presented in this report may be based upon reports from other agencies:

☐ Arson report attached
☐ Police report attached
☐ Coroner report attached
☐ Other reports attached

NFIRS-2 Revision 01/01/05

A	FDID ☆	State ☆	MM Incident Date ☆	DD Incident Date ☆	YYYY Incident Date ☆	Station	Incident Number ☆	Exposure ☆	☐ Delete ☐ Change	NFIRS-10 Personnel
	KW601	TX	03	04	2022	003	0000422	000		

B Apparatus or Resources	Dates and Times (Midnight is 0000; Check if same date as Alarm date on the Basic Module (Block E1).) Month Day Year Hour/Min	Sent [X]	Number of People ☆	Apparatus Use ☆ (Check ONE box for each apparatus to indicate its main use at the incident.)	Actions Taken (List up to 4 actions for each apparatus and each personnel.)
1 ID: Unit 11 ☆Type: 92	Dispatch ☑ 1640 Arrival ☑ 1645 Clear ☑ 1800	☑	1	☐ Suppression ☐ EMS ☑ Other	

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
0805	CHRIS GLENN		☑				
			☐				
			☐				
			☐				
			☐				
			☐				

2 ID: Engine ☆Type: 11	Dispatch ☑ 1640 Arrival ☑ 1645 Clear ☑ 1815	☑	2	☑ Suppression ☐ EMS ☐ Other	

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
1341	JACE WILLIAMS		☑				
1651	JOSH JENNINGS		☑				
			☐				
			☐				
			☐				
			☐				

3 ID: Engine ☆Type: 11	Dispatch ☑ 1640 Arrival ☑ 1645 Clear ☑ 1815	☑	2	☑ Suppression ☐ EMS ☐ Other	

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
2115	PHILIP GENTRY		☑				
0673	Chad Pederson		☑				
			☐				
			☐				
			☐				
			☐				

NFIRS-10 Revision 01/01/04

Printed 16:31 03/09/2022

A

FDID ☆	State ☆	MM Incident Date	DD Incident Date ☆	YYYY Incident Date	Station	Incident Number ☆	Exposure ☆	☐ Delete ☐ Change	NFIRS-10 Personnel
KW601	TX	03	04	2022	003	0000422	000		

B Apparatus or Resources | Dates and Times (Midnight is 0000; Check if same date as Alarm date on the Basic Module (Block E1).; Month Day Year Hour/Min) | Sent [X] | Number of People ☆ | Apparatus Use ☆ (Check ONE box for each apparatus to indicate its main use at the incident.) | Actions Taken (List up to 4 actions for each apparatus and each personnel.)

1 ID: Medic 5 ☆Type: 76

	Month	Day	Year	Hour/Min
Dispatch	☑			1640
Arrival	☑			1645
Clear	☑			1815

Sent: ☑ | Number of People: 2 | Apparatus Use: ☐ Suppression ☑ EMS ☐ Other

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
1801	CHARLES MONCRIEF		☑				
2163	COLBY DARROW		☑				
			☐				
			☐				
			☐				
			☐				

2 ID: Rescue ☆Type: 71

	Month	Day	Year	Hour/Min
Dispatch	☑			1640
Arrival	☑			1645
Clear	☑			1815

Sent: ☑ | Number of People: 3 | Apparatus Use: ☐ Suppression ☐ EMS ☑ Other

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
0746	James Phelps		☑				
1682	John Reynolds		☑				
2158	TY SPEARS		☑				
			☐				
			☐				
			☐				

3 ID: ☆Type:

	Month	Day	Year	Hour/Min
Dispatch	☐			
Arrival	☐			
Clear	☐			

Sent: ☐ | Number of People: | Apparatus Use: ☐ Suppression ☐ EMS ☐ Other

Personnel ☆ ID	Name	Rank or Grade	Attend [X]	Action Taken	Action Taken	Action Taken	Action Taken
			☐				
			☐				
			☐				
			☐				
			☐				
			☐				

NFIRS-10 Revision 01/01/04

Printed 16:31 03/09/2022

A

FDID ☆	State ☆	MM Incident Date ☆	DD Incident Date ☆	YYYY Incident Date ☆	Station	Incident Number ☆	Exposure ☆
KW601	TX	03	04	2022	003	0000422	000

☐ Delete ☐ Change ☐ No Activity

ESO-1 Non-NFIRS Fields

E1 Additional Incident Times

	Month	Day	Year	Hour Min		Month	Day	Year	Hour Min
PSAP Recieved	03	04	2022		Dispatch Notified	03	04	2022	

B Apparatus or Resources — Dates and Times (Midnight is 0000)

		Month	Day	Year	Hour/Min
1	ID				
	Type				
	En Route	03	04	2022	1640
	District	03	04	2022	
2	ID				
	Type				
	En Route	03	04	2022	1640
	District	03	04	2022	
3	ID				
	Type				
	En Route	03	04	2022	1640
	District	03	04	2022	
4	ID				
	Type				
	En Route	03	04	2022	1640
	District	03	04	2022	
5	ID				
	Type				
	En Route	03	04	2022	1640
	District	03	04	2022	
6	ID				
	Type				
	En Route				
	District				
7	ID				
	Type				
	En Route				
	District				
8	ID				
	Type				
	En Route				
	District				
9	ID				
	Type				
	En Route				
	District				

Printed 16:31 03/09/2022

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY MALISSA GARCIA

"With regard to the photographs in **Exhibit I-4 through I-7**, I am familiar with and recognize the scene depicted in the photographs. On August 10, 2022, I inspected the property described as: Less N/2 of Lot 3Block 15 in the Kentwood Addition of Big Spring, Howard County, Texas, also known as 1100 Gregg Street, Big Spring, Texas.

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

SIGNED on the 31st day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT I-4

Fresh Step Scoop

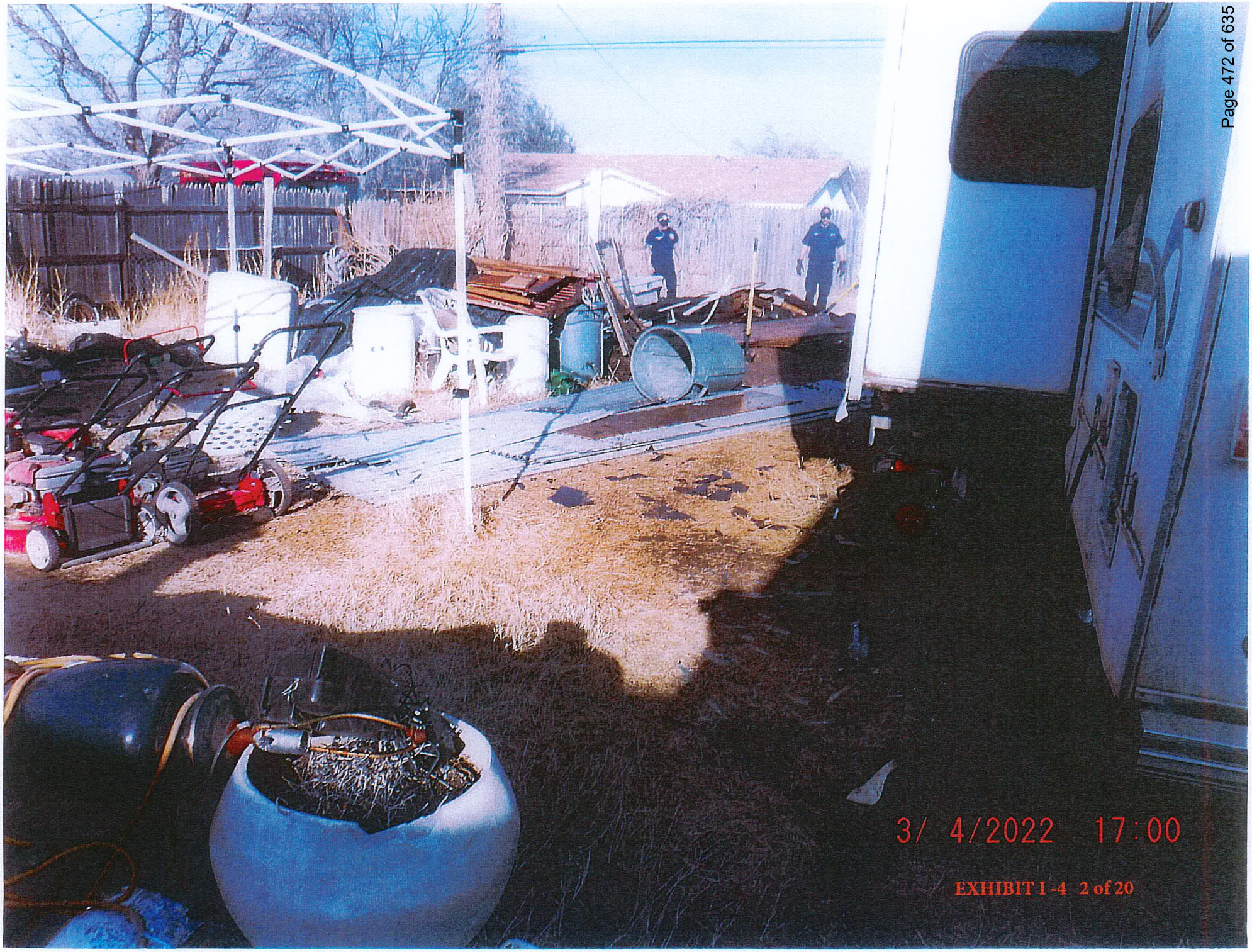


EXHIBIT I -4 2 of 20

Made in America
3/ 4/2022 17:00
EXHIBIT 1-4 3 of 20

3/ 4/2022 17:00
EXHIBIT 1-4 4 of 20

EXHIBIT-4.pdf
3/ 4/2022 17:01

3/ 4/2022 17:21
EXHIBIT I-4 6 of 20

3/ 4/2022 16:59
EXHIBIT 4 7 of 20

3/ 4/2022 17:21
EXHIBIT 4 8 of 30

3/ 4/2022 17:25
EXHIBIT 1-4 9 of 20

3/ 4/2022 17:21
EXHIBIT 1 10 of 20

3/ 4/2022 17:05
EXHIBIT 1-4 11 of 20

3/ 4/2022 17:05
EXHIBIT I-4 12 of 20

EXHIBIT I -4 13 of 20

3/ 4/2022 17:05
EXHIBIT 4 Page 20

3/ 4/2022 16:59
EXHIBIT 1-4 15 of 20

4/2022 17:00
EXHIBIT I-4 16 of 20

EXHIBIT I -4 17 of 20

R/ 4/2022 17:02

EXHIBIT I-4 18 of 20

3/ 1/2022 17:03
EXHIBIT I-4 19 of 20

EXHIBIT I-5

3/18/2022 13:16
EXHIBIT 3 - 1 of 5

3/18/2022 13:15
EXHIBIT I-5 2 of 5

3/18/2022 13:14
EXHIBIT 6-3 3 of 3

EXHIBIT I -5 4 of 5

3/18/2022 13:14
EXHIBIT 1-5 5 of 5

EXHIBIT I-6

3/21/2022 8:00
EXHIBIT I-6 1 of 7

3/21/2022 8:01
EXHIBIT 1-6 2 of 7

EXHIBIT I-6 3 of 7

3/21/2022 8:01
EXHIBIT I-6 4 of 7

3/21/2022 8:01
EXHIBIT 1-6 5 of 7

EXHIBIT I -6 6 of 7

3/21/2022 8:02
EXHIBIT I -6 7 of 7

EXHIBIT I-7

8/11/2022 15:40
EXHIBIT I-7 1 of 5

8/11/2022 15:40
EXHIBIT I -7 2 of 5

8/11/2022 15:40
EXHIBIT 1-7 3 of 5

8/11/2022 15:40
EXHIBIT I-7 4 of 5

8/11/2022 15:41
EXHIBIT I-7 5 of 5

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY MALISSA GARCIA

"The document in **Exhibit I-8** 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 I-8** is also attached.

SIGNED on the 31st day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Miranda Barela
Notary Public, State of Texas

EXHIBIT I-8

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

2705 ANN DR
Lot: LESS N/2 LT 3 BK: 15 KENTWOOD 348

March 7, 2022 Case No: 70033

THOMAS OLIVER BRADBERRY
2705 ANN DR
BIG SPRING TX 79720-6701

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 (TV, tons of trash in front yard, gas cans, washer and dryer and tons of accumulated items that are in the back yard) that need to be removed from property. 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	Code Compliance
Name	*Department*
(432)264-2506	mgarcia@mybigspring.com
Phone	*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,

M. Garcia

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Enforcement

217 E. 3rd St. Big Spring, TX 79720. Ph 432-264-2504

March 9, 2022 Complaint No: 70047

THOMAS OLIVER BRADBERRY
2705 ANN DR
BIG SPRING TX 79720-6701

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
2705 ANN DR
Lot: LESS N/2 LT 3 BK: 15 KENTWOOD 348

Dear THOMAS OLIVER BRADBERRY:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 13** of the Health and Sanitation Code, specifically **Article 1, Section 36-63 et seq.**, thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 **Penalty for Violation of this Article**

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

M. Garcia

Code Enforcement/City of Big Spring

EXHIBIT I-8 4 of 4

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 September 13, 2022, attached as **Exhibit I-9** was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 31st day of August, 2022.

Malissa Garcia
AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT I-9

EXHIBIT I-9 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE, BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS BRADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

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 LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

STATE OF TEXAS §
§
COUNTY OF HOWARD §

AFFIDAVIT OF KALEB SMITH
CONCERNING 604 NE 10TH STREET

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 604 NE 10TH STREET, 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 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 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 SE/4 OF SC 42, Block 32 in the WILLIAM B. CURRIE Addition of Big Spring, Howard County, Texas, also known as 604 NE 10TH STREET, 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 ADDIE OLIVER is the owner of the property located at the above-described premises and his mailing address is 1002 NORTH MAIN, APT 36, Big Spring, Howard County, Texas, as shown in **Exhibit J-1**.

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 31st day of August, 2022 by the above referenced Affiant.

Angela Brown
Notary Public, State of Texas

EXHIBIT J-1

HOWARD COUNTY APPRAISAL DISTRICT (2022)

Property ID : R000046732 Geo ID : 51442012900 1/1

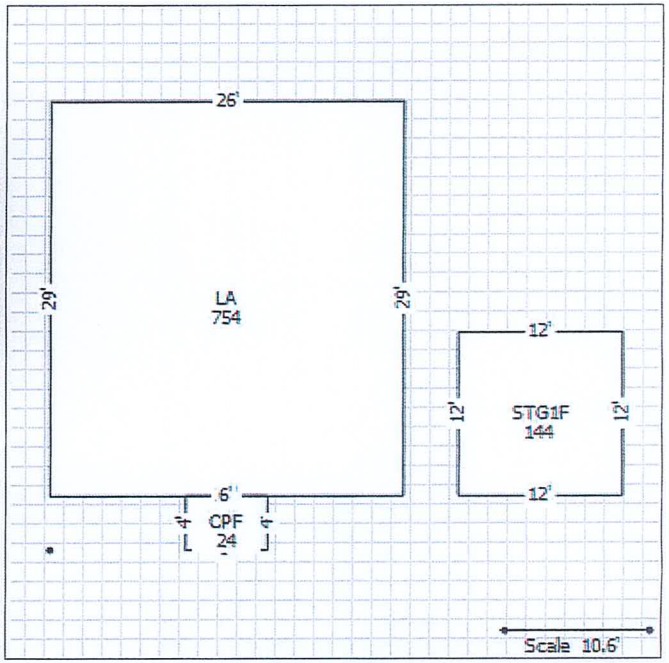
Ownership

OLIVER ADDIE

604 NE 10TH ST
BIG SPRING, TX 79720

Exemptions/Deed

INST: 201900007209
VOL: 1839
PAGE: 278
DATE: 7/18/2019



Legal Information

LEGAL: SE/4 OF SC 42 BK 32 1N TR 19 WILLIAM B CURRIE 55X140 348 0.177 ACRES
SITUS: 604 NE 10TH
ACRES:0.177
ALT:46732
XREF:46732.1

NOT CERTIFIED

Appraisal Coding

Appr By	TRISTAN	Appr Dt	09/08/20
Check By		Check Dt	

Sale Dt	Type	Vol	Page	Inst	Deed Dt	Price	Value@Sale	Grantee	Grantor
7/18/19		1839	278	201900007209	7/18/19	++++++	++++++	OLIVER ADDIE	OLIVER RAYMOND (ADDIE)
N/A					1/1/00	++++++	++++++	OLIVER ADDIE	OLIVER RAYMOND (ADDIE)

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
LA-LIVING AREA	Y	1960/NA	RS2F	754	93.96	70,846	0	FA -66%		0%	0%	0%	100%	0%	-66.0%	*	24,088
CPF-COVERED PORCH FR	Y	1960/NA	RS2F	24	14.09	338	0	FA -66%		0%	0%	0%	100%	0%	-66.0%	*	115
STG1F-LOW QUALITY ST	Y	1960/NA	RS2F	144	6.93	998	0	PO -72%		0%	0%	0%	100%	0%	-72.0%	*	279
				922		72,182	0										24,482

SQFT MA: 754 MKT CSF MA: 35.387 CSF IMPR: 32.469 LOC CODE: NC

Feature Code	Cpsf / Value
AST-1 STORY	0
AUT-ALL	0
CRM-COMPOSITION	0
FET-FRAME	0
GRT-GABLE	0
MHC-MOIST AIR	0
PFN-PIER AND BE	0
1BT-1 BATH	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
LFF12	55.0 FF/55.0 RF/140.0 DF LOTS	40.0		40.00		0%		Y	2,200	A1						
									2,200							0

Comments

	2022	Ptd	Change +/-	Prior 2021	Ptd
Impr Homesite +	24,482	A1	-245	24,727	A1
Land Homesite +	2,200	A1	0	2,200	A1
Total Market =	26,682		-245	26,927	
Assessed =	26,682		-245	26,927	

Entity / Description	Exemption	Txbl Value	Rate Per $100	Frz Yr	Ext. Tax Levy
01H HOWARD COUNTY	0	26,682	.3275450		87.40
02B CITY OF BIG SPRING	0	26,682	.6731630		179.61
03B BIG SPRING ISD	0	26,682	1.0160000		271.09
052 HOWARD COLLEGE	0	26,682	.2367770		63.18
** ESTIMATED TOTAL					601.28

Nbh Coding	Misc Coding
EXRME2020	BSISD_NE
HSAPPNOT20	BSI_MAP2
HSAPPNOT21	NC22
HSAPPNOT22	

User PERMITS2 Print Date 6/29/2022 4:38:02 PM Property ID : R000046732 Geo ID : 51442012900 Quick Link :

EXHIBIT J-1 1 of 1

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
604 NE 10TH STREET 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 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT J-2

07-05-2022 08:45 AM TASK NOTES REPORT

TASK #: 111632 ORIG. DATE:

TASK CODE: INSPECT ACCUMULATED DUE DATE:

PROPERTY: 604 NE 10TH ST

NOTES

Incident Notes:

Task #: 111632 - INSPECT ACCUMULATED - 6/15/2022

6/27/2022 Went by and nothing had been done.

6/29/2022 Received returned mail from post office. PO note says vacant.

Task #: 111633 - ACCUMULATED ITEMS - 6/15/2022

07-05-2022 08:46 AM TASK NOTES REPORT

TASK #: 111634 ORIG. DATE:

TASK CODE: INSPECT RODENT CONT DUE DATE:

PROPERTY: 604 NE 10TH ST

NOTES

Incident Notes:

Task #: 111634 - INSPECT - 6/15/2022

6/27/2022 RECEIVED RETURNED MAIL FOR RODENT.

6/27/2022 Went by and nothing had been done.

Task #: 111635 - RODENT CONTROL - 6/15/2022

07-05-2022 08:46 AM TASK NOTES REPORT

TASK #: 111630 ORIG. DATE:

TASK CODE: INSPECT WEEDL LOT DUE DATE:

PROPERTY: 604 NE 10TH ST

NOTES

Incident Notes:

Task #: 111630 - INSPECT WEEDL LOT - 6/15/2022

6/27/2022 RECEIVED RETURNED MAIL FOR WEEDY LOT. POST OFFICE NOTE ON ENVELOPE SAYS VACANT.

6/27/2022 Went by and nothing had been done.

Task #: 111631 - WEEDY LOT LTR - 6/15/2022

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
PHOTOGRAPHS TAKEN BY KALEB SMITH

"With regard to the photographs in **Exhibits J-3 through J-5**, I am familiar with and recognize the scene depicted in the photographs. On June 13, 2022, June 27, 2022 and August 10, 2022, I inspected the property described as:

> Lot SE/4 OF SC 42, Block 32 in the WILLIAM B. CURRIE Addition of Big Spring, Howard County, Texas, also known as 604 NE 10TH STREET, Big Spring, Texas.

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

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT J-3

6/13/2022 15:26
Exhibit 13 1 of 1

6/13/2022 15:26
EXHIBIT J-32 of 4

6/13/2022 15:26
EXHIBIT 13 3 of 4

6/13/2022 15:25
EXHIBIT 13 49/74

EXHIBIT J-4

6/27/2022 10:45
EXHIBIT J-1 1 of 5

6/27/2022 10:45
EXHIBIT 7-4 2 of 3

KBYG
106.3
EXPEDITION
TEXAS
HWC 5333
Ford
6/27/2022 10:45
EXHIBIT J-4 3 of 3

EXHIBIT J-5

2022. 8. 10 13:58
EXHIBIT J-5 1 of 5

2022. 8. 10 13:58
EXHIBIT J-5 2 of 5

2022. 8. 10 13:58
EXHIBIT 1-5 3 of 5

2022. 8. 10 13:58
EXHIBIT J-5 4 of 5

EXHIBIT J-5 5 of 5

STATE OF TEXAS §
§
COUNTY OF HOWARD §

CERTIFICATION
NOTICE SENT BY KALEB SMITH

"The document in **Exhibit J-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 J-6** is also attached.

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT J-6

BIG SPRING TEXAS Code Enforcement

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

June 15, 2022 Complaint No: 70596

ADDIE OLIVER
604 NE 10TH ST
BIG SPRING TX 79720-1312

VIOLATION OF THE BIG SPRING CITY CODE, CHAPTER 13 AT:
604 NE 10TH ST
Lot: SE/4 OF SC 42 BK: BK 32 1N TR 19 WILLIAM B CURRIE

Dear ADDIE OLIVER:

You, as owner/occupant of the above referenced property, are in violation of **Chapter 13** of the Health and Sanitation Code, specifically **Article 1, Section 36-63 et seq.**, thereof which reads as follows:

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 a harborage by rats, unless the same are placed on open racks and elevated not less than eighteen (18) inches above the ground with a clear intervening space beneath, to prevent the harborage of rats. (Ord. of 09-11-45, _ 10)

This is your notice, pursuant to and in accordance with the Code of Ordinances of the City, to correct, remedy or remove the following unsightly, objectionable or unsanitary conditions from the above referenced premises within ten (10) days of receipt of this notice.

Sec. 36-26 Penalty for Violation of this Article

In addition to the other remedies contained in this Article, in the event the owner or persons having possession or control of such property shall fail or refuse to abate such condition, that person shall be guilty of a misdemeanor and upon conviction shall be punishable by fine not exceeding five hundred dollars ($500.00). Each day such violation continues shall constitute a separate offense. (Ord. of 03-11-97)

If this matter has been taken care of before receipt of this letter, please notify this office.

It is the sincere hope of the City that you will cooperate with us in helping to make Big Spring an attractive, healthful place in which to live.

Sincerely,

Code Enforcement/City of Big Spring

EXHIBIT J-6 1 of 15

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

604 NE 10TH ST
Lot: SE/4 OF SC 42 BK: 32 1N TR 19 WILLIAM B CURRIE

June 15, 2022

Case No: 70594

ADDIE OLIVER
604 NE 10TH ST
BIG SPRING TX 79720-1312

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 from the curb line to the easement. 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	Code Compliance
Name	*Department*
432-264-2504	ksmith@mybigspring.com
Phone	*E-mail*

EXHIBIT J-6 2 of 15

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,

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION AND ORDER TO ABATE

604 NE 10TH ST
Lot: SE/4 OF SC 42 BK: 32 1N TR 19 WILLIAM B CURRIE

June 15, 2022 Case No: 70595

ADDIE OLIVER
604 NE 10TH ST
BIG SPRING TX 79720-1312

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
You have several items (barrels, chairs, water bottles, and tons of trash) that need to be removed from public view. This is the only notice you'll receive in 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	Code Compliance
Name	*Department*
432-264-2504	ksmith@mybigspring.com
Phone	*E-mail*

EXHIBIT J-6 5 of 15

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,

Code Compliance Officer
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

604 NE 10TH STREET, BIG SPRING, TEXAS 79720
Lot: SE/4 OF SC 42 BK 32: WILLIAM CURRIE ADDITION

August 21, 2022

THE ESTATE OF ADDIE OLIVER
604 NE 10TH STREET
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. 302.1 Sanitation.	The exterior of the property and premises are not maintained in a clean, safe, and sanitary condition.
Sec. 302.4 Weeds	The premises and exterior property shall be maintained free from weeds or plant growth in excess of 12 inches.
Sec. 302.5 Rodent harborage.	The exterior of the property is not being kept free from rodent harborages.
Sec. 308.1. Accumulation of rubbish or garbage.	Exterior property and premises…shall be free from any accumulation of rubbish or garbage.

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

Corrective Action Required	Deadline for Compliance
The premises is littered with trash, junk vehicles, rubbish, weeds higher than 12 inches, and other accumulation and unsanitary matter that is required to be removed from the property.	Seven (7) days from date of mailing

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

Issued by

Kaleb Smith	Code Compliance
Name	*Department*
432-264-2504	ksmith@mybigspring.com
Phone	*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 **September 13, 2022** 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.

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Sincerely,

Kaleb Smith
Code Official
City of Big Spring, Texas

BIG SPRING
TEXAS

Code Compliance

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

NOTICE OF VIOLATION, ORDER TO ABATE AND NOTICE OF HEARING

604 NE 10TH STREET, BIG SPRING, TEXAS 79720
Lot: SE/4 OF SC 42 BK 32: WILLIAM CURRIE ADDITION

August 21, 2022

THE ESTATE OF ADDIE OLIVER
1002 NORTH MAIN, APT 36
BIG SPRING, TX 79720

Sent via: First Class US Mail and Certified Mail

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Issued by

Kaleb Smith	Code Compliance
Name	*Department*
432-264-2504	ksmith@mybigspring.com
Phone	*E-mail*

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Sincerely,

Kaleb Smith
Code Official
City of Big Spring, Texas

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 September 13, 2022, attached as **Exhibit J-7**, was posted on or near the front door of each dwelling unit listed in the attached notice on August 24, 2022.

This notice was also published in the Big Spring Herald on August 28, 2022."

SIGNED on the 30th day of August, 2022.

AFFIANT

SWORN TO AND SUBSCRIBED before me this 30th day of August, 2022 by the above referenced Affiant.

MIRANDA JANAE BARELA
Notary Public, State of Texas
Comm. Expires 09-15-2024
Notary ID 13267736-1

Notary Public, State of Texas

EXHIBIT J-7

BIG SPRING
TEXAS

Code Enforcement

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

NOTICE OF PUBLIC HEARING
CONCERNING PUBLIC NUISANCE

NOTICE IS HEREBY GIVEN THAT THE BIG SPRING HEARING BOARD WILL HOLD A PUBLIC HEARING ON **SEPTEMBER 13, 2022** 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:

1309 GRAFA STREET, BIG SPRING, TEXAS 79720 – LT 17, BK 15, MONTICELLO ADDITION – OWNER: JUDY AND DAVID SAUSMAN, 1601 VINES AVE. BIG SPRING, TEXAS 79720

610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO. 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44 – OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2502 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: RACHE SAUCEDO. 5012 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS & CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720 – LT 12, BK 8, SETTLES HEIGHTS ADDITION – OWNER: CAYETANO RESENDEZ SALDIVAR, 209 N. JOHNSON STREET, BIG SPRING, TEXAS 79720

405 DONLEY, BIG SPRING, TEXAS 79720 – LT 10 & S/2 OF 11, BK 15, BOYDSTUN ADDITION – OWNER: JOHNNY RUEDA, 407 DONLEY, BIG SPRING, TEXAS 79720

2705 ANN DRIVE, BIG SPRING, TEXAS 79720 – LT 4, BK 1, HALL ADDITION – OWNER: THOMAS SHADBERRY, 2705 ANN DRIVE, BIG SPRING, TEXAS 79720

THE CITY OF BIG SPRING HEARING BOARD MEETING IS AVAILABLE TO ALL PERSONS REGARDLESS OF DISABILITY. IF YOU REQUIRE SPECIAL ASSISTANCE, PLEASE CONTACT TAMI [illegible] AT 432-264-2312 OR AT 310 NOLAN, BIG SPRING, TEXAS 79720, AT LEASE FORTY-EIGHT (48) HOURS IN ADVANCE OF THE MEETING.

8/24/2022 14:18

EXHIBIT J-7 1 of 2

BIG SPRING
TEXAS

Code Enforcement

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

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CONCERNING PUBLIC NUISANCE

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610 E. 12TH STREET, BIG SPRING, TEXAS 79720 – LT 6, BK 7, COLE & STRAYHORN ADDITION – OWNER: RUTH SOLEDAD CANO, 701 E. 13TH STREET, BIG SPRING, TEXAS 79720

1006 E. 12TH STREET, BIG SPRING, TEXAS 79720 - LT 4, BK 29, COLE & STRAYHORN ADDITION – OWNER: RHETT DAYLON DEDMON, 1006 E. 12TH STREET, BIG SPRING, TEXAS.

1100 N. GREGG STREET, BIG SPRING, TEXAS 79720 – SW/4 OF BK 44– OWNER: POWER HOUSE CHURCH OF GOD IN CHRIST TRUSTEES, P.O. BOX 2407, BIG SPRING, TEXAS 79721

1217 LINDBERG STREET, BIG SPRING, TEXAS 79720 – LT 20, BK 4, WRIGHTS AIRPORT ADDITION – OWNER: MISSY PUGA,1217 LINDBERG STREET, BIG SPRING, TEXAS 79720

2802 APACHE, BIG SPRING, TEXAS 79720 – LT 8, BK 5, WESTERN HILLS ADDITION – OWNER: KACIE SAUCEDO, 5015 WASSON ROAD, BIG SPRING, TEXAS 79720

604 NE 10TH STREET, BIG SPRING, TEXAS 79720 – LT SE/4 OF SC 42, BK 32, WILLIAMS B CURRIE ADDITION – OWNER: THE ESTATE OF ADDIE OLIVER, 1002 NOTH MAIN STREET, BIG SPRING, TEXAS 79720

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EXHIBIT J-7 2 of 2

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, August 23, 2022, with the following members present in person:

ROBERT H. MOORE	Mayor
NICK ORNELAS	Mayor Protem
DIANE YANEZ	Council Member
CODY HUGHES	Council Member
GLORIA MCDONALD	Council Member
TROY TOMPKINS	Council Member
MAURY SMITH	Council Member

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
CRAIG FERGUSON	Fire Chief
MIKE FEELEY	Airpark Director
SANDY SMITH	Finance Director
HAYLEY LEWIS	Community Services Director
TAMI DAVIS	City Secretary
TIM GREEN	Municipal Judge

Open Session

Call to Order

Invocation
Pastor Randy Cotton 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 to the Texas State Flag.

Public Comment

Public Comment

Several citizens spoke regarding items on the agenda.

City Manager’s Report

City Manager's report on the following items:

- Update - Large Item Pickup, District 2 - Aug. 17, 2022
- City Holiday - Labor Day, Sept. 5, 2022
- Update on Abatement Properties
- Reminder that School has Started

Todd Darden, City Manager, gave an update on the above captioned items.

Consent Items

Approval of the City Council Minutes of the Regluar Meeting of August 9, 2022

Final Reading of an Ordinance Amending Ordinance Number 039-2021 Which Adopted the Annual Budget for the City of Big Spring, Texas for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022; Increasing the Utility Fund for the Purpose of a 6-Inch Water Line; Providing for Repeal of Ordinance in Conflict Herewith; Providing for Publication; and Providing an Effective Date

Final Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code "Administration," Article II "City Council," by Repealing Section 2-28 "No Office for Councilmembers"; Providing for Severability; and Providing for an Effective Date

Final Reading of an Ordinance Amending Chapter 2 of the Big Spring City Code "Administration," Article VII "Boards and Commissions," Division 9 "Zoning Board of Adjustment" Section 2-314 "Organization and Procedure," Appointing Councilmembers as Second and Third Alternates to the Zoning Board of Adjustments; Providing for Severability; and Providing an Effective Date

Final Reading of a Resolution Approving a Negotiated Settlement Between the Executive Committee of Cities Served by Atmos West Texas ("Cities") and Atmos Energy Corp., West Texas Division Regarding the Company's 2022 Rate Review Mechanism Filing; Declaring Existing Rates to be Unreasonable; Adopting Tariffs that Reflect Rate Adjustments Consistent with the Negotiated Settlement; Finding the Rates to be Set by the Attached Settlement Tariffs to be Just and Reasonable and in

the Public Interest; Approving an Attachment Establishing a Benchmark for Pensions and Retiree Medical Benefits; Requiring the Company to Reimburse Cities' Reasonalbe Ratemaking Expenses; Determining that this Resolution was Passed in Accordance with the Requirements of the Texas Open Meetings Act; Adopting a Savings Clause; Declaring an Effective Date; and Requiring Delivery of this Resolution to the Company and the Cities' Legal Counsel

MOTION WAS MADE BY Mayor Pro Tem Ornelas to approve the above captioned ordinances, resolution and minutes, seconded by Council Member McDonald.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS: None **0**

MOTION PASSED

Vouchers

Vouchers for 08/11/22	$	759,523.15
Vouchers for 08/18/22	$	600,812.62
Manual Cks & Drafts	$	588,369.67

Council Member Yanez reviewed the above captioned vouchers.

MOTION WAS MADE BY Council Member Yanez to approve the above captioned vouchers, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS: None **0**

MOTION PASSED

Bids

Consideration and Possible Action on Awarding a Bid for Fencing at the Big Sandy Landfill and Authorizing the City Manager or His Designee to Execute any Necessary Documents

After a brief discussion,

MOTION WAS MADE BY Council Member Tompkins to table the above captioned bid until the next council meeting, seconded by Mayor Moore.

YEAS: Mayor Moore, Council Member McDonald, Council Member Tompkins, Council Member Smith **4**
NAYS: Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes **3**

MOTION PASSED

New Business

Call for Public Hearing on the Proposed 2022-23 Annual Budget to be Held on Tuesday, September 13, 2022 at 5:30 pm in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX

MOTION WAS MADE BY Mayor Pro Tem Ornelas to call for the above captioned public hearing on the annual budget, seconded by Council Member Hughes.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS: None **0**

MOTION PASSED

Call for a Public Hearing on the Proposed Tax Rate to be Held on Tuesday, September 13, 2022 at 5:30 pm in the City Council Chambers Located at 307 East 4th Street, Big Spring, TX

MOTION WAS MADE BY Mayor Pro Tem Ornelas to call for the above captioned public hearing on the proposed property tax rate of $0.673163, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS: None **0**

MOTION PASSED

First Reading of a Resolution Repealing City Council Resolution 003-2016 Which Set the Goal of Ending the Euthanization of Homeless Pets; Providing for Severability; and Providing an Effective Date

After a brief discussion,
MOTION WAS MADE BY Council Member McDonald to approve the above captioned resolution, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Smith **6**
NAYS: Council Member Tompkins **1**

MOTION PASSED

First Reading of an Ordinance Amending the Ordinance Establishing the Animal Rescue Committee to Exclude from the Committee's Responsibility Providing Assistance to the City in Becoming a No-Kill Shelter; and Amending Various Sections of Chapter 8 "Animals" to Balance a Policy Favoring Adoption and Placement of Animals into Permanent Homes where Possible with a Policy of Protecting Public Safety by Maintaining Safe and Adequate Space at the Animal Shelter, to Promote Microchipping and Other Identification Methods of Animals, and Amending and

Repealing Various Sections for Clarity; and Stating the Sense of City Council on Expanding Public Access to the Animal Shelter, 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 Smith.

YEAS: None **0**
NAYS: None **0**

MOTION

MOTION WAS MADE BY Mayor Pro Tem Ornelas to amend Section 9 of the above captioned ordinance by replacing " an additional budgeted position for a shelter worker" with "an additional budgeted position for a shelter manager", seconded by Council Member Troy Tompkins.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS:0 **0**

MOTION PASSED

MOTION WAS MADE BY Council Member Troy Tompkins to amend Section 2-308 of the above caption ordinance by replacing "The committee" with "The shelter manager", seconded by Mayor Pro Tem Ornelas.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins **6**
NAYS:Council Member Smith **1**

MOTION PASSED

MOTION WAS MADE BY Council Member McDonald to approve the above captioned ordinance with the two above captioned amendments, seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
NAYS: None **0**

MOTION PASSED

Consideration and Possible Action Regarding an Agreement with HomeAway for Collection of Hotel Tax From Short-Term Rental Properties in Big Spring 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 agreement, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
0
NAYS: None

MOTION PASSED

Consideration and Possible Action on an Agreement with CivicPlus for Mobile App Services and Authorizing the City Manager or His Designee to Execute Any Necessary Documents

MOTION WAS MADE BY Council Member Yanez to approve the above captioned agreement, seconded by Council Member Smith.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
0
NAYS: None

MOTION PASSED

Consideration and Possible Action on an Agreement with the Howard County Tax Assessor Collector for the Collection of Property Taxes and Authorizing the Mayor to Execute any Necessary Documents

MOTION WAS MADE BY Council Member Hughes to approve the above captioned agreement, seconded by Council Member Yanez.

YEAS: Mayor Moore, Mayor Pro Tem Ornelas, Council Member Yanez, Council Member Hughes, Council Member McDonald, Council Member Tompkins, Council Member Smith **7**
0
NAYS: None

MOTION PASSED

Discussion and Consideration Concerning the Qualifications, Appointments, Policies, Procedures and Possible Consolidation of Boards and Committees

Council Memeber Smith recommends to dissolve 5 advisory boards (Traffic Commission, CVB Board, Parks & Recreation, Animal Rescue & Adoption and Mchon/Wrinkle Aviation) that do not meet on a regular basis and bring items straight to council.
Council's consent is to look at one board at a time to determine if it is needed or not.

Council Input

Input

Council Member McDonald recommended that John Medina attend the luncheon with Sentor Cruz and would also like to attend the next Ports to Plains meeting.
Mayor Pro Tem Ornelas thanked the directors for their work on the budget.

Executive Session

Adjourn into Executive Session in Accordance with the Purposes Permitted by the Open Meetings Act, Section 551.087, Texas Government Code, "Deliberation Regarding Economic Development Negotiations; Closed Meeting" to Discuss and Deliberate Economic Development Negotiations

Mayor Moore adjourned into executive session at 8:31 p.m.

Reconvene into Open Session and Take any Necessary Action on Executive Session Items

Mayor Moore reconvene into open session at 8:45 p.m.
No action taken

Adjourn

Mayor Moore adjourned the council meeting at 8:46 p.m.

_____
Robert H. Moore III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, REPEALING CITY COUNCIL RESOLUTION 003-2016 WHICH SET THE GOAL OF ENDING THE EUTHANIZATION OF HOMELESS PETS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, City Council finds it necessary to proceeds as follows.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. Resolution 003-2016 is hereby repealed in its entirety.

~~The City of Big Spring City Council hereby adopts the goal of ending the euthanization of homeless pets in the City of Big Spring's animal shelter by January 1, 2017.~~

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **23RD** day of **August**, **2022** with Councilmembers Ornelas, Yanez, Hughes, Moore, McDonald and Smith voting "aye" for the passage of same. Councilmember Tompkins, being opposed, voting "nay" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **13th** day of **September**, **2022** 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 THE ORDINANCE ESTABLISHING THE ANIMAL RESCUE COMMITTEE TO REASSIGN THE COMMITTEE'S RESPONSIBILITY TO THE SHELTER MANAGER AND TO EXCLUDE FROM SUCH RESPONSIBILITY PROVIDING ASSISTANCE TO THE CITY IN BECOMING A NO-KILL SHELTER; AND AMENDING VARIOUS SECTIONS OF CHAPTER 8 "ANIMALS" TO BALANCE A POLICY FAVORING ADOPTION AND PLACEMENT OF ANIMALS INTO PERMANENT HOMES WHERE POSSIBLE WITH A POLICY OF PROTECTING PUBLIC SAFETY BY MAINTAINING SAFE AND ADEQUATE SPACE AT THE ANIMAL SHELTER, TO PROMOTE MICROCHIPPING AND OTHER IDENTIFICATION METHODS OF ANIMALS, AND AMENDING AND REPEALING VARIOUS SECTIONS FOR CLARITY; AND STATING THE SENSE OF CITY COUNCIL ON EXPANDING PUBLIC ACCESS TO THE ANIMAL SHELTER AND BUDGETING AN ANIMAL SHELTER MANAGER POSITION, PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City does not license dogs or cats; and

WHEREAS, the City intends to protect the rights of persons under the due process of law and the due course of law in redeeming their dogs and cats that were impounded by animal control;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS, THAT:

SECTION 1. Big Spring City Code, Chapter 2 entitled "Administration," Article VII entitled "Boards and Commissions," Section 2-308 entitled "Duties of the committee," is hereby amended as follows:

Sec. 2-308.- Duties of the ~~Committee.~~ Shelter Manager.

The ~~committee~~ shelter manager shall be charged with organizing quarterly public awareness events, working with animal rescue organizations to facilitate adoptions from the city animal shelter, using social media (or other means) to increase exposure of animals in need of adoption, recruiting qualified volunteers to assist the city in areas relating to animals in need of adoption ~~and animal control, assisting the city in its goal to become a no-kill shelter,~~ promoting low-cost spay and neuter programs, acting as public relations liaison between the public and city officials to advance the common interest of animal welfare issues and reconcile public concerns,

and review and make recommendations to the city council in an advisory capacity on matters concerning the adoption of animals.

SECTION 2. Big Spring City Code, Chapter 8 entitled "Animals," Article I entitled "In General," Section 8-1 entitled "Definitions," is hereby partially amended as follows:

…
Animal rescuer ~~means a person associated with an organization specializing in the rescue of animals or an organization specializing in the rescue of animals that is approved by the ACD and receives an animal for rehabilitation.~~ See humane organization.
…
Humane organization means any not-for-profit organization that rescues and places animals into permanent homes. Humane organization does not include an entity that breeds animals; or in exchange for payment or compensation, obtains any dog or cat from a person who either breeds dogs or cats or facilitates the sale of dogs or cats that were obtained from a person who breeds dogs or cats.
…

SECTION 3. Big Spring City Code, Chapter 8 entitled "Animals," Article III entitled "Dog and Cat Vaccination and Licensing," is hereby renamed as follows:

Article III. ~~Dog and Cat Vaccination and Licensing~~ Dog and Cat Vaccination.

SECTION 4. Big Spring City Code, Chapter 8 entitled "Animals," Article V entitled "Miscellaneous Regulations," Section 8-121, "Microchipping," is amended by adding a new subsection (c) to read in its entirety as follows:

Section 8-121. Microchipping.

(a) The ACD must microchip a dog or cat that has been impounded prior to releasing it in accordance with article IX of this chapter.

(b) An owner may voluntarily bring a dog or cat to the animal shelter to be microchipped upon paying the ~~applicable fees~~ Microchipping Fee.

(c) Within the limits of the budget and purchasing authority, the ACD, upon approval from the City Manager, may hold one or more events offering microchipping of dogs or cats to members of the public who pay the Microchipping Fee at the City's cost.

SECTION 5. Big Spring City Code, Chapter 8 entitled "Animals," Article V entitled "Miscellaneous Regulations," Section 8-126, "Abandoned Animals," is amended by adding a new subsection (e) to read in its entirety as follows:

…

(e) The ACD may refuse to accept a relinquished animal.

SECTION 6. Big Spring City Code, Chapter 8 entitled "Animals," Article IX entitled "Disposition of impounded Animals," Sections 8-249 entitled "Redemption and adoption of animals" and 8-250 entitled "Disposition of unclaimed animals" are hereby amended as follows, and Section 8-251 entitled "Adoption of Animals" is hereby adopted.

Sec. 8-249. - Redemption ~~and adoption~~ of animals, requirement of vaccination.

(a) Redemption. The owner or person authorized by the owner of any animal impounded under the provisions of this article may redeem, reclaim, and receive possession of such animal upon payment of the applicable fees and proof that ~~the person has previously had~~ the animal is vaccinated ~~and/or licensed~~. If such person cannot establish such proof, the animal may only be released if ~~adopted~~ vaccinated in accordance with this ~~article~~ chapter.

~~(b) Adoption. Any impounded animal that is not redeemed in accordance with this article may be adopted in accordance with the Texas Health and Safety Code and ACD policies.~~

Sec. 8-250. - Disposition of unclaimed animals.

(a) Each dog or cat impounded shall be kept for a minimum of five (5) days, unless earlier redeemed, except according to subsection (b).
(b) Each animal wearing an identification tag, or bearing a microchip or identification tattoo shall be kept for a minimum of fifteen (15) days, unless earlier redeemed. Immediately upon impounding such a dog or cat, the ACD shall make a reasonable effort to inform the owner or harborer of such animal so impounded of the conditions whereby the animal may be reclaimed, including by mailing a notice of impoundment, and by using any additional reasonable means.
(c) The ACD may accept advance deposit of fees payable to redeem or adopt an animal in the event that a required service cannot be performed on an animal until a later date.
(d) For a relinquished animal accepted by the ACD, title and sole ownership of the animal by the previous owner ceases and transfers to the City.
(e) For an animal past its redemption period, or an animal that has become the property of the City, ACD may place the animal for adoption through a humane organization. Upon the transfer of the animal, title and sole ownership of the animal by the City ceases and transfers to the humane organization.

~~Should any impounded animal not be redeemed, as provided in section 8-249, within 72 hours, or the owner of the animal signs a certificate of animal release and euthanasia form, the animal may be destroyed by the ACD in a manner approved by the American Humane Society. No animal wearing a license tag when impounded will be destroyed until 72 hours after the ACD notifies the license holder of record of such animal, by mailing to such person a notice of~~

~~impoundment to the mailing address furnished to the city when the license was issued. At any time after the expiration of the redemption period, the ACD may allow adoption of the animal so impounded by the first person tendering to the city any applicable adoption fees.~~

Sec. 8-251. – Adoption of Animals, Disposition.

(a) At any time after the expiration of the redemption period for an impounded animal, the ACD may allow adoption of the animal by the first person tendering to the city the applicable fees including adoption fees. Adoption results in the City divesting ownership of the animal from any previous owner and transferring ownership to the adopting person.

(b) The Chief of Police has discretion on whether to waive or reduce fees associated with adoption.

(c) The ACD may implement a program for fostering impounded animals that are past their redemption period. The program may include adoption and if an animal is adopted, title and sole ownership of the animal by the City ceases and transfers to the person adopting the animal.

(d) In the event that an animal impounded for forty-five (45) or more days is not adopted, fostered, or transferred to a humane organization, the ACD may humanely euthanize the impounded animal.

(e) In the event that insufficient space exists for newly impounded animals, and that an animal past its redemption period is not adopted, fostered, or transferred to a humane organization, the ACD may humanely euthanize the impounded animal.

SECTION 7. Big Spring City Code, Chapter 8 entitled "Animals," Article IX entitled "Disposition of impounded animals," Section 8-251 entitled "Disposition of unpermitted/unlicensed animals" is hereby repealed in its entirety:

Sec. 8-251. ~~Disposition of unpermitted/unlicensed animals.~~ Reserved.

~~If any animal required to be permitted and/or licensed is not permitted because of non-issuance or revocation of the permit and/or license after official notice, it must be humanely disposed of if it cannot be legally relocated under state law or this article, or it will be seized and disposed of by the ACD.~~

SECTION 8. Big Spring City Code, Chapter 8 entitled "Animals," Article IX entitled "Disposition of Impounded Animals," is amended by adding a new Section 8-252 entitled "Humane euthanization of sick, severely injured, or dangerous animals," to read in its entirety as follows:

Sec. 8-252. Humane euthanization of sick, severely injured, or dangerous animals

Any impounded animal which appears to be suffering from serious injury or disease and which is in great pain and suffering and probably will not recover or which appears to have an

infectious disease which is a danger to humans or to other animals in the opinion of the ACD or which, due to its extremely violent nature, poses a substantial risk of bodily harm to the safety of ACD staff, may be humanely euthanized at any time during its holding period. In the event such an animal is wearing an identification tag, an identification tattoo, or is microchipped, the ACD shall attempt to notify the owner by telephone before taking action.

NOTE* Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 9. It is the sense of City Council that in the budget for fiscal year 2022-23, the Animal Control Division should receive an additional budgeted position for a ~~shelter worker instead of for a~~ shelter manager. Furthermore, the following should be included in the budget: animal shelter facility improvements to facilitate public access to animals that may be adopted. It is the sense of City Council that the City Manager should by January 3, 2023 or when feasible expand access to the animal shelter for members of the public considering adoption to the hours of 10 am to 6:30 pm on business days, and 10 am to 2 pm on Saturdays other than holidays. The expanded operating hours will run through July 1, 2023, and unless action by Council--such as upon an evaluation of the program—decides differently, the decision on setting hours then will return to the discretion of the City Manager.

SECTION 10. 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 11. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 12. 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 **23rd** day of **August**, **2022** with all members of the Council voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **13th** day of **September**, **2022** with all members of the Council voting "aye" for the passage of same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

Minutes of the Board of Director's Regular Meeting
BIG SPRING ECONOMIC DEVELOPMENT CORPORATION
Tuesday, July 19, 2022, 5:15 p.m.
Offices of the Big Spring Economic Development Corporation
215 West Third Street, Big Spring, Texas

The Regular Meeting of the Board of Directors of the Big Spring Economic Development Corporation was called to order at 5:15 p.m. Tuesday, July 15, 2022, in the offices of the Big Spring Economic Development Corporation. The following notice was sent on July 15, 2022, to all Directors, the news media, and duly posted on July 15, 2022, by Teresa Morris in compliance with the Open Meeting's Act by posting it on the outside door of the Big Spring Economic Development Corporation and on the inside and outside of City Hall.

"The Board of Directors of the Big Spring Economic Development Corporation will hold a Regular Board Meeting on Tuesday July 15, 2022, at 5:15p.m. in the offices of the Big Spring Economic Development Corporation, 215 West Third Street, Big Spring, Texas. The purpose of the meeting is: Public Comment, Action on Minutes of the June 21, 2022, Regular Meeting, Action to Approve June Investment and Financials Report, Budget Work Session, Goals Work Session, Directors Report, Executive Session, Action as a Result of Executive Session, Board Comment, and Adjourn".

Directors Present:
Mr. Jeff Ward- Vice President
Mr. Raul Benavides- Secretary/Treasurer
Mr. Paschal Odom

Directors Absent:
Mr. Shane Seaton- President
Mr. Cody Williams

Staff Present:
Mark Willis, Teresa Morris

Guests that signed in:
Roger Cline, Anna Scott, John Scott

AGENDA ITEM #1 – Call to Order/Invocation and Pledge:
Mr. Ward called the meeting to order at 5:15 p.m. Mr. Ward led the invocation and pledge.

ACTION ITEM #2- Public Comment:
None

AGENDA ITEM #3- Action on Minutes of the June 21, 2022, Regular Meeting:
Mr. Ward presented the Minutes. Motion to accept the Minutes was made by Mr. Odom seconded by Mr. Benavides. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #4- Action to Approve May Investment & Financial Report:
Mr. Benavides presented the Investment and Financials. Motion to approve the Investment & Financial Report was made by Mr. Benavides seconded by Mr. Odom. The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.

AGENDA ITEM #5- Budget Work Session:
Discussion was had on different items in the upcoming budget

AGENDA ITEM #6- Goals Work Session:
Discussion was had on different items in the upcoming goals.

AGENDA ITEM #7- Directors Report:
Projects:
The City and EDC are in the process of completing the various steps required by the EDA to receive the $3.2 million grant and anticipate final approval by the end of the summer. Additionally, largely through the leadership of the Airpark Director, a $3.5 million infrastructure investment will be made on the west side of the Airpark that includes a new elevated water storage unit that will improve fire suppression on the property served by the grant infrastructure. The tax abatement agreement with Howard College has amended to reflect a longer timeline for construction due to work and supply chain issues. The County 381

Agreement amendment is expected to be approved at the next County meeting. The RFP involving the demolition of the former prison property on I-20 and Highway 176 (Andrews Highway) has closed and the proposal(s) will be reviewed later this week, with the goal of Council approval at the July 26th meeting. The project will likely involve a 380 Agreement. One of the restaurant prospects the EDC and City have been working with has a contract on a property and an tentative agreement for assistance is expected to be ready to present to the City Council at their July 26th meeting (380 Agreement). EDC staff continue to play a leading role in the planning of the Ports to Plain annual meeting to be held in Big Spring this September. The large County industrial prospect and a travel center prospect the EDC has been working with have gone quiet. EDC and City staff continue to work with a hotel prospect interested in a Big Spring location and perhaps acquiring additional land for a mixed-use project. Negotiations for cotton seed shipping at the Airpark continue.
Meetings:
The EDC Associate Director attended the Select USA Annual Conference in Washington, D.C. with the Texas delegation. The EDC Director completed his biannual PFIA training. The EDC Director participated in four City staff meetings. Staff attended a City Council meeting, a Howard College Trustee meeting and a Howard County Commissioner Court meeting. The EDC Director two monthly radio interviews. The next Board meeting will be August 18th.

AGENDA ITEM #8- Executive Session in accordance with Texas Government Code, Section 551.074 to deliberate evaluation of the Executive Director:
Mr. Ward adjourned the Board into Executive Session at 5:42 pm., June 21, 2022. Mr. Ward called the Executive Session to order at 5:44 pm., June 21, 2022. Mr. Ward adjourned out of executive session at 6:20 pm., June 21, 2022. Mr. Ward reconvened into open session at 6:21 pm., July 19, 2022

ACTION ITEM #9- Action as a Result of Executive Session:
None

AGENDA ITEM #10- Board Comments:
The Board expressed their appreciation to staff and the excitement of the economic growth that is in the forefront of the community.

AGENDA ITEM #11- Adjourn:
Mr. Odom made a motion to adjourn, seconded by Mr. Benavides
The motion passed 3 to 0 with all members present voting "aye" in favor of the motion.
Meeting adjourned at 6:25 pm on July 19, 2022.

Mr. Jeff Ward, Vice President

ATTEST:

Mr. Raul Benavides, Secretary/Treasurer

BIG SPRING
TEXAS

ZONING BOARD OF ADJUSTMENTS MINUTES

Wednesday, May 25, 2022

The Zoning Board of Adjustments of the City of Big Spring, Texas met in Regular Session on Wednesday, May 25, 2022, at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

Attendees:
Chairperson Carrie Rodman
Member Veronica Zuniga
Member Oscar Flores
Member Sheri Wigington
Member Jeanie Knocke

Open Session

1. Call to Order

Chairperson Rodman call meeting to order at 5:35 pm, on May 25, 2022

Public Comment

Public Comment – 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.

2. Public Comment- Open to public comments

Public Hearings, Announcements and Presentations

Public Hearings- The Commission will take Input on Items Requiring Public a Hearing Prior to Any Action.

3. PUBLIC APPEAL HEARING - A request by Shannon Walker, applicant, on behalf of Prince Signs, LLC, on behalf of The Kent Companies, for a variance pursuant to the Big Spring City Code, Zoning Ordinance, to allow for a 60- foot sign at the location of the current sign at 1100 Lamesa Hwy, Big Spring, TX 79720.
    a. Open Public Hearing
    b. Staff Report
    c. Applicant Presentation
    d. Persons wishing to speak for or against the proposed request
    e. Staff/Board/Applicant Discussion
    f. Adjournment Of Public Hearing
    g. Consideration and Possible Action

Andrew Hagen explained that by State law this board had 7 members and requires 75% of the members to be present to hear a case.
Kevin Fryer representing Prince Sign, LLC, agreed to let the board hear his case with only 5 members present.
Motion to open the public hearing was made by Member Zuniga and 2nd by Member Knocke, vote was 5 ayes, 0 nays.

Kevin Fryer presented his case for appealing the Building Officials denial to allow a 60- foot sign at the location of the current sign at 1100 Lamesa Hwy, Big Spring, TX 79720.

Motion to deny appeal was made and 2nd by Chairperson Rodman
Vote was 5 ayes, 0 Nays

Consent Items

4. Consideration of Approval of Zoning Board of Adjustment Minutes of the Regular Meeting November 18, 2021

Motion to approve was made by Member Wigington, 2nd by Member Zuniga
Vote was 5 ayes, 0 Nays

New Business

5. Consideration and Possible Action concerning a permit application for a front yard carport at 1025 Stadium Ave., Big Spring, TX

Julian Franco spoke on his reasons for requesting a front yard carport.
Motion to deny accessing availability in the back yard was made by Chairperson Rodman
Vote to deny was 3 ayes, 2 Nays

6. Consideration and Possible Action concerning a permit application for a front yard carport at 4110 Bilger, Big Spring, TX

Motion to deny was made based on no representative present and having access to the backyard by the alley was made by Member Zuniga 2nd by Chairperson Rodman
Vote was 5 ayes, 0 Nays

Commission Input

8. Input

Board members voted to have meetings every month on the 3rd Monday Vote was 4 ayes, 1 Nay

Board members voted to have the agenda mailed to them, Vote was 5 Ayes, 0 Nays

Adjourn

9. Adjourn

Motion to adjourn was made by Chairperson Rodman, 2nd by Member
Flores, Vote was 5 Ayes

X Carrie Rodman
Chairperson Carrie Rodman Date

BIG SPRING
TEXAS

PLANNING & ZONING COMMISSION AGENDA MINUTES

Tuesday, June 21, 2022

Notice is hereby given that the Planning & Zoning Commission of the City of Big Spring, Texas met in Regular Session on Tuesday, June 21, 2022at 5:30 pm in the City Council Chambers located at 307 East 4th Street, Big Spring, Texas.

Attendees included: Chairperson Kevan Schooler
Member Tammy Depauw
Member Dale Avant
Member Kelley Harris
Member TJ Stewart

Attendees included by telecommunications:
Member Aubrey Weaver Jr.

Open Session

1. Call to Order

Chairperson Schooler called the Planning & Zoning Commission regular session to order at 5:30 p.m. on Tuesday, June 21, 2022.

Public Comment

2. Public Comment- **Jeremey Longoria spoke on several issues.**

Public Hearing

3. Public Hearing- Regarding the Zone Change from S2 to Heavy Industrial (HI) for the property at LT 1 BLK 1 MID TEX CORNELL CORRECTIONS PRISON LOCATED @ 1801 WEST I-20 025 026 027 028.01 BLK 1/TRACT 1, 11.06 ACRES.

Motion to open public hearing was made by Member Avant and 2nd by Member Harris, vote was 6 ayes

Motion to close public hearing was made by Chairperson Schooler, 2nd by Member Avant, vote was 6 ayes.

Consent Items

4. Approval of the Planning & Zoning Commission Minutes of the Regular meeting of May 03, 2022.

Motion to approve the minutes with changes from the meeting on May 03, 2022, was made by Member Avant and 2nd by Member Depauw
Vote was 6 ayes 0 Nays

Old Business

New Business

5. Discussion- Concerning a possible addition to the Zoning Ordinance authorizing homeless shelters and similar public services within the City Limits. 5-10 Bowles Walker

Mr. Bowles explained the need to and "Homeless Shelter" to the City Zoning Ordinances.
Mr. Walker explained the steps to making this possible. The use "Homeless Shelter" is not listed in the current Zoning Ordinance.

Committee has asked for legal guidance and staff to work on issue to make this possible.

6. Discussion and Consideration- Regarding the Zone Change from S2 to Heavy Industrial (HI) for the property at LT 1 BLK 1 MID TEX CORNELL CORRECTIONS PRISON LOCATED @ 1801 WEST I-20 025 026 027 028.01 BLK 1/TRACT 1, 11.06 ACRES.

Motion to accept was made by Member Weaver, 2nd by Member Avant, vote was 6 ayes 0 Nays

Commission Input

6. Input — All

7. Adjourn — Schooler

Motion to adjourn was made by Member Avant, 1st by Member Stewart, 2nd by Member Harris, vote was 6 ayes 0 nays

X

Chairperson Kevan Schooler

Parkhill

August 4, 2022

Mr. Shane Bowles, PE
Public Works Director
City of Big Spring
310 Nolan Street
Big Spring, TX 79720

Re: 1642.22 City of Big Spring/Howard County Big Sandy Draw Landfill Litter Fence
Recommendation for Award of Construction Contract

Dear Mr. Bowles:

We reviewed the one bid for the noted project received August 3, 2022 and determined that the bid was submitted in accordance with guidelines established in the bid documents as well as procedures adopted by the City of Big Spring. Bid was determined tabulated properly and are consistent with figures recorded during the bid opening. Enclosed is a detailed bid tabulation form for reference.

We recommend the Construction Contract for the City of Big Spring/Howard County Big Sandy Draw Landfill Litter Fence project be awarded to Containment Systems LLC, including all Base Bid Proposal items for **total Contract amount of $138,505.00**.

For anything further, please contact me directly at 806.473.3656 or tkrueger@parkhill.com.

Sincerely,

PARKHILL

By _____
Tyler S. Krueger, PE
Project Manager

TSK/pg
Enclosures

Parkhill

Big Spring Texas

Big Sandy Draw Landfill Litter Fence Installation

City of Big Spring / Howard County

August 3, 2022

2:00 PM

				Containment Systems LLC 36200 Oakdale Road Birmingham, AL 35223	
	BASE BID				
Item No.	**Description**	**Quantity**	**Unit**	**Unit Price**	**Amount**
1	Mobilization (5% Max)	1	LS	$6,925.00	$6,925.00
2	Litter Fence	1,500	LF	$87.72	$131,580.00
	TOTAL				**$138,505.00**

Memorandum

To: Honorable Mayor, City Council, and City Manager

From: Chad Williams, Chief of Police

Date: August 29, 2022

Subject: Bullet-Resistant Shield Grant Program, FY2023

As a result of the investigation into the shortcomings and failures of the Uvalde School shooting, it was found that throughout the State of Texas, there is a lack of availability to ballistic shields to front line officers. As a result, the Officer of the Governor, Public Safety Officer of the Criminal Justice Division has announced a grant opportunity for the funding of bullet-resistant shields.

I am therefore seeking consideration and permission along with a resolution from city council to apply for this grant. There is a 0% match requirement by the city for this grant. The department plans on applying for 30 street level bullet-resistant shields at an approximate cost of $13,500.00.

Your consideration in this matter is greatly appreciated.

Office of the Governor, Public Safety Office
Criminal Justice Division
Funding Announcement: ***Bullet-Resistant Shield Grant Program, FY2023***

Purpose

The purpose of this announcement is to solicit applications from law enforcement agencies to equip peace officers with bullet-resistant shields.

Available Funding

State funds for these projects are authorized by a Budget Execution Order proposed by the Legislative Budget Board and ratified by Governor Abbott on June 28, 2022, pursuant to Texas Government Code, Section 317.002 and Section 317.005(b). All awards are subject to the availability of appropriated funds and any modifications or additional requirements that may be imposed by law. The Public Safety Office (PSO) expects to make available $50M for FY2023.

Eligible Organizations

Applications may be submitted by independent school districts, institutions of higher education, units of local government, the Texas Department of Public Safety and other educational institutions that operate law enforcement agencies employing peace officers under Article 2.12, Texas Code of Criminal Procedure.

All applications submitted by local law enforcement agencies/offices must be submitted by a unit of government affiliated with the agency, including an authorizing resolution from that unit of government. For example, police departments must apply under their municipal government, and community supervision and corrections departments, district attorneys, and judicial districts must apply through their affiliated county government (or one of the counties, in the case of agencies that serve more than one county).

Application Process

Applicants must access the PSO's eGrants grant management website at https://eGrants.gov.texas.gov to register and apply for funding. For more instructions and information, see *eGrants User Guide to Creating an Application*, available here.

Key Dates

Action	Date
Online System Opening Date	08/17/2022
Earliest Project Start Date	09/01/2022

Project Period

Projects must begin on or after 09/01/2022 and may not exceed a 12-month project period.

Funding Levels

Minimum: None

Maximum: None

Match Requirement: None

Standards

Grantees must comply with standards applicable to this fund source cited in the Texas Grant Management Standards (TxGMS), Federal Uniform Grant Guidance, and all statutes, requirements, and guidelines applicable to this funding.

Eligible Activities and Costs

Funds may only be used for obtaining bullet-resistant shields compliant with the National Institute of Justice (NIJ) Level III, III+, or IV.

Applicants are encouraged to consider the reasonable cost of their request. PSO will evaluate applications based on the number of frontline peace officers and the average cost per shield.

Program-Specific Requirements

Eligible officers. Grant funds may only be used to equip peace officers (as defined by Article 2.12, Texas Code of Criminal Procedure) directly employed by a law enforcement agency operated by the applicant.

PSO will prioritize the equipping of certain types of officers in the following order:

1) Peace officers directly employed by school districts;
2) Peace officers contracted by school districts; and
3) Other peace officers that may respond to school safety emergencies.

Active Shooter Policy. All eligible organizations that apply for grant funds will ensure its law enforcement agency adopts a Critical Incidents In-Progress (Active Shooter) policy implementing, at a minimum, protocols for assessing an active threat or violent encounter and immediately responding in order to stop the killing, stop the dying, and provide rapid casualty evacuation. The policy should include procedures that address:

- Concepts and Principles

- Community/First Responder Agency Notifications
- Mutual Aid Implementation
- Solo Officer Deployment
- Officer Team Deployment
- Follow-On Responders (Rescue Task Force)
- Incident Command - Unified Command Considerations
- Incident Debriefing
- Training

ALERRT Training. All officers provided with a grant-funded ballistic shield must have either attended 16 hours of ALERRT (Advanced Law Enforcement Rapid Response Training) training within the last 24 months or commit to attend within the next 24 months. ALERRT's upcoming course schedule can be found here: https://alerrt.org/Upcoming.

Note: Funding is available through the Public Safety Office to offset travel expenditures associated with attending ALERRT Training. Please refer to the ALERRT Travel Assistance Funding Announcement for more information on how to apply for these funds.

Eligibility Requirements

1. Local units of governments must comply with the Cybersecurity Training requirements described in Section 772.012 and Section 2054.5191 of the Texas Government Code. Local governments determined to not be in compliance with the cybersecurity requirements required by Section 2054.5191 of the Texas Government Code are ineligible for OOG grant funds until the second anniversary of the date the local government is determined ineligible. Government entities must annually certify their compliance with the training requirements using the Cybersecurity Training Certification for State and Local Governments. A copy of the Training Certification must be uploaded to your eGrants application. For more information or to access available training programs, visit the Texas Department of Information Resources Statewide Cybersecurity Awareness Training page.

2. Entities receiving funds from PSO must be located in a county that has an average of 90% or above on both adult and juvenile dispositions entered into the computerized criminal history database maintained by the Texas Department of Public Safety (DPS) as directed in the Texas Code of Criminal Procedure, Chapter 66. The disposition completeness percentage is defined as the percentage of arrest charges a county reports to DPS for which a disposition has been subsequently reported and entered into the computerized criminal history system.

   Counties applying for grant awards from the Office of the Governor must commit that the county will report at least 90% of convictions within five business days to the Criminal Justice Information System at the Department of Public Safety.

3. Eligible applicants operating a law enforcement agency must be current on reporting complete UCR data and the Texas specific reporting mandated by 411.042 TGC, to the Texas Department of Public Safety (DPS) for inclusion in the annual Crime in Texas (CIT) publication. To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year by the deadline(s) established by DPS. Due to the importance of timely reporting, applicants are required to submit complete and accurate UCR data, as well as the Texas-

mandated reporting, on a no less than monthly basis and respond promptly to requests from DPS related to the data submitted.

4. Local units of government, including cities, counties and other general purpose political subdivisions, as appropriate, and institutions of higher education that operate a law enforcement agency, must comply with all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security ("DHS") to: (1) notify DHS of all information requested by DHS related to illegal aliens in Agency's custody; and (2) detain such illegal aliens in accordance with requests by DHS. Additionally, counties and municipalities may NOT have in effect, purport to have in effect, or make themselves subject to or bound by, any law, rule, policy, or practice (written or unwritten) that would: (1) require or authorize the public disclosure of federal law enforcement information in order to conceal, harbor, or shield from detection fugitives from justice or aliens illegally in the United States; or (2) impede federal officers from exercising authority under 8 U.S.C. § 1226(a), § 1226(c), § 1231(a), § 1357(a), § 1366(1), or § 1366(3). Lastly, eligible applicants must comply with all provisions, policies, and penalties found in Chapter 752, Subchapter C of the Texas Government Code.

   Each local unit of government, and institution of higher education that operates a law enforcement agency, must download, complete and then upload into eGrants the CEO/Law Enforcement Certifications and Assurances Form certifying compliance with federal and state immigration enforcement requirements. This Form is required for each application submitted to OOG and is active until August 31, 2023 or the end of the grant period, whichever is later.

5. In accordance with Texas Government Code, Section 420.034, any facility or entity that collects evidence for sexual assault or other sex offenses or investigates or prosecutes a sexual assault or other sex offense for which evidence has been collected, must participate in the statewide electronic tracking system developed and implemented by the Texas Department of Public Safety. Visit DPS's Sexual Assault Evidence Tracking Program website for more information or to set up an account to begin participating.

6. Eligible applicants must be registered in the federal System for Award Management (SAM) database and have an UEI (Unique Entity ID) number assigned to its agency (to get registered in the SAM database and request an UEI number, go to https://sam.gov/).

Failure to comply with program eligibility requirements may cause funds to be withheld and/or suspension or termination of grant funds.

Prohibitions

Grant funds may not be used to support the unallowable costs listed in the Guide to Grants or any of the following unallowable costs:

1. Any costs ancillary to the purchase of eligible ballistic shields, such as policy development, training costs, and staff; and

2. Any other prohibition imposed by federal, state or local law or regulation.

Selection Process

Application Screening: The Office of the Governor will screen all applications to ensure that they meet the requirements included in the funding announcement.

Peer/Merit Review: The Office of the Governor will review applications to understand the overall demand for the program and for significant variations in costs per item. After this review, the Office of the Governor will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair-share cuts may allow for broader distribution and a higher number of projects while still remaining effective.

Final Decisions: The Office of the Governor will consider these factors and make all final funding decisions. Other factors may include cost effectiveness, overall funds availability, or state government priorities and strategies, legislative directives, need, geographic distribution, or other relevant factors.

The Office of the Governor may not fund all applications or may only award part of the amount requested. In the event that funding requests exceed available funds, the Office of the Governor may revise projects to address a more limited focus.

Contact Information

For more information, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AUTHORIZING AND APPOINTING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE PUBLIC SAFETY OFFICE FOR THE "BULLET-RESISTANT SHIELD GRANT PROGRAM, FY2023" TO SECURE FUNDING FOR 30 STREET LEVEL BULLET-RESISTANT SHIELDS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Big Spring is a Texas municipal corporation enjoying home rule, and is a unit of local of local government and political subdivision of the State of Texas; and

WHEREAS, under the Charter of the City of Big Spring, the City Council of Big Spring is the City of Big Spring's governing body; and

WHEREAS, the City of Big Spring proudly operates its Big Spring Police Department; and

WHEREAS, the Department of Public Safety of the State of Texas recognizes the magnitude of law enforcement's everyday risk and has funding available for the purpose of acquiring bullet-resistant shields through its Bullet-Resistant Shield Grant Program; and

WHEREAS, this is a 0% match grant, and the value of the grant the City seeks totaling approximately $13,500.00; and

WHEREAS, the City Council of Big Spring wishes to designate the City Manager as the grantee's authorized official with the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. The City of Big Spring, acting by and through its governing body, hereby resolves to authorize and appoint the City Manager to submit an application to the Public Safety Office for the Bullet-Resistant Shield Grant Program to secure funding for the purchase of 30 street level bullet-resistant shields as stated in this Resolution.

SECTION 2. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED on the first reading at a regular meeting of the City Council on the **13th** day of **September, 2022**, with all members present voting "aye" for passage of the same.

PASSED AND APPROVED on the second and final reading at a regular meeting of the City Council on the **27th** day of **September, 2022**, with all members present voting "aye" for passage of the same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AMENDING THE AUTHORIZED REPRESENTATIVES EMPOWERED TO TRANSMIT AND WITHDRAW FUNDS FROM TEXPOOL; AND DECLARING AN EFFECTIVE DATE

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/Texpool *Prime"),* a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS, THAT:

SECTION 1. The individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPooVTexPool *Prime* and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

SECTION 2. An Authorized Representative of the Participant may be deleted by a written instrument signed by all remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPoolffexPool *Prime* account or (2) is no longer employed by the Participant.

SECTION 3. The Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant.

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Patticipant Services.

1. Name: Robert H. Moore — Title: Mayor
   Signature:_____ — Phone Number: (432) ***-****

2. Name: Sandy Smith — Title: Finance Director
   Signature: _____ — Phone: (432) 264-2517

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name: Sandy Smith — Title: Finance Director
E-mail: sgsmith@mybigspring.com — Fax Number: (432) 264-2387

In addition, and at the option of the Participant, two additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

Name: Gary Givens — Title: Assistant Finance Director
Name: John Medina — Title: Assistant City Manager

SECTION 4. This Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation.

SECTION 5. This Resolution shall supersede and replace all prior Authorized Representative designations and shall become effective immediately upon its final passage.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September**, **2022** with all members of the Council voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022** with all members of the Council voting "aye" for the passage of same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

Memorandum

Date: 09/13/2022

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: 2022 Investment Policy

The Public Funds Investment Act requires that the Investment Policy be updated on an annual basis. Ultimately the Council has final fiduciary responsibility for the investments, so this is to apprise the Council of the policy and their duties.

It outlines the Staff requirements to ensure that Council is fully aware of all the investments and cash holdings of the City.

RESOLUTION NO._____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, REVIEWING AND APPROVING THE INVESTMENT POLICY OF THE CITY OF BIG SPRING.

WHEREAS, the City Council of the City of Big Spring has adopted a written investment policy as required by the Public Funds Investment Act; and

WHEREAS, the Public Funds Investment Act requires an annual review of the adopted investment policy, Section 2256.005(e), Texas Government Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, THAT:

SECTION 1. The City Council has reviewed and hereby approves the investment policy and investment strategy hereto attached as Exhibit A.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September, 2022**, with all Councilmembers voting "aye" for passage of same.

PASSED AND APPROVED on second reading at a regular meeting of the City Council on the **27th** day of **September, 2022**, with all Councilmembers voting "aye" for passage of same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

EXHIBIT A

CITY OF BIG SPRING

INVESTMENT POLICY

09/08/2022

Introduction

It is the policy of the City of Big Spring that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal while meeting the daily cash flow needs of the City and conforming to the Public Funds Investment Act (the "Act") Texas Government Code Chapter 2256. It is the intent of the City to be in complete compliance with local law and the Act.

The receipt of a market rate of return will be secondary to the requirements for safety and liquidity. The earnings from investment will be used in a manner that best serves the interests of the City.

The purpose of this Policy is to set specific investment policy and strategy guidelines. Direct specific investment parameters for the investment of public funds in Texas are found in the Act. The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public Texas funds deposits.

Scope

This investment policy applies to all financial assets of the City and any new funds created unless specifically exempted by the City Council and this Policy.

Statement of Cash Management Philosophy

The City of Big Spring shall maintain a comprehensive cash management program, to include the effective collection of all accounts receivable, the prompt deposit of receipts to the City's bank accounts, the payment of obligations so as to comply with state law and in accordance with vendor invoices, and the prudent investment of idle funds in accordance with this policy.

Objectives

The City's investment program shall be conducted so as to accomplish the following objectives, listed in order of priority:

1. Safety
   The primary objective of the investment activity is the preservation of capital. Each investment transaction shall be conducted in a manner to avoid capital losses, whether from security defaults, safekeeping or erosion of market value. Investments in high credit quality securities and decisions based on anticipated cash needs are primary factors in providing safety.

2. Liquidity

The investment portfolio shall be structured to meet all expected obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow liabilities and maintaining additional liquidity for unexpected liabilities.

3. Diversification
   The portfolio shall be diversified by institution, market sector and maturity as much as possible.

Cash management is the process of managing funds in order to insure maximum cash availability and reasonable yield on short-term investments. The City shall strive for a cash management program which includes timely collection of accounts receivable, vendor payments in accordance with invoices terms, and prudent investment of assets.

Delegation of Authority
The Director of Finance, as the City's chief financial officer, is responsible for overall management of the City's investment program and is designated as the City's Investment Officer, with support from the City Manager, and may designate the Assistant City Manager as a deputy to assist with the management of the investment portfolio. The Investment Officer(s) are responsible for creating and maintaining the portfolio in accordance with this Policy, providing timely quarterly reporting to the Council, and establishing supporting procedures.

Accordingly, the Finance Director is responsible for day-to-day administration of the investment program and for the duties listed below:

1. Maintain current information as to available cash balances in City accounts, and as to the idle cash available for investment;

2. Make investments in accordance with this policy;

3. Ensure that all investments are adequately insured.

Investment Officers shall refrain from personal and business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions. Disclosure shall be made to the City Manager. An Investment Officer who has a personal business relationship within the two levels of blood or marriage with an organization seeking to sell an investment to the City who meets the parameters established in the Act, shall file a statement disclosing that relationship to the City Council and the Texas Ethics Commission.

The City Council holds ultimate fiduciary responsibility for the portfolio. Council will receive and review quarterly reporting, approve and provide for investment officer training, annually approve broker/dealers and annually review and adopt the Investment Policy and Strategy.

Prudence
The standard of prudence to be applied to all City investments shall be the “prudent person” rule, which states:

> "Investments shall be made with judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived."

In determining whether an investment officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration the investment of all funds under the City's control over which the officer has responsibility rather than a consideration as to the prudence of a single investment.

The Investment Officer, acting in accordance with written procedures and exercising due diligence, shall be responsible but not liable for a specific security's credit risk or market price changes, provided that these deviations are reported immediately and that appropriate action is taken to control adverse developments.

The treasurer, the chief financial officer if the treasurer is not the chief financial officer, deputies appointed to assist in investments and the investment officer shall complete ten hours of training relating to the person's responsibilities within twelve months after taking office or assuming duties. The positions mentioned above must thereafter complete eight hours of training every twenty-four months, with the training to be provided by an independent source approved by the City Council. For the purposes of this policy, an "independent source" from which investment training shall be obtained shall include a professional organization, an institute of higher learning or any other sponsor other than a business organization with whom the City of Big Spring may engage in an investment activity.

Internal Controls
The Investment Officer is responsible for establishing and maintaining internal controls to reasonably assure that assets are protected from loss, theft, or misuse. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the valuation of costs and benefits requires ongoing estimates and judgments my management.

Authorized Investments - City of Big Spring funds may be invested in the following:

1. U.S. Treasury bills, notes or bonds which are guaranteed as to principal and interest by the full faith and credit of the United States of America;

2. Collateralized or fully insured certificates of deposit at FDIC insured banks in the State of Texas, consistent with provisions of the City's current bank depository agreement; or a broker that has its main office or a branch office in this state and is selected from a list adopted by the investing entity as required by Section 2256.025 of the Texas Government Code.

3. Direct obligations of the State of Texas or its Agencies and Instrumentalities including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States;

4. Other obligations which are unconditionally guaranteed or insured by the State of Texas or the United States of America;

5. AAA-rated Texas Local Government Investment Pools which strive to maintain a $1 net asset value (VAV) AND as defined by the Act and authorized by resolution of the City Council.

6. Commercial paper: 270 day or less stated maturity from the date of issuance. Rated not less than A-1 or P-1 or an equivalent rating by at least two nationally recognized rating agencies; or Rated not less than A-1 or P-1 or an equivalent by one nationally recognized rating agency plus fully secured by an irrevocable letter of credit issued by a domestic bank.

7. Fully collateralized repurchase agreements and reverse repurchase agreements having a defined termination date and secured by any obligation of the United States, its agencies or its instrumentalities; and

8. No-load money market mutual funds which are regulated by the Securities and Exchange Commission; provide a prospectus and other information required by the Securities Exchange Act of 1940, must comply with SEC Rule 2a-7, be aware they will now come with floating NAV as well as potential liquidity fees and redemption gates. Investment may not be more than 10% of the fund's total assets.

The use of Delivery versus Payment (DVP) for investment transactions/purchases will be continually used by the investment officer. Security selection and terms will be determined in accordance with (1) safety of principal, (2) cash flow needs, (3) investment type as a percentage of total investment portfolio, and (4) yield. The depository shall provide the City with proof of ownership or claim by an original document delivered to the City.

Market Price - The market price for investments will be obtained through the Wall Street Journal on the last trade day of the month.

Qualifying Institutions - Investments may be made through or with the following institutions:

1. Federally insured banks located in the State of Texas;

2. Primary government security dealers reporting to the Market Reports Division of the Federal Reserve Bank of New York; and

3. Eligible Public Fund Investment Pools that are rated no lower than investment grade by at least one nationally recognized rating service and having a weighted average maturity no longer than ninety (90) days.

Collateralization and Safekeeping - The City of Big Spring will accept as collateral for its certificates of deposit and other evidence of deposit the following securities:

FDIC coverage;

U.S. Treasury bills, note or bonds;

State of Texas bonds;

Other obligations of the U.S. or its agencies and instrumentalities;

Bonds issued by other Texas government entities (city, county, school, or special districts), with a remaining maturity of twenty years or less.

Securities pledged as collateral must be retained in a third party bank in the State of Texas and the City shall be provided the original safekeeping receipt on each pledged security. The City, financial institution, and the safekeeping bank shall operate in accordance with a master safekeeping agreement signed by all three parties.

The release of a pledged security, prior to its removal from the safekeeping account, must be approved by original signature of any two of the following: Investment Officer, Assistant City Manager and City Manager.

The financial institution with which the City invests and/or maintains other deposits shall provide monthly, and as requested by the City, a listing of the collateral pledged to the City marked to current market prices. The listing shall include at a minimum, total pledged securities itemized by:

1. name, type and description of the security
2. safekeeping receipt number
3. par value
4. current market value
5. maturity date
6. Moody's or Standard and Poor's rating (both if available)

Diversification - It is the policy of the City of Big Spring to diversify its investments to eliminate the risk of loss resulting from over-concentration of assets in a specific maturity, a specific issuer or a specific class of securities. The following general constraints shall apply: maturities shall be staggered to avoid undue concentration of assets in a specific maturity sector and maturities selected shall provide for stability of income and reasonable liquidity.

General Government Practices - All investment transactions shall be documented by the Investment Officer. The Investment Officer may make investments orally but shall follow

promptly with a written confirmation to the financial institution or broker/dealer, with a copy of such confirmation retained in the City's files.

On all investments which do not fall under provisions of the City's depository agreement, the Investment Officer shall take competitive bids. At least three (3) quotations shall be taken for each such investment made.

CITY OF BIG SPRING

INVESTMENT STRATEGY

The City of Big Spring maintains portfolios which utilize specific investment strategy considerations designed to address the unique characteristics of the fund groups represented in the portfolio.

Investment strategies for operating funds and commingled funds have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure which will experience minimum volatility during economic cycles. This may be accomplished by purchasing high quality short to medium term securities. The dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity dates of each security.

Investment strategies for debt service funds shall have as the primary objective the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Securities purchased shall not have a stated final maturity date which exceeds the debt service payment date.

Investment strategies for special projects of special purpose funds will have as their primary objective to assure that anticipated cash flows are matched with adequate investment liquidity. The stated final maturity dates of securities held should not exceed the estimated project completion date.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, IN RESPONSE TO INCREASED COSTS OF OPERATING THE WATER AND WASTEWATER UTILITIES AND ONGOING CAPITAL NEEDS, AMENDING CHAPTER 50 OF THE CODE OF ORDINANCES ENTITLED "UTILITIES," ARTICLE IV ENTITLED "UTILITY SERVICE CHARGES," SECTION 50-92 ENTITLED "CHARGES FOR WATER RATES" SUBSECTION B AND SECTION 50-94 ENTITLED "WASTEWATER RATES" TO ADJUST RATES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, "a municipality may purchase, construct, or operate a utility system inside or outside the municipal boundaries and may regulate the system in a manner that protects the interests of the municipality…." Section 552.001(b), Texas Local Government Code; and

WHEREAS, water rates charged by a municipality must be "fair, just, and reasonable," Section 13.042(a), Texas Water Code; and

WHEREAS, the costs of running the water and wastewater systems have increased, and the City Council recognizes the need to balance costs and ongoing capital needs with revenue; and

WHEREAS, water services provided outside the corporate limits of the municipality are charged at double the base rate and usage rate under Big Spring City Code Section 50-30; and

WHEREAS, City Council finds that the water rates as changed in this ordinance are fair, just, and reasonable;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS, THAT:

SECTION 1. The Big Spring Code of Ordinances, Chapter 50 entitled "Public Utilities," Article IV entitled "Utility Service Charges," Section 50-92 entitled "Charges for Water Rates," Subsection (B) is hereby amended as follows:

Sec. 50-92. - Charges for water rates.

…

(B) Water Usage Rate Table:

Inside city limits – Residential

0-2,000 gallons	$1.50 per thousand gallons
3,000-10,000 gallons	~~$3.98~~ $4.38 per thousand gallons

11,000-20,000 gallons	~~$5.90~~ $6.49 per thousand gallons
21,000-50,000 gallons	~~$6.19~~ $6.81 per thousand gallons
>50,000 gallons	~~$6.50~~ $7.15 per thousand gallons

Inside city limits – Commercial

0-50,000 gallons	~~$4.47~~ $4.92 per thousand gallons
51,000-100,000 gallons	~~$5.61~~ $6.17 per thousand gallons
>100,000 gallons	~~$5.97~~ $6.57 per thousand gallons

…

SECTION 2. The Big Spring Code of Ordinances, Chapter 50 entitled "Public Utilities," Article IV entitled "Utility Service Charges," Section 50-94 entitled "Wastewater Rates," Subsection (A) (1) is hereby amended as follows:

Sec. 50-94. - Wastewater rates.

(a) The wastewater rates shall be calculated as follows:

(1) For all accounts, residential, commercial, multifamily dwelling (four-plex or larger), mobile home park, and apartment complex, there shall be a base rate for every unit, dwelling unit, or space that is connected to the wastewater system. The base rate is as follows:

Residential Unit	~~$11.00~~ $11.88
Non-Residential Unit	~~$18.00~~ $19.44

Note: The first months' base rate for wastewater service for new customer accounts shall be prorated based on the number of days left in the billing cycle.

(2) A multifamily dwelling (four-plex or larger), a mobile home park with more than ten spaces, or an existing apartment on a single meter shall be given a five percent vacancy allowance against the total number of dwelling units, spaces, or units in computing the total number of dwelling units, spaces or units for which a base rate charge is due on each dwelling unit, space or unit.

(3) In addition to the monthly base rate, each wastewater account shall be charged for wastewater discharge based on water usage. The charge for non-commercial accounts will be assessed at a rate of ~~$1.50~~ **1.62** per 1,000 gallons of water usage. The charge for commercial accounts will be assessed at a rate of ~~$2.00~~ **2.16** per 1,000 gallons of water usage. In making the assessment for residential, water usage shall be computed by taking 90 percent of the customer's average monthly water usage, as shown by city water records, for the months of December, January, and February immediately preceding the year in question. For commercial accounts, 90 percent of actual monthly water usage will be used in calculating the charge for wastewater discharge. In lieu of the foregoing water usage computation, a

residential account will have the option of applying to the city water office for computation of water usage based on either of the following formulas:

a. One hundred gallons of water per day per person in the residential customer's household times the number of days in the billing period; or
b. Ninety percent of the actual water used by the customer during the current month as shown by the city's water records. Any option elected will be effective for a minimum of 12 months or until a history of consumption is established, whichever comes first.

…

NOTE: Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 3. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder 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 directed to cause the caption and the fees associated with this ordinance to be published as provided by law.

SECTION 6. Pursuant to Section 13.043, Texas Water Code, the City Manager or his designee shall immediately provide individual written notice to each ratepayer eligible to appeal who resides outside the boundaries of the municipality or the political subdivision. The notice must include, at a minimum, the effective date of the new rates, the new rates, and the location where additional information on rates can be obtained. The City Manager or his designee may provide the notice electronically if the utility or political subdivision has access to a ratepayer's e-mail address.

SECTION 8. After two readings and upon adoption in accordance with the provisions of the Charter of the City of Big Spring, this ordinance shall take effect for the October 2022 monthly utility billing cycle.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September, 2022**, with all Councilmembers present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September, 2022**, with all Councilmembers present voting "aye" for 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 TO ADJUST FEES IN LIGHT OF INCREASING COSTS OF THE CITY IN OPERATING THE SOLID WASTE COLLECTION AND DISPOSAL SYSTEM AMENDING CHAPTER 44 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "SOLID WASTE," ARTICLE I "IN GENERAL," SECTION 44-11 "PERMIT FOR PRIVATE COLLECTORS;" AMENDING CHAPTER 44 OF THE BIG SPRING CODE OF ORDINANCES ENTITLED "SOLID WASTE," ARTICLE II "COLLECTIONS AND LANDFILL FEES" SECTION 44-41 "RATES" TO AMEND THE RATE SCHEDULE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council finds it to be in the public interest to regulate the use, placement, maintenance and fees associated with the landfill located within the City of Big Spring; and

WHEREAS, the City Council finds that the public health, safety, and general welfare will best be served by the following amendment;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS:

SECTION 1. The City of Big Spring Code of Ordinances Chapter 44 entitled "Solid Waste," Article I " In General," Section 44-11 "Permit for Private Collectors" is hereby amended in its entirety:

Sec. 44-11. – ~~Permit~~ License for private collectors.

(a) Required. No person except the duly authorized agents and employees of the city or those persons exempted by section 44-6 and private collectors ~~permitted~~ licensed under this chapter shall collect, remove and dispose of MSW, empty MSW receptacles, or convey or transport garbage or MSW on the streets, alleys and public thoroughfares of the city, for compensation.

(b) Application.

(1) Any private collector desiring a ~~permit~~ license to bring municipal solid waste into the city landfill from outside the city limits shall make application therefor to the city manager or his authorized representative.

…

(c) ~~Permit~~ Haulers License fee. The fee for a ~~permit~~ license required by this chapter shall be ~~$3,000.00~~ 1,000.00 per ~~collection vehicle~~ business entity. Such fee shall be payable in advance before a ~~permit~~ license is issued and may be prorated upon approval of the

public works director or his designee. In addition to the ~~permit~~ license fee, the per ton disposal fee and other surcharges prescribed in this chapter shall be assessed as required.

…

SECTION 2. The City of Big Spring Code of Ordinances Chapter 44 entitled "Solid Waste," Article II "Collection and Landfill Rates," Division 1 "Generally," Section 44-41 "Rates" is hereby amended to read in its entirety as follows:

Sec. 44-41. – Rates.

(a) Residential Rates

(1) Picked up once a week only

1) Single family dwelling units $ ~~21.97~~ 23.29

2) Additional roll out for single family dwelling units $ ~~15.30~~ 11.65

(b) Commercial Rates

(1) One collection each week:

1) 1.5 cu. yd. Container $ ~~37.78~~ 40.05

2) 3 cu. yd. Container $ ~~48.52~~ 51.43

(2) Two collections weekly:

(a) 1.5 cu. yd. Container $ ~~75.56~~ 80.10

(b) 3 cu. yd. Container $ ~~97.04~~ 102.86

(3) Four collections weekly:

(a) 1.5 cu. yd. Container $ ~~151.11~~ 160.18

(b) 3 cu. yd. Container $ ~~194.07~~ 205.71

(4) Roll-off container and compactor service:

(a) 30 yd. Container $ 15.00/day

(b) Landfill Charge $ 46.00/ton*

(c)	Scheduled collection service charge (Mon. – Fri.)	$ 150.00
(d)	Delay charge – (Scheduled collection Requiring more than ~~1 hour~~ 30 minutes)	$ 50.00/half hr.
(e)	Unscheduled collection service charge	$ 250.00
(f)	Delay charge – (Unscheduled collection Requiring more than ~~1 hour~~ 30 minutes)	$ 100.00/half hr.
(g)	Deposit	$ 500.00

*** Fee shall increase at a rate of two percent per fiscal year beginning in October 2020.**

(c) Landfill entry/use fee/proof of residence. All city and county residents:

(1) Landfill entry requires two (2) forms of proof of residence. (driver's license and utility bill – addresses/name/photo must match) Non-City of Big Spring/Howard County waste is not accepted at the landfill.

(2) Landfill Charges

(a) Entry Fees

(i) Residential	$ 0.00
(ii) Commercial	$ 25.00/dump or
Annual Commercial Entry Fee	$ 500.00/yr./vehicle

(b) Per Ton Fees in Addition to Entry Fee

(i) Weight Fees	$ 46.00/ton*
(ii) Limb/Brush/Clippings disposal	$ 46.00/ton*
(iii)Large items or additional household trash	$ 46.00/ton*
(c) Unsecured Load	$ 25.00
(d) Special Waste	$ 100.00/ton

The City Manager's, or his/her designee's, written approval is required prior to receipt of any waste that, by its physical nature, requires special handling by site personnel.

(e) Tires $ 4.00/each

(3) Environmental Fee: $ 1.25
(Assessed to each residential or commercial unit)

(4) Elective Tare Weight Fee $ 10.00
(Fee will not be charged when tare weight is required)

*** Fee shall increase at a rate of 2% per fiscal year beginning in October 2020.**

(d) The first months' base fees for garbage collection for new customer accounts shall be prorated based on the number of days left in the billing cycle.

NOTE: Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 3. Should any section, paragraph, sentence, clause, phrase, or word of this Ordinance be declared unconstitutional or invalid for any purpose, the remainder 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 ordered and directed to cause the descriptive caption as well as the penalties for violation of this ordinance to be published as required by law.

SECTION 6. This ordinance shall take effect immediately after its publication 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 **13th** day of **September** , **2022**, with all members of the Council present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022**, with all members of the Council present 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 OF BIG SPRING, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR SAID CITY FOR THE YEAR 2022; DIRECTING THE ASSESSMENT AND COLLECTION THEREOF; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Big Spring, Texas is an incorporated Home Rule city dependent upon taxes to provide services to its citizens; and

WHEREAS, all notification and public hearing requirements have been satisfied; and

WHEREAS, the City Council finds it necessary to levy taxes for the 2022-23 fiscal year; and

WHEREAS, the tax rate being considered is last year's tax rate; and

WHEREAS, this tax rate will raise more taxes for maintenance and operations than last year's tax rate. The tax rate will effectively be raised by 11.85789 percent and will raise taxes for maintenance and operations on a $100,000 home by approximately $71.00.

WHEREAS, the City Council finds that the tax for the year 2022, hereinafter levied for current expenses of the City and general improvement of the City and its property, must be levied to provide the revenue requirements of the budget for the ensuing year; and,

WHEREAS, the City Council finds that taxes for year 2022, hereinafter levied therefore, are necessary to pay interest and to provide the required sinking fund on outstanding bonds of the City issued for municipal purposes;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, AS FOLLOWS, THAT:

SECTION 1. The facts and recitations in the preamble to this ordinance are hereby found and declared to be true and correct, and are incorporated herein and expressly made a part hereof, as if copied verbatim.

SECTION 2. The City Council hereby finds that the City has complied with all of the prerequisites necessary to the levying of a tax rate for this City for the year 2021, and does hereby levy and adopt the tax rate on One Hundred Dollars ($100) valuation for the tax year 2022 as follows:

$0.578797 for the purpose of maintenance and operation
$0.094366 for the principal and interest on debt of this city as set out in Section 5

$0.673163 Total Tax Rate

SECTION 3. For the current expenses of the City and general improvement of the City and its property, i.e., for maintenance and operation, the City Council hereby levies and orders to be assessed and collected for the year 2022 on all property situated within the limits of said City and not exempted from taxation by valid laws, ad valorem tax at the rate of 57.8797 cents ($0.578797) on each One Hundred Dollars ($100.00) valuation of said property.

SECTION 4. For the purpose of paying interest and providing a sinking fund for the payment of each issue of bonds issued for various municipal purposes and described in the schedule set out in Section 5, including the various installments of principal falling due during the ensuing year on serial bonds issued for said purposes, the City Council hereby levies and orders to be assessed and collected for the year 2022 on all property situated within the limits of said city and not exempted from taxation by valid laws, an ad valorem tax for each of the issues of bonds described in said section at the respective rates shown in the right hand column of said section opposite the descriptions of said issues, said rates being expressed in amounts on one hundred dollars ($100.00) valuation of said property, the sum of said respective levies being 09.4366 cents ($0.094366) on each One Hundred Dollars ($100.00) valuation of said property for said bond issues, and the amounts of levies therefore being as shown in said Section 3.

SECTION 5. Schedule of Bond Issues and Amounts of the Tax Levies Thereof:

Purpose of Issue	Date of Issue	Tax Rate Per $100 Valuation
Certificates of Obligation	2020	2.28731¢
General Obligation Bonds	2016	7.14929¢
Total requirements for outstanding bonds		9.4366¢

SECTION 6. The City Council hereby finds and determines that the meeting at which this Ordinance was passed was open to the public as required by law.

SECTION 7. If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or found to be unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid or found to be unconstitutional.

SECTION 8. The ordinance shall become effect immediately upon adoption on second reading.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September**, **2022**, with all members of the Council present voting "aye" for passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022**, with all members of the Council present voting "aye" for the passage of same.

_____
Robert H. Moore III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

Memorandum

Date: 09/13/2022

From: Sandy Smith, Finance Director

To: Mayor and City Council

Re: 2022 Budget Changes

The following changes were made to the 2022 Budget that was originally presented to the Council during the budget work sessions:

1) The Tax Rate as presented was the de minimis rate of $0.647682.
   The Tax Rate in the budget presented tonight is $0.673163, which is the same rate we used in 2021. It increases the Maintenance and Operation budget by $327,709.
2) The Animal Control Buildings capital account (002-011-240-6201) was increased by 60,000, to make improvements to the existing building to utilize as an office. In addition, the Communications account (002-011-240-5511) was increased by $10,000 to provide for fiber optic cable so the shelter's computer can be connected to the server.
3) Account 002-022-320-5421 Signal Systems Revised Budget, (Street Department), was increased by $28,000 to purchase new LED bulbs for the streetlights, specifically on Gregg Street.
4) Code Enforcement/Permits budgets (both Revised and Proposed) were increased by $10,000 each. Account 002-021-300-5521-02, Special Services Discounts/Rebates was created to pay for the Infill Program refunds being utilized by local contractors.
5) Department 211 (SAFER Grant) was reduced by $420,413, in anticipation of the completion of the SAFER Grant. The employees that are being paid out of that Department will be moved to Department 210 – Fire Department in March at the conclusion of the grant.

6) Since the Planning Department was eliminated, it was determined that we needed to budget for the Contract Planner, so $25,000 was added to the Planning Department account (Special Services) 002-001-190-5521.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, APPROVING AND ADOPTING AN ANNUAL BUDGET FOR THE CITY OF BIG SPRING, TEXAS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Manager of the City of Big Spring has prepared, at the direction of the City Council, the annual budget of the City of Big Spring, Texas, for the fiscal year beginning October 1, 2022 and ending September 30, 2023; and

WHEREAS, public notices of a public hearing upon this budget have been duly and legally made as required by law; and

WHEREAS, after due deliberation, study and consideration of the proposed budget as submitted by the City Manager, the City Council of the City of Big Spring is of the opinion that the same should be approved and adopted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS:

SECTION 1. That the budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2021, and ending September 30, 2022, be revised in accordance with the expenditures estimated for said fiscal year as indicated in the documents setting forth the budget for the fiscal year commencing October 1, 2022 and terminating September 30, 2023.

SECTION 2. That the annual budget of the City of Big Spring, Texas for the fiscal year commencing October 1, 2022, and ending September 30, 2023 as submitted by the City Manager is hereby approved and adopted and that a true and correct copy of the budget herein approved and adopted shall be filed for record in the office of the City Secretary and that same shall constitute a part of the public records of the City of Big Spring, Texas.

SECTION 3. That the City Manager is granted the authority to revise line item accounts within a department budget so long as the total departmental budget is not increased, unless the City Council has approved increases in a departmental budget at a scheduled Council meeting. The City Manager will notify the City Council of any such revisions that exceed $1,000.00.

SECTION 4. Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose, the remainder of this ordinance shall not be affected thereby.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 6. The City Secretary is hereby authorized and directed to publish the caption of this ordinance as required by law.

SECTION 7. This ordinance shall take effect on October 1, 2022.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September**, **2022**, with all members present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022**, with all members present 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, ESTABLISHING THE PAY SCHEDULE FOR CLASSIFIED POSITIONS WITHIN THE POLICE DEPARTMENT FOR THE FISCAL YEAR 2022-23; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Police Department pay plan for fiscal year 2022-23;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, AS FOLLOWS:

SECTION 1: The pay schedule for the Police Department as shown in Exhibit "A", which is attached hereto and incorporated herein for all purposes as if copied herein verbatim, is adopted as the pay schedule for the classified positions within the Police Department of the City of Big Spring for fiscal year 2022-23. In the event the City Council does not take action to amend the pay schedule in the years following 2022-23, the pay plan provided shall remain in effect for subsequent years.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3: This ordinance shall be in force and effect beginning October 1, 2022.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September**, **2022**, with all members of the Council voting "aye" for passage of the same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022**, with all members voting "aye" for the passage of the same.

_____
Robert H. Moore III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

Exhibit A

City of Big Spring
Police Department Pay Plan
FY 22-23

Rank	Grade & Step	Old Pay Rate	New Pay Rate	Bi-weekly	HCP
Non-Cert Police Officer	P0-01	22.641	22.641	$ 1,811.28	
Police Officer	P1-01	25.117	26.875	$ 2,150.00	$ -
Corporal	P2-01	27.047	28.805	$ 2,304.40	$ 1.930
Corporal 1st Class	P3-01	29.128	30.847	$ 2,467.76	$ 2.042
Senior Corporal	P4-01	30.601	32.391	$ 2,591.28	$ 1.544
Sergeant	P5-01	32.151	34.016	$ 2,721.28	$ 1.625
Sergeant 1st Class	P6-01	34.976	36.550	$ 2,924.00	$ 2.534
Master Sergeant	P7-01	36.747	38.401	$ 3,072.08	$ 1.851
Lieutenant	P8-01	38.604	40.321	$ 3,225.68	$ 1.920
Senior Lieutenant	P9-01	42.534	43.810	$ 3,504.80	$ 3.489

Additional Assignment Pay

Narcotics Officers

Includes authorized personnel only, specifically:		Pay Rate	Bi-weekly
(1) Master Sergeant	P7-01	38.401	$ 3,072.08
(1) Corporal	P2-01	28.805	$ 2,304.40
(1) Corporal - 1st Class	P3-01	30.847	$ 2,467.76
(1) Senior Corporal	P4-01	32.391	$ 2,591.28

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS, ESTABLISHING THE FIRE DEPARTMENT PAY SCALE FOR THE FISCAL YEAR 2022-23 IN ACCORDANCE WITH CHAPTER 143 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR THE REPEAL OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council desires to amend the Fire Department pay plan for October 1, 2022 to September 30, 2023; and to provide for certificate, education, and paramedic pay;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, AS FOLLOWS, THAT:

SECTION 1. The pay schedule for the Fire Department as shown in Exhibit "A," which is attached hereto and incorporated herein for all purposes as if copied herein verbatim, is adopted as the pay scale for the Fire Department of the City of Big Spring for October 1, 2022 through September 30, 2023. Assignment, education and paramedic pay are authorized as provided in Exhibit "A." In the event the City Council does not take action to amend the assignment, education, and paramedic pay in the years following 2022-23, the assignment, education, and paramedic pay provided shall remain in effect for subsequent years.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

SECTION 3. This ordinance shall be in force and effect beginning October 1, 2022.

PASSED AND APPROVED on first reading at a regular meeting of the City Council on the **13th** day of **September**, **2022** with all members of the Council voting "aye" for passage of the same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022** with all members of the Council voting "aye" for passage of the same.

_____
Robert H. Moore III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

FIRE - Exhibit A
FY 22-23

	STEP	SHIFT	JOB DESCRIPTION	CODE	PREVIOUS HOURLY	NEW HOURLY	HCP
BASE PAY	1	SHIFT	CADET		----------	----------	
		DAY			$19.595	$19.595	
	1	SHIFT	FIRE FIGHTER	FF S	$15.689	$16.905	
	2	DAY	FIRE FIGHTER	FF D	$21.964	$23.666	$2.55
	1	SHIFT	APPARATUS ENGINEER	APENG S	$17.342	$18.556	$1.65
	2	DAY	APPARATUS ENGINEER	APENG D	$24.278	$25.977	$2.31
	1	SHIFT	LIEUTENANT	LT S	$19.567	$20.780	$2.22
	2	DAY	LIEUTENANT	LT D	$27.396	$29.095	$3.12
	1	SHIFT	DEPUTY CHIEF	DC S	$23.485	$24.694	$3.91
	2	DAY	DEPUTY CHIEF	DC D	$32.883	$34.576	$5.48
PARA CERT.	1	SHIFT	EMERGENCY MED TECH PARAMEDIC	EMTP S	$2.131	$2.131	
	2	DAY	EMERGENCY MED TECH PARAMEDIC	EMTP D	$2.985	$2.985	
EDUCATION	1	SHIFT	ASSOCIATE DEGREE	ASSOC S	$0.428	$0.428	
	2	DAY	ASSOCIATE DEGREE	ASSOC D	$0.600	$0.600	
	1	SHIFT	BACHELORS DEGREE	BACH S	$0.870	$0.870	
	2	DAY	BACHELORS DEGREE	BACH D	$1.218	$1.218	
ASSIGNMENT PAY			EMS				
	1	SHIFT	INSTRUCTOR - TDH	INST-TDH S	$0.888	$0.888	
	2	DAY	INSTRUCTOR - TDH	INST-TDH D	$1.244	$1.244	
			FIRE				
	1	SHIFT	INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP S	$0.888	$0.888	
	2	DAY	INSTRUCTOR - INTERMEDIATE TCFP	INST-TCFP D	$1.244	$1.244	
	1	SHIFT	FIRE INVESTIGATOR or INSPECTOR	INV-INSP S	$0.455	$0.455	
	2	DAY	FIRE INVESTIGATOR or INSPECTOR	INV-INSP D	$0.636	$0.636	
	1	SHIFT	ARSON INVESTIGATOR	ARSON S	$0.908	$0.908	
	2	DAY	ARSON INVESTIGATOR	ARSON D	$1.261	$1.261	
	1	SHIFT	TRAINING OFFICER	TRANOFF S		$0.861	
	2	DAY	TRAINING OFFICER	TRANOFF D	$1.206	$1.206	
	1	SHIFT	FIRE MARSHAL	FIRE MARSH S		$2.548	
	2	DAY	FIRE MARSHAL	FIRE MARSH D	$8.410	$3.567	
	1	SHIFT	HEALTH INSPECTOR	FIRE MARSH S	$0.861	$0.861	
	2	DAY	HEALTH INSPECTOR	FIRE MARSH D	$1.206	$1.206	

Emergency Management Coordinator $300.00 per month

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF BIG SPRING, TEXAS, AMENDING CHAPTER 32 OF THE BIG SPRING CITY CODE ENTITLED "LICENSES, TAXATION AND MISCELLANEOUS BUSINESS," ARTICLE II "TAXATION," DIVISION 2 "HOTEL OCCUPANCY TAX," SECTION 32-65 "REVENUES-USE" TO ADD A NEW SUBSECTION 3 TO WAIVE THE 5-YEAR LIMITATION ON ASSISTANCE; AND AMENDING CHAPTER 40 OF THE BIG SPRING CITY CODE ENTITLED "PARKS, RECREATION AND CULTURAL AFFAIRS", ARTICLE IV "DORA ROBERTS COMMUNITY CENTER", SECTION 40-110 "ADMINISTRATION" SUBSECTION (B) TO MAKE EXCEPTIONS TO THE BOARD'S DUTIES; PROVIDING FOR SEVERABILITY; AND PROVIDNG AN EFFECTIVE DATE.

WHEREAS, " The City Council may take final action on any expenditure of hotel occupancy tax revenues regardless of whether the convention and visitors bureau board has previously taken action on the matter," under the Big Spring City Code, Section 32-65(f); and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BIG SPRING, TEXAS AS FOLLOWS:

SECTION 1. The City of Big Spring Code of Ordinances Chapter 32 entitled "License, Taxation, and Miscellaneous Business" Article II " Taxation," Section 32-65 "Revenue-Use" is hereby amended partially as follows:

Sec. 32-65. - Revenues—Use.

…

(b) Event funding formula. Events are programs and activities. Events may be funded annually for five years.

…

(3) Assistance may be obtained by events without the five-year limitation upon the following conditions: meeting the funding criteria, including THLA guidelines; the funding being used solely to rent City-owned and operated facilities; and with the amount of such rent shall being no more than $2,000.00. By motion or otherwise, City Council or the CVB board may waive the deposit for such an event.

…

(i) No single program, funding, or contract committing revenues from the hotel occupancy tax with a duration of more than five years may be agreed to on behalf of the city without prior action by city council.

SECTION 2. The City of Big Spring Code of Ordinances Chapter 40 entitled "Parks, Recreation and Cultural Affairs " Article IV " Dora Roberts Community Center," Section 40-110 "Administration" is hereby amended partially as follows:

Sec. 40-110. - Administration.

(a) The administrator in charge of the Dora Roberts Community Center shall be the facilities coordinator under the oversight of the community services director.

(b) The convention visitors bureau board shall make such regulations as the board may deem necessary for the management of the center~~, with city council approval~~ except as may conflict with an ordinance of City Council.

NOTE: Language to be added appears underlined and language to be deleted is ~~stricken~~.

SECTION 3. Should any section, paragraph, sentence, clause, phrase, or word of this Ordinance be declared unconstitutional or invalid for any purpose, the remainder 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. This ordinance shall take effect immediately after its publication 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 **13th** day of **September** , **2022**, with all members of the Council present voting "aye" for the passage of same.

PASSED AND APPROVED on second and final reading at a regular meeting of the City Council on the **27th** day of **September**, **2022**, with all members of the Council present voting "aye" for the passage of same.

_____
Robert H. Moore, III, Mayor

ATTEST:

_____
Tami L. Davis, City Secretary

INTEROFFICE MEMORANDUM

Date:	September 8, 2022
To:	Mayor Robert H. Moore, Big Spring City Council Members and Todd Darden, City Manager
From:	Shane Bowles, Public Works Director
Re:	Cardboard Recycling

Since we began the transition from dumpsters to roll-out containers for residential customers, it has become increasingly difficult for residential customers to dispose of cardboard boxes. Residential customers tend to have a significant number of cardboard boxes to dispose of due to an increase in online shopping. Seeing this issue, the City of Big Spring began looking into solutions for the proper and efficient disposal of cardboard boxes.

Keep Texas Recycling is a program of Keep Texas Beautiful with the goal of assisting rural communities to recycle. They assist with the marketing and transportation of cardboard to ensure the collected cardboard is moved out to recycling facilities for future use. Keep Texas Beautiful sells the cardboard to contracted vendors at competitive pricing, creating a revenue stream to assist funding the recycling project.

Staff requests approval to enter into a contract agreement with Keep Texas Recycling for the purpose of beginning a cardboard recycling program. As part of our effort to make cardboard recycling a self-funded project, the City plans to establish a transfer station to allow drop off for residential customers, and to implement a program to place recycling dumpsters at commercial businesses. While the Keep Texas Recycling program does accept other recyclable materials, staff requests to limit the program to cardboard as recycled cardboard has historically enjoyed a revenue/cost ratio superior to others.

Under the contract, the City would have as a cost ten percent of the gross revenue, plus, shared proportionately with other customers of Keep Texas Recycling, transportation costs. The contract would continue for two years unless either party cancels with 30 days advance notice.

Recycling carboard boxes has been an ongoing need in our community and teaming up with Keep Texas Recycling would now make this feasible.

Membership Agreement between
Keep Texas Recycling, a program of Keep Texas Beautiful, and
"Seller"

This agreement is entered by and between the Keep Texas Beautiful ("KTB") and "Seller" as Parties. **The terms of this agreement will apply to the recyclable materials ("Recyclable Materials"), which are checked below:**

METAL

____ Aluminum Used Beverage Cans (UBC)
____ Steel/Tin Cans

PLASTICS

____ PET #1
____ HDPE #2 Natural
____ HDPE #2 Colored

PAPER

____ Corrugated (OCC)
____ Newspaper #9
____ High-grade SOP (Sorted Office Paper)
____ Mixed Paper (Catalogs, Phone Books, Magazines, Junk Mail)

The following is understood and agreed by both parties:

KTB, through its Keep Texas Recycling program (KTR), shall be the exclusive agent for "Seller" in the marketing and sale of the Recyclable Materials as indicated above. Monthly prices offered by KTB shall be based on an index amount defined by standard regional prices published in the first monthly issue of ***Recycling Manager, The RISI Fastmarkets, or other indices identified through contractual arrangements with the Recycling Contractor.*** The price of certain baled Recyclable Material will not drop below indicated floor prices during the life of the contract, as indicated in Appendix A. If volumes of plastic, paper or steel are sufficient for a direct mill load (42,000 lbs.), KTB may market those Recyclable Materials separately to receive the best prices. KTB will choose the vendor(s) who will offer the best prices and purchase the material, hereinafter referred to as "Recycling Contractor". In return for the marketing and sale of the "Seller"'s Recyclable Materials and other member services, KTB will receive ten (10%) percent of the total gross revenue received through the sale of any Recyclable Materials under this agreement.

"Seller" will be responsible for meeting standard contamination requirements, as described in Appendix A, in the collection of Recyclable Materials and for keeping all fiber Recyclable Materials (except corrugated cardboard) dry.

The parties agree the pickup point for Recyclable Materials shall be the "Seller" recycling center, located at 10311 Highway 146, Livingston, Texas 77351. KTB will be responsible for scheduling transportation for the selected Recyclable Materials from the designated pickup point by the Recycling Contractor(s). "Seller" will retain ownership of and liability for the Recyclable Materials until the Recyclable Materials are loaded on the Recycling Contrator's transport. Once loaded on the

Recycling Contractor's transport, the ownership of and liability for the Recyclable Materials will transfer to the Recycling Contractor.

"Seller" shall be under no obligation to meet production quotas or set delivery dates. However, when "Seller" accumulates Recyclable Materials in sufficient quantities that "Seller", in its sole discretion, deems necessary to sell, "Seller" will notify KTB one week before a desired pickup date. Pickups will be scheduled by KTB based on achieving full truck loads. Every effort will be made with the member through scheduling to avoid a negative revenue situation where the transportation costs exceed the revenue generated from the sale of Recyclable Materials. If the recyclables loaded from "Seller" do not constitute a full load KTB can organize a milk-run/2-stop pickup between two (2) participating KTR member locations within a 50-mile radius. The transportation cost will be shared proportionately between all KTR members whose recycling materials are being transported. If transportation costs are incurred which exceed the revenue from the sale of the Recyclable Materials, the responsibility for paying these costs shall be the responsibility of the relevant participating KTR members.

KTB shall reimburse "Seller" for the total revenue received from the sale of any Recyclable Materials under this agreement minus the above-referenced administrative fee and any previously agreed upon transportation and supply costs. The cost to "Seller" shall be calculated based on actual KTB transportation costs and the amount of Recyclable Materials loaded from "Seller" proportionate to the total truckload to be sold.

KTB will perform all negotiations regarding the above-referenced Recyclable Materials for "Seller" and shall pay "Seller" for said Recyclable Materials according to shipping/weight records and this agreement. Such payment shall be made to "Seller" within forty-five (45) days from the end of the month in which "Seller"'s Recyclable Materials were sold.

The term of this agreement shall be for two (2) years (the "initial term"). After the initial term, the agreement will continue from year to year. Either party may discontinue this agreement with thirty (30) days' written notice stating the reasons for cancellation.

The parties agree that KTB is undertaking obligations set forth in this agreement for, and on behalf of "Seller". "Seller" shall hold KTB harmless and indemnify KTB, to the extent permitted by law, against any and all claims, damages, demands, losses, or liabilities of any kind or nature, including but not limited to negligence, including all expenses of litigation, which KTB or its officers, agents, employees, or representatives may sustain or incur, or which may be imposed upon KTB because of, or arising out of or in any manner connected with action(s) attributed to "Seller".

KTB shall hold "Seller" harmless and indemnify "Seller", to the extent permitted by law, against any and all claims, damages, demands, losses, or liabilities of any kind or nature, including but not limited to negligence, including all expenses of litigation, which "Seller" or its officers, agents, employees, or representatives may sustain or incur, or which may be imposed upon "Seller" as a result of, or arising out of or in any manner connected with action(s) attributed to KTB.

Any amendments or changes to this agreement must be mutually agreed upon by both parties and must be in writing.

In the event KTB or "Seller" shall be prevented from collecting, receiving, transporting, selling or buying any Recyclable Materials, or in the event KTB or "Seller" shall be prevented from complying with the terms and conditions of this agreement due to governmental or administrative prohibitions,

labor difficulties, acts of God, acts of public enemy, riot, accidents, breakdown of equipment, weather conditions, disease, delivery interruptions or other causes beyond the control of KTB or "Seller" as the case may be, the party so prevented shall, upon notice to the other party, be thereafter released from its obligations hereunder so long as such causes continue.

Should the final judgment of a court in Polk County of competent jurisdiction invalidate any part of this agreement, the remaining parts of this agreement shall be enforced, to the extent possible, consistent with the intent of the parties as evidenced by this agreement.

This agreement constitutes the entire agreement and understanding of the parties, it being understood that all other prior or contemporaneous agreements, negotiation memorandum, correspondence, and conversations between the parties hereto are terminated and superseded by this agreement. No subsequent modifications or amendments to this agreement shall be effective unless by written consent and signed by the parties.

Authorized representatives of the Parties hereby execute this agreement.

_____ _____

Name, Title **Date**
"Seller"

_____ _____

Suzanne Kho, Executive Director **Date**
Keep Texas Beautiful

Attached: Appendix A

"Seller" Contact Information:

_____
Name

_____
Phone/Fax#

_____
Address/Mailstop

_____
Email

KEEP TEXAS RECYCLING FACTS

Since 1994, Cooperative Teamwork and Recycling Assistance (CTRA) now Keep Texas Recycling (KTR), has helped rural & underserved communities in Texas recycle.

Awards & Honors:

- 2020 Texas Commission on Environmental Quality (TCEQ) Environmental Excellence Award winner
- 2017 National Recycling Coalition Outstanding Non-Profit Award

WHO is Keep Texas Recycling?

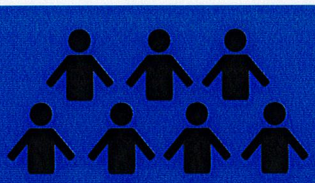
The only organization of its kind operating in Texas, KTR's mission is to promote and support the implementation of productive, cost-effective recycling programs in Texas - focusing on underserved rural communities.

KTR seeks and negotiates connections with end markets for recyclable commodities; 90% of revenue is passed on to members.

WHAT does KTR do?

- Provide technical assistance, training and recycling education.
- Assess logistical challenges like distance to market, volume, and end markets.
- Establish programs that can create revenue streams and jobs for members.
- Coordinate marketing and transportation for recyclable commodities.
- Seek, negotiate and maintain vendor contracts with brokers and/or intermediate buyers, ensuring the best pricing and prompt payments.
- Offer grant writing services & supporting data.
- Support partner organizations (e.g. State of Texas Alliance for Recycling).

Recycled >151,000 tons of materials

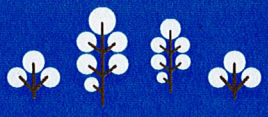


Gave recycling access to >517,000 Texans (inc. members that represent >120 public and >500 private entities)

Generated >$10.7 million in revenue for member communities

Saved >464,000 cubic yards of landfill space & >$5.2 million in landfill fees

Received >$650,000 in grant funding (from KTR grant writing services) to support member communities



Saved >2.5 million trees

Phone: 512.872.6630 · Email: rachel@ktb.org · Online: ktb.org/keeptexasrecycling