

ORIGINAL

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Municipal Court

IN THE MUNICIPAL COURT OF THE CITY OF LAS VEGAS

IN THE COUNTY OF CLARK, STATE OF NEVADA

* * *

CITY OF LAS VEGAS, a Municipal
Corporation,

Plaintiff,

vs.

WILLIE B. JAQUESS (Deceased) and
SHIRLEY J. AYO, OWNERS OF 1368
PYRAMID DRIVE, LAS VEGAS,
NEVADA 89108,

Defendants.

CASE NO. V1898
DEPT. NO. 4

JUDGMENT

This action came on for bench trial on January 13, 2010, before Judge Bert Brown, presiding and the issues having been duly heard, a decision having been rendered by the court in favor of the CITY and the Defendants having been notified that judgment may be entered in accordance with the Order as follows:

Plaintiff, CITY OF LAS VEGAS, hereby requests that judgment be granted against Defendants in said action for the sum of SIX THOUSAND ONE HUNDRED EIGHTY-SEVEN DOLLARS and 57/100 (\$6,187.57) for abatement fees and costs incurred by the CITY in this abatement action as outlined in the Affidavit of Vicki R. Ozuna attached as Exhibit A.

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1 This Judgment is for a debt just due and owing to Plaintiff arising from its fees and costs
2 associated with abatement of the substantial nuisance activity at 1368 Pyramid Drive, Las
3 Vegas, Nevada, between November, 2008 and February, 2010.

4 **IT IS ORDERED** that the CITY is awarded a judgment against the Defendants in the
5 amount of \$6,187.57.

6 **IT IS FURTHER ORDERED** that statutory interest shall accrue thereon from the date
7 of the Order until paid in full.

8 **IT IS FURTHER ORDERED** that the CITY may record a lien of assessment against
9 1368 Pyramid Drive as authorized under LVMC 9.04 et. seq. without going before the City
10 Council.

11 **IT IS FURTHER ORDERED** that the CITY may enforce this Judgment by any other
12 means authorized by law.

13 Dated this 30th day of April, 2010.

14 30th 3
15 MUNICIPAL COURT JUDGE

16 Submitted by:

17 BRADFORD R. JERBIC
18 City Attorney

19 By:

20 Daniel A. Still
21 DANIEL A. STILL
22 Deputy City Attorney
23 Nevada Bar No. 5789
24 400 Stewart Avenue, Ninth Floor
25 Las Vegas, NV 89101
26 Attorneys for CITY OF LAS VEGAS

27 I HEREBY CERTIFY that the foregoing is a
28 true and correct copy of the
Judgment made and entered
on the above entitled action.

11/10/10
MUNICIPAL COURT CLERK

EXHIBIT A

AFFIDAVIT OF VICKI R. OZUNA

STATE OF NEVADA)

) SS

COUNTY OF CLARK)

1. I, Vicki R. Ozuna, being first duly sworn, deposes and states:
2. That I am employed as a Sr. Code Enforcement Officer employed by the City of Las Vegas, and has been so employed for the past 15 years.
3. That the code enforcement division of the City of Las Vegas' Neighborhood Services Department has been to the property located at 1368 Pyramid Drive ("Subject Property") and conducted nine (9) inspections between November 19, 1008, and February 3, 2010. All inspections except one that was a "partial pass" failed showing substantial code violations demonstrated at trial.
4. That in its Order dated February 2, 2010 ("Order") the Court authorized the City to issue a lien against the subject property in the amount of \$4,874.28 for abatement expenses incurred to clean up the property.
5. That the Court Order also authorized the City to submit additional abatement costs for inspections, clean up and administrative costs at the Subject Property after January 29, 2010.
6. That the City incurred an additional \$1,313.29 in inspection, clean up and administrative costs at the Subject Property. The spreadsheet of charges accrued is attached hereto as **Exhibit A**. The spreadsheet summarizes all charges against the Subject Property during this enforcement action.
7. That the total amount of the Judgment the City requests in this case is \$6,187.57.
8. That the City will also record a lien of assessment in the amount of \$6,187.57

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....

against the Subject Property. In addition, the City may pursue additional legal remedies as authorized to collect the total amount owing.

FURTHER, YOUR AFFIANT SAYETH NAUGHT.

Dated this 9 day of April, 2010.

Dicki R. Ozyue
AFFIANT

Subscribed and Sworn to Before Me
this 9th day of April, 2010.

Carolyn Marinello
NOTARY PUBLIC in and for said
County and State

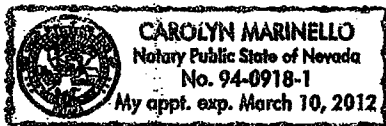


EXHIBIT A

Spreadsheet of charges accrued since December 31, 2008
1368 Pyramid Drive – WARD 5, Barlow

Inspections	Date	Fees	Late Fee	Civil Penalties per failed inspection	Accruing Total	Daily Civil Penalties are triggered 10 days after the Notice and Order was issued. The calculations begin on the 11th day and continue until the abatement is completed.
Costs Associated with 1st Abatement						
1 st inspection	11-19-08	N/C				Initial Assessment
2 nd inspection	12-31-08	\$120	\$12		\$132	Failed
3 rd inspection	02-04-09	\$180	\$18	\$150	\$480	Failed
4 th inspection – 1 st Pre-Abatement	07-22-09	\$180	\$18	\$300	\$978	Failed
5 th inspection- 1 st Post Abatement	07-27-09	Contractor/ Admin. Costs \$2841.30			3819.30	*Partial Pass
6 th inspection	11-16-09	\$180	\$18	\$500	\$4517.30	Failed
Costs Associated with 2nd Abatement						
7 th inspection	01-06-10	\$180	\$18	\$500	\$5215.30	Failed
8 th inspection - 2 nd Pre-Abatement	02-03-10	\$180	\$18	\$500	\$5913.30	Failed
9 th inspection – 2 nd Post - Abatement	02-03-10	Contractor/ Admin Costs \$274.27			\$6187.57	Passed
TOTAL					\$6187.57	

*A partial pass recognizes that the property owner was making some progress with correcting the violations.

ABATEMENT	Breakdown	Date	Cost	Comments
1st Abatement Amount				
	NDX, LLC - Per Judges Order deducted \$356.98 from cost of abatement, adjusted to \$2,392.02 from \$2,749.00	07-27-09	\$2,392.02	
	Numark – Process Service	02-17-09	\$45.00	
	Legal Wings – Process Service	06-12-09	\$44.50	
	Administrative Fees		\$359.78	
Abatement TOTAL		07-27-09	\$2,841.30	

ABATEMENT	Breakdown	Date	Cost	Comments
2nd Abatement Amount		02-08-10		
	Lunas Construction		\$238.50	
	Administrative Fees		\$35.77	
Abatement TOTAL		02-08-10	\$274.27	