

# Staff Summary Report



Hearing Officer Hearing Date: 12/07/10

Agenda Item Number: 14

**SUBJECT:** This is a public hearing for a request by the City of Tempe – Code Compliance Section to abate public nuisance items at the **ACKBAR LLC PROPERTY** located at 2058 East Apache Boulevard.

**DOCUMENT NAME:** 20101207cdkko05

**PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by the City of Tempe – Code Compliance Section to abate public nuisance items in violation of the Tempe City Code for the **ACKBAR LLC PROPERTY (PL100367/ ABT10033/ CE100540)** (Marvin White, Inspector; Ackbar LLC, property owner) located at 2058 East Apache Boulevard in the R-4, Multi-Family Residential General District; CSS, Commercial Shopping and Service District and TOD, Transportation Overlay District.

**PREPARED BY:** Kevin O'Melia, Senior Planner (480-350-8432)

**REVIEWED BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359) *SEA*

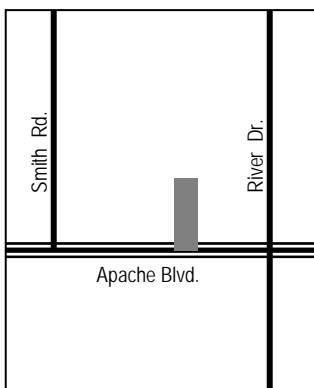
**LEGAL REVIEW BY:** N/A

**DEPARTMENT REVIEW BY:** Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

**FISCAL NOTE:** \$616.00 for abatement request, including removal of overgrown weeds, grass and debris from property

**RECOMMENDATION:** Staff – Approval of Abatement Proceedings

**ADDITIONAL INFO:**



Code Compliance is requesting approval to abate the Ackbar LLC Property located at 2058 East Apache Boulevard in the R-4, Multi-Family Residential General District, CSS, Commercial Shopping & Services District and TOD, Transportation Overlay District. The property is generally located on the north of Apache Boulevard a few properties to the west of River Drive. The details of this case represent several months of correspondence for compliance with the property owner. Staff requests the approval of abatement of the following nuisance items under Complaint CE100540: "Overgrown weeds and grass higher than 12 inches and debris on site."

**180 DAY OPEN ABATEMENT REQUEST:**

This is the third complaint for over height grass, weeds and debris on this property in three years. In the past the property owner has cleared the site after receipt of complaint, however in this case the property has remained untended. Due to the history of recidivism of the property owner and five months of attempts to have the site remediated by the property owner, staff is requesting a 180-day open abatement to prevent repeated property neglect and neighborhood decline.

**PAGES:**

1. List of Attachments
2. Comments; History & Facts

**ATTACHMENTS:**

1. Location Map
2. Aerial Photo
- 3-13. Code Compliance Report & Photographs

## **COMMENTS:**

Code Compliance is requesting approval to abate the Ackbar LLC Property located at 2058 East Apache Boulevard in the R-4, Multi-Family Residential General District, CSS, Commercial Shopping & Service District and TOD, Transportation Overlay District. This case on a vacant property was initiated with a Code Compliance inspection on June 25, 2010. Since that time Code Compliance Inspector White has attempted to obtain compliance through correspondence with the property owner, Ackbar LLC, regarding violations of the Tempe City Code for "overgrown weeds and grass higher than 12 inches and debris on site."

Ackbar LLC has received a correction notice, dated June 25, 2010, citing the specific items in violation with Tempe City Code with regards to removing overgrown grass, weeds and debris from the property. This notice was followed with subsequent notices, dated July 9, 2010, August 18, 2010 and August 26, 2010. The notices were followed with two citations, dated September 13, 2010 and September 29, 2010. The property owner failed to pay the fines or appear in court on either of the appointed dates (September 27, 2010 and October 13, 2010) associated with these citations. A Notice of Intent to Abate Public Nuisance was mailed to the property owner on November 4, 2010.

Planning staff (Kevin O'Melia) observed the site from the public right of way on November 21, 2010 to compare the content of the November 4, 2010 abatement notice with the current site condition. The site vegetation and incidence of debris appears to be substantially the same as the photographs taken earlier by Inspector White.

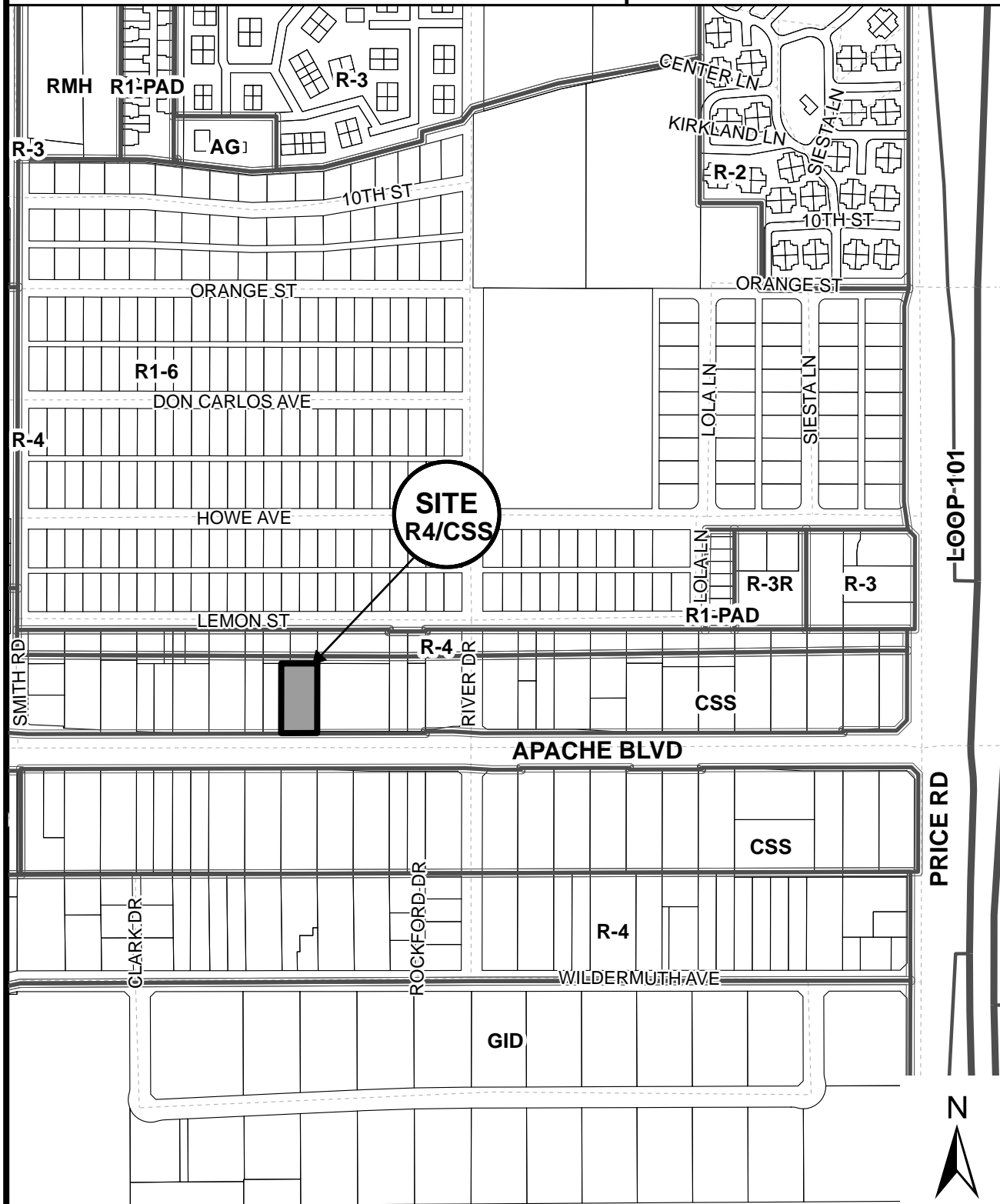
Without the intervention of abatement the property will continue to deteriorate. It is therefore requested that the City of Tempe Community Development Hearing Officer approve the abatement of this public nuisance in accordance with Section 21-53 of the Tempe City Code.

## **HISTORY & FACTS:**

The history and facts of this case are detailed in an attached memo from the Code Compliance Inspector.

**ACKBAR LLC PROPERTY**

**PL100367**



**Location Map**



**ACKBAR LLC PROPERTY (PL100367)**

**DATE:** November 4, 2010  
**TO:** Jeff Tamulevich, Code Compliance Manager  
**FROM:** Marvin White, Code Inspector  
**SUBJECT:** CM100540 Ackbar LLC, Property Abatement

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**LOCATION:** 2058 E. Apache Blvd. Tempe, AZ 85281

**LEGAL:** Book , Map , Parcel , as recorded with the Maricopa County Assessor

**OWNER:** Ackbar LLC  
4422 N. Civic Center Plaza # 202  
Scottsdale, AZ. 85251

**FINDINGS:**

06/25/2010 Inspected property and found overgrown grass & weeds, and debris, photos were taken.

06/25/2010 Notice to comply mailed to the property owner Ackbar LLC.

07/09/2010 Notice to comply returned for incorrect address and an additional notice to comply with correct address was mailed to the property owner Ackbar LLC.

07/20/2010 Received a call from the property owner Ackbar LLC. I was advised by Jeff Jones that the property will be brought into compliance by the end of the week.

07/29/2010 Inspected the property and no change noticed.

08/05/2010 Left voice message for the property owner Ackbar LLC, / Jeff Jones to make contact concerning the property violations.

08/18/2010 Inspected the property and no change noticed. Second notice to comply mailed to the property owner Ackbar LLC / Jeff Jones.

08/25/2010 Inspected the property and no change noticed. Third notice to comply mailed to the property owner Ackbar LLC / Jeff Jones.

09/09/2010 Inspected the property and no change noticed.

09/10/2010 Left voice message for the property owner Ackbar LLC, / Jeff Jones to make contact concerning the property violations.

09/13/2010 Inspected the property and no change noticed. Citation issued and mailed to the property owner Ackbar LLC / Jeff Jones.

09/28/2010 Property owner Ackbar LLC, failed to pay fine or appear in court.

09/29/2010 Inspected the property and no change noticed. Second citation issued and mailed to the property owner Ackbar LLC / Jeff Jones.

10/14/2010 Property owner Ackbar LLC, failed to pay fine or appear in court.

10/19/2010 Inspected the property and no change noticed.

11/04/2010 Inspected the property and no change noticed, photos were taken.

11/04/2010 Notice of intent to abate was mailed to the property owner Ackbar LLC.

**PREVIOUS COMPLAINT HISTORY:**

11/04/2008 Graffiti overgrown weeds & debris.

03/12/2009 overgrown weeds & debris.

05/19/2009 Vehicle sales without City approval.

**RECOMMENDATIONS:**

I recommend an abatement of the property at 2058 E. Apache Blvd. The property owner Ackbar LLC has failed to bring the property into compliance with Tempe City Codes. The property has become blighted and a detriment to the neighborhood.

Thank you,

Marvin White  
Code Inspector II

ACTION TAKEN: submit

NAME: Marvin White

DATE: 11-8-10



**DEVELOPMENT SERVICES DEPARTMENT  
CODE COMPLIANCE**

**CORRECTION NOTICE**

06-25-2010

ACKBAR LLC  
4343 N. SCOTTSDALE RD.  
SCOTTSDALE, AZ. 85251

Case#: CM100540  
Site Address: 2058 E. APACHE BLVD.

**SITE REINSPECTION ON OR AFTER: 07/09/2010**

This is a notice to inform you that this site was inspected on 06/25/2010 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

<u>SECTION</u>	<u>VIOLATION</u>
CC 21-3.B.8	Overgrown weeds grass and debris

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**  
CC 21-3.B.8 Remove overgrown weeds grass and debris

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Marvin White**  
**Code Inspector II**

**Direct: 480-350-8966**  
**Code Compliance: (480)350-8372**  
**Email: marvin\_white@tempe.gov**

**Civil and Criminal Penalties**

City Code Section 21-3, subsections (b) 1-8, 15 and 17-19; Section 21-4; Section 21-13; Section 21-38, subsections (a-k) and (m-q): | 1st occurrence \$120 per violation, 2nd occurrence \$370 per violation, 3rd occurrence \$770 per violation | Default Amount: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | Zoning and Development Code Section 1-201A: 1st occurrence \$120 per violation, 2nd occurrence \$370 per violation, 3rd occurrence \$770 per violation | Default Amount: 1st occurrence \$170 per violation, 2nd occurrence \$420 per violation, 3rd occurrence \$820 per violation | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

SEE PAGE 2 (OTHER SIDE OF NOTICE) FOR CC/ZDC REFERENCE





**DEVELOPMENT SERVICES DEPARTMENT  
CODE COMPLIANCE**

**CORRECTION NOTICE**

07-09-2010

ACKBAR LLC  
4343 N. SCOTTSDALE RD. # 115  
SCOTTSDALE, AZ. 85251

Case#: CM100540  
Site Address: 2058 E. APACHE BLVD.

**SITE REINSPECTION ON OR AFTER: 07/23/2010**

This is a notice to inform you that this site was inspected on 07/09/2010 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

<u>SECTION</u>	<u>VIOLATION</u>
CC 21-3.B.8	Overgrown weeds, grass and debris

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.B.8 Remove overgrown weeds, grass and debris

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Marvin White**  
**Code Inspector II**

**Direct: 480-350-8966**  
**Code Compliance: (480)350-8372**  
**Email: marvin\_white@tempe.gov**

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SEE PAGE 2 (OTHER SIDE OF NOTICE) FOR CC/ZDC REFERENCE



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE**

**FINAL CORRECTION NOTICE**

08-18-2010

MOTEL ALLIANCE PROPERTIES LLC  
4422 N. SCOTTSDALE RD. # 202  
SCOTTSDALE, AZ. 85251

Case#: CM100540  
Site Address: 2058 E. APACHE BLVD.

**SITE REINSPECTION ON OR AFTER: 08/24/2010**

This is a notice to inform you that this site was inspected on 08/18/2010 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

<u>SECTION</u>	<u>VIOLATION</u>
CC 21-3.B.8	Overgrown weeds and debris.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**  
CC 21-3.B.8 Remove overgrown weeds and debris.

Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Marvin White**  
**Code Inspector II**

**Direct: 480-350-8966**  
**Code Compliance: (480)350-8372**  
**Email: marvin\_white@tempe.gov**

**Civil and Criminal Penalties**

City Code Section 21-3, subsections (b) 1-8, 15 and 17-19; Section 21-4; Sections 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 per violation, 2nd occurrence \$270 per violation, 3rd occurrence \$370 per violation | Sections 21-31, 21-32, 21-33, 21-35, 21-36: 1st occurrence \$270 per violation, 2nd occurrence \$470 per violation, 3rd occurrence \$670 per violation | Section 21-3, subsections (b) 9-14, 16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$370 per violation, 2nd occurrence \$670 per violation, 3rd occurrence \$970 per violation. | Section 21-25: \$1020 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. | Section 21-4 (B) Habitual Offender: 1st occurrence \$520 in addition to other fines, 2nd occurrence \$1020 in addition to other fines, 3rd occurrence, \$1520 in addition to other fines. | Zoning and Development Code: 1st occurrence \$140 per violation, 2nd occurrence \$390 per violation, 3rd occurrence \$790 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

SEE PAGE 2 (OTHER SIDE OF NOTICE) FOR CC/ZDC REFERENCE



**COMMUNITY DEVELOPMENT DEPARTMENT  
CODE COMPLIANCE**

**FINAL CORRECTION NOTICE**

08-26-2010

MOTEL ALLIANCE PROPERTIES LLC  
4422 N. CIVIC CENTER PLAZA # 202  
SCOTTSDALE, AZ. 85251

Case#: CM100540  
Site Address: 2058 E. APACHE BLVD.

**SITE REINSPECTION ON OR AFTER: 08/31/2010**

This is a notice to inform you that this site was inspected on 08/25/2010 and found to be in violation of the City of Tempe's Zoning and Development Code (ZDC) and/or City Code (CC) as noted. Failure to comply may result in civil citation or criminal charges.

<u>SECTION</u>	<u>VIOLATION</u>
CC 21-3.B.8	Overgrown weeds and debris.

**PLEASE TAKE THE FOLLOWING CORRECTIVE ACTION**

CC 21-3.B.8	Remove overgrown weeds and debris.
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Please contact me if you have questions or need further assistance. Thank you for your cooperation in this matter.

**Marvin White**  
**Code Inspector II**

**Direct: 480-350-8966**  
**Code Compliance: (480)350-8372**  
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City Code Section 21-3, subsections (b) 1-8, 15 and 17-19; Section 21-4; Sections 21-13; Section 21-38, subsections (a-k) and (m-q): 1st occurrence \$170 per violation, 2nd occurrence \$270 per violation, 3rd occurrence \$370 per violation | Sections 21-31, 21-32, 21-33, 21-35, 21-36: 1st occurrence \$270 per violation, 2nd occurrence \$470 per violation, 3rd occurrence \$670 per violation | Section 21-3, subsections (b) 9-14, 16 and 20; Sections 21-34, 21-37; Section 21-38, subsection (l): 1st occurrence \$370 per violation, 2nd occurrence \$670 per violation, 3rd occurrence \$970 per violation. | Section 21-25: \$1020 per violation plus an additional \$100 for each month after the date of the original violation until compliance occurs. | Section 21-4 (B) Habitual Offender: 1st occurrence \$520 in addition to other fines, 2nd occurrence \$1020 in addition to other fines, 3rd occurrence, \$1520 in addition to other fines. | Zoning and Development Code: 1st occurrence \$140 per violation, 2nd occurrence \$390 per violation, 3rd occurrence \$790 per violation | The city has authority to abate the violation should the owner neglect, fail or refuse to correct the violation within 30 days and to assess a lien against the property for the cost of the abatement. | The city prosecutor is authorized to file a criminal class 1 misdemeanor complaint in the Tempe Municipal Court for violations of these codes.

SEE PAGE 2 (OTHER SIDE OF NOTICE) FOR CC/ZDC REFERENCE

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1362297</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident <input type="checkbox"/> Fatality		<input type="checkbox"/> Commercial <input type="checkbox"/> Haz. Material	
Driver's License No.				DLP <input type="checkbox"/> State <input type="checkbox"/> Class		Endorsements M H N P T X D				Incident Report Number <b>CM100540</b>			
<b>Defendant</b>		Name (First, Middle, Last) <b>MOTEL ALLIANCE PROPERTIES LLC</b>										Juvenile	
Residence Address, City, State, Zip Code <b>4422 N. CUIZ CENTER PLAZA #202 SCOTTSDALE, AZ 85251</b>												Residence Phone No.	
Sex	Height	Weight	Eyes	Hair	Origin	Date of Birth	Restrictions						
Business Address, City, State, Zip Code <b>4422 N. CUIZ CENTER PLAZA #202 SCOTTSDALE, AZ</b>												Business Phone No. <b>(480) 423-5494</b>	
<b>Vehicle</b>		Color	Year	Make	Model	Style	License Plate		State	Expiration Date			
Registered owner & address, City, State, Zip Code								Vehicle Identification Number					

## The Undersigned Certifies That:

On	Month <b>9</b>	Day <b>13</b>	Year <b>10</b>	Time <b>230</b>	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	<b>Speed</b>	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace		Direction of Travel	
At	Location <b>2058 E. APACHE BLVD. TEMPE, AZ. 85281</b>								<input type="checkbox"/> Tempe <input type="checkbox"/> State of Arizona		Area	Dist.	

## The Defendant Committed the Following:

<b>A</b>	Section <b>CC 21-3 B B</b>	ARS CC	Violation <b>OVERGROWN WEEDS AND DEBRIS</b>	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input checked="" type="checkbox"/> Municipal Code
	MVD				<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>B</b>	Section:	ARS CC	Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
	MVD				<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>C</b>	Section:	ARS CC	Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
	MVD				<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>D</b>	Section:	ARS CC	Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
	MVD				<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense
<b>E</b>	Section:	ARS CC	Violation:	<input type="checkbox"/> Domestic Violence Case	<input type="checkbox"/> Criminal <input type="checkbox"/> Criminal Traffic
	Docket Number	Disp. Code:	Date of Disposition:	Sanction:	<input type="checkbox"/> Municipal Code
	MVD				<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense

<b>You must appear on the date and time indicated at:</b>	<b>Tempe Municipal Court</b> 140 E. 5th Street Tempe, AZ 85281 Court No. 0753		<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor	Date: <b>9-27-10</b>	Time: Between 9AM & 4PM	
			<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor	Date:	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	
	Court:			Date:	Time: <input type="checkbox"/> AM <input type="checkbox"/> PM	
	Court Address, City, State, Zip Code					

Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.	Victim? <input type="checkbox"/>	Victim Notified? <input type="checkbox"/>
Civil: <input type="checkbox"/> Without admitting responsibility. I acknowledge receipt of this complaint.	I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.	
<b>X</b>	Complainant <b>Morgan White</b> PSN <b>70884</b>	

Comments: <b>Juvenile Notification:</b> Failure to appear or comply as ordered will result in a suspension of your driver's license/driving privileges until you comply or reach your 18th birthday. Initials _____	Date issued if not violation date <b>9-13-10</b>
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COMPLAINT



1362297

# Arizona Traffic Ticket and Complaint

City of Tempe  
Maricopa County  
State of Arizona



Complaint Number <b>1111599</b>		Case Number		Social Security Number		Military		<input type="checkbox"/> Serious Physical Injury		<input type="checkbox"/> Accident		<input type="checkbox"/> Commercial	
Driver's License No.		DLP <input type="checkbox"/>		State		Class		Endorsements M H N P T X D		Incident Report Number <b>CM100546</b>			
Defendant		Name (First, Middle, Last) <b>MOTEL ALLIANCE PROPERTIES LLC</b>										Juvenile	
Residence Address, City, State, Zip Code										Residence Phone No.			
Sex	Weight	Height	Eyes	Hair	Origin	Date of Birth	Restrictions						
Business Address, City, State, Zip Code <b>4422 N. CRYSTAL CENTER PLAZA #202 SCOTTSDALE, AZ 85251</b>										Business Phone No. <b>(480) 423-5494</b>			
Vehicle		Color	Year	Make	Model	Style	License Plate		State	Expiration Date			
Registered owner & address, City, State, Zip Code								Vehicle Identification Number					
The Undersigned Certifies That:													
On	Month <b>9</b>	Day <b>29</b>	Year <b>10</b>	Time <b>3:00</b>	<input type="checkbox"/> AM <input checked="" type="checkbox"/> PM	Speed	Approx.	Posted	R & P	Speed Measurement Device <input type="checkbox"/> Radar <input type="checkbox"/> Laser <input type="checkbox"/> Pace		Direction of Travel	
At	Location <b>2058 E. APACHE BLVD. TEMPE, AZ 85281</b>								<input checked="" type="checkbox"/> Tempe		Area		Dist.
The Defendant Committed the Following:													
<b>A</b>	Section: <b>CC 21-3 B &amp;</b>			ARS Violation: <b>OVERGROWN WEEDS AND DECORS</b>			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic		
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:		<input checked="" type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense	
MVD													
<b>B</b>	Section:			ARS Violation:			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic		
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense	
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<b>C</b>	Section:			ARS Violation:			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic		
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MVD													
<b>D</b>	Section:			ARS Violation:			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic		
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense	
MVD													
<b>E</b>	Section:			ARS Violation:			<input type="checkbox"/> Domestic Violence Case		<input type="checkbox"/> Criminal		<input type="checkbox"/> Criminal Traffic		
	Docket Number			Disp. Code:		Date of Disposition:		Sanction:		<input type="checkbox"/> Municipal Code		<input type="checkbox"/> Civil Traffic <input type="checkbox"/> Petty Offense	
MVD													
You must appear on the date and time indicated at:		Tempe Municipal Court 140 E. 5th Street Tempe, AZ 85281 Court No. 0753				<input checked="" type="checkbox"/> Traffic Court Suite 150, 1st Floor		Date: <b>10-13-10</b>		Time: Between 9AM & 4PM			
						<input type="checkbox"/> Criminal Court Suite 200, 2nd Floor		Date:		Time:			
		Court:						Date:		Time:		<input type="checkbox"/> AM <input type="checkbox"/> PM	
Court Address, City, State, Zip Code													
Criminal: <input type="checkbox"/> Without admitting guilt, I promise to appear as directed hereon.						Victim? <input type="checkbox"/> Victim Notified? <input type="checkbox"/>							
Civil: <input type="checkbox"/> Without admitting responsibility, I acknowledge receipt of this complaint.						I certify that upon reasonable grounds I believe the defendant committed the act described contrary to law and I have served a copy of this complaint upon the defendant.							
<b>X</b>						Complainant <i>Melanie White</i>				PSN <b>7004</b>			
Comments: <b>SECOND OFFENSE #270.00 9-29-10</b>													
Date issued if not violation date													

COMPLAINT

CASE # CM100540



## NOTICE OF INTENT TO ABATE PUBLIC NUISANCE

DATE: **11/04/2010**

**ACKBAR LLC  
4422 N. CIVIC CENTER PLAZA # 202  
SCOTTSDALE, AZ. 85251**

This serves as notification of the City of Tempe's intentions regarding the abatement of code violations on the following described property:

**Legal: LOT 5, ZELLA VISTA, A SUBDIVISION RECORDED IN BOOK 30 OF MAPS, PAGE 40, RECORDS OF MARICOPA COUNTY, ARIZONA.**

**Location: 2058 E. APACHE BLVD. TEMPE, AZ. 85281**

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This office will submit this complaint to the Development Services Abatement Hearing Officer to be placed on the Hearing Officer agenda of **12/07/2010**. We are requesting Hearing Officer Authorization to abate this public nuisance in accordance with Section 21-53 of the Tempe City Code by removal and repair of:

- **REMOVE OVERGROWN WEEDS, GRASS, TRASH AND DEBRIS FROM PROPERTY.**

As owner of the property, you have thirty (30) days after receipt of this letter to abate or correct the violation. If the violations have not been corrected within thirty days, our office will proceed with the abatement process.

Upon receipt of the Hearing Officer approval to abate this public nuisance, the necessary work will be performed at the expense of the property owner. The cost of this work will be **\$616.00** in addition to the actual cost of abatement, an administrative charge of fifteen (15) percent of the actual cost of abatement or three hundred (\$300) dollars, whichever is greater, for expenses incurred by the city for abatement procedures, and the cost of recording liens and releases will be charged. The recorded lien may bear interest at the legal rate for judgments in the State of Arizona. Administrative charges and the cost of recording liens and releases shall become a lien on the property whether or not the public nuisance is abated by the City.

**If you have questions regarding this matter, please contact our office at (480) 350-8372.**

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**Code Inspector: MARVIN WHITE**

**Phone Number: (480)350-8966**

**E-mail: marvin\_white@tempe.gov**

JACK HARRINGTON  
3831 W AVALON  
PHOENIX, AZ. 85019  
TEL: (602) 446-2630  
FAX: (602) 347-5487  
EMAIL: JACKHBOARDUPS@YAHOO.COM

THE FOLLOWING DOCUMENT IS FOR:

NAME: MARVIN WHITE  
FIRM: CITY OF TEMPE CODE COMPLIANCE

THIS TRANSMISSION MEMORANDUM PLUS \_\_0\_\_ PAGE(S)

DATE: 10-21-10

**PROPOSAL**

WE PROPOSE TO DO THE FOLLOWING WORK FOR THE CITY OF TEMPE  
UNDER CONTRACT # TO8-092-02

ADDRESS: 2058 E APACHE REVISED

1.MOW AND REMOVE WEEDS & DEBRIS FROM VACANT LOT AT2058 E APACHE.  
28 M.H. @ \$22.00/HR. \$616.00

TOTAL COST FOR ABOVE ITEMS \$616.00

THANK YOU

ACCEPTANCE

JACK HARRINGTON

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