

LETTER FOR ELEVATED LEGAL PROCESS MEETING

August 12, 2011

Via Certified Mail RRR _____

Ms. Gloria Smith
2109 Smith Drive
City, Texas 75ZZZ

Re: **2109 Smith Drive, City, Texas**

Dear Ms. Smith:

It has come to our attention that the above-referenced property continues to be in violation of ordinances of the City. We have set up a meeting for you to come in to the **City Attorney's Office in City Hall, 825 W. City Boulevard, 4th floor, City, Texas, at 2:00 p.m. on Wednesday, September 7, 2011**, and meet with representatives from Code Enforcement and the City Attorney's Office to discuss the issues regarding this property.

We will present options available to you to obtain compliance with the City of City's code requirements without need for an injunction by a court to compel removal or seek authorization for the City to remove the outside storage on the property, request civil penalties of up to \$1,000 a day, and seek any other remedies which are allowed by law.

The property is zoned R-7.5 Single Family District which does not allow for outside storage. Items on the property such as furniture, household items, mattresses, children's toys, boxes, appliances, trash, junk and plywood qualify as outside storage. In addition, maintenance of junk on real property constitutes a nuisance to public health. The following violations of the Development Code and the Code of Civil and Criminal Ordinances of the City of City exist or have existed on the Property:

- a. Use of the Property for a purpose not permitted in R-7.5 zoning in violation of Section 52-10;
- b. Placement of outside storage on the Property in violation of Section 52-56;
and
- c. Failure to maintain the Property free from refuse and junk in violation of Sections 33-20 and 33-21.

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Copies of the ordinances violated are attached to this letter.

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.

Nothing in this letter should be considered legal advice to you. You may consult your own attorney.

Sincerely,

Sally Attorney
Assistant City Attorney

Enclosure

cc: Client