

**BUILDING AND STANDARDS BOARD AGENDA ITEM # \_\_\_\_ FOR  
WEDNESDAY, MARCH 29<sup>TH</sup>, 2006**

**DEVELOPMENT SERVICES  
BUILDING PERMITS AND INSPECTIONS**

**MEMORANDUM**

**March 15, 2006**

**TO:** The Honorable Chairman and Board Members

**THROUGH:** R. Alan Shubert, P. E., C.B.O. – Development Services Director

**FROM:** Bill Stern, C.B.O., Residential Inspector Supervisor

**SUBJECT:** 1725 Arizona Avenue

The following is a brief chronology of the investigation of the referenced location:

- 1) First investigated December 26, 2003. The building was built in 1906. The building was found to have major structural defects. Specifically, the front porch has not been properly maintained and was showing signs of possible collapse. The framing members and decking show signs of decay. The columns supporting the weight of the front porch were disintegrating at the bottoms and there are roof leaks that are evident on the interior ceiling plaster. Many of the concrete headers supporting loads over the windows are cracked and cracks are visible in the masonry work being supported by these headers. A finding of demolition by neglect has been determined by the Historical Landmark Commission; and
- 2) A certified condemnation letter was mailed to Joseph S. Abraham Jr., P. O. Box 512312, El Paso, Texas 79951.
- 3) Certified notices of the public hearing scheduled for March 29, 2006 were mailed to the owners and all interested parties on March 13, 2006.
- 4) A building permit was obtained on January 13, 2005 and 4 structural inspections failed due to inadequate repairs which were not in compliance with the building code or the engineer's designs.
- 5) As of January 25, 2006, there are \$6,660.34 in taxes owed.

1725 Arizona Avenue

The Department recommends that it be found:

- 1) That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the building is not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the structure can be repaired; and
- 5) That the structure be reconstructed or repaired to comply with all building codes and engineer's reports within 30 days; and
- 6) That the premises be cleaned of all weeds, trash, and debris within 30 days; and
- 7) That upon failure by the owner or any other interested party to comply with the order of the Building and Standards Commission the City may take whatever action is necessary to bring the property into compliance, and place a lien on the property for the work which will be done by the City.
- 8) Scheduling a compliance hearing to be held on May 31, 2006 to determine if the Building and Standards Commission order has been complied with and if not to determine penalties.

COPY

**JOE WARDY**  
MAYOR



**CITY COUNCIL**

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**ANTHONY COBOS**  
DISTRICT NO. 8

**BUILDING PERMITS AND INSPECTIONS**  
**CODE COMPLIANCE**  
December 31, 2003

Joseph S. Abraham, Jr.  
P. O. Box 1797  
El Paso, Texas 79949-1797

Re: 1725 Arizona Ave.  
Lots: 11 to 14  
Blk: 5, Golden Hill  
Zoned: H AO SC  
COD03-18833  
Certified Mail Receipt #  
7003 1010 0004 5306 7391

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

- a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or
- b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

1725 Arizona Avenue

- c. Boarded up, fenced, or otherwise secured in any manner in if:
  - i. The building constitutes a danger to the public even though secured entry, or
  - ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 1705 Arizona Avenue has the following violations:

- a. The foundation has not been maintained in a safe manner.
- b. The floors have not been maintained in a safe manner.
- c. The walls have not been maintained in a safe manner free of holes and cracks.
- d. The roof structure has not been maintained free of defects that may cause leaks.
- e. The means of egress is/are inadequate and do not meet minimum code requirements.
- f. The HVAC system is inadequate and does not meet minimum code requirements.
- g. The structure is open and accessible to unauthorized entry.
- h. The premises are full of weeds, trash, and debris.
- i. The structure needs to be secured from unwanted entry and ongoing vandalism, and the premises need to be cleaned of all trash and debris within (30) days from receipt of this letter.
- j. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

1725 Arizona Avenue

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso 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 the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no 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.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:



Tom Maguire  
Building Inspector

TM/rl

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: *TM*

Joseph S. Abraham, Jr.  
P. O. Box 1797  
El Paso, Texas 79949-1797  
Re: 1725 Arizona Avenue

*Lk #3*

2. Article Number  
(Transfer from service label)

7003 1010 0004 5306 7391

PS Form 3811, August 2001

Domestic Return Receipt

102595-4

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

Signature *[Handwritten Signature]*  A

B. Received by (Printed Name)

*Arthur Rojas*

C. Date of

D. Is delivery address different from item  Y  N

If YES, enter delivery address below:  N

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Y  N

BS

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

MIGUEL KAMIREZ

C. Signature

X *[Handwritten Signature]*

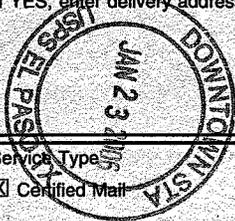
Agent  
 Addressee

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

1. Article Addressed to:

JOSEPH S. ABRAHAM, JR.  
P. O. BOX 512312  
EL PASO TX 79951-0004  
1725 ARIZONA AVE.



3. Service Type

Certified Mail

It #3

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number (Copy from service label)

7105 8873 0193 6300 1019 P



# UNSAFE STRUCTURES REPORT

## BUILDING PERMITS AND INSPECTIONS

**DATE OF EXAMINATION:** 1/12/06

**REP. DISTRICT:** 8

**ADDRESS:** 1725 Arizona Avenue

**ZONED:** H A-O SC

**LEGAL DESCRIPTION:** Block 5, Golden Hill, Los 11 to 14

**OWNER:** Joseph S. Abraham Jr.

**ADDRESS:** P. O. Box 512312, El Paso, TX 79951

**BUILDING USE:** Abandoned Single Family Dwelling

**TYPE OF CONSTRUCTION:** V Brick exterior walls with wood roof framing and floor framing.

**FOOTINGS:** Unable to determine

**CONDITION:** Based on the settlement telegraphed up the exterior walls, there may be failure of the footings.

**FOUNDATION WALL:** Dressed Stone

**CONDITION:** Poor. The mortar between the stones has deteriorated and needs to be replaced.

**FLOOR STRUCTURE:** Wood flooring over wood framing and sub floor.

**CONDITION:** Fair. The floor structure appears to be sound. The finish floor has been abused and poorly maintained. A professional floor care contractor should be hired to refinish the floors. The bathroom floors are ceramic tile on a concrete substrate. They also need extensive repair.

**EXTERIOR WALLS:** Solid brick.

**CONDITION:** Poor. The walls show significant settlement and lateral displacement. Many of the stone headers are cracked.

**HEIGHT:** +/-22 feet

**THICKNESS:** 12"

**CONDITION:** Poor. The walls show significant settlement and lateral displacement. Many of the stone headers are cracked.

**INTERIOR WALLS & CEILINGS:** Wood lath w/ plaster

**CONDITION:** The walls and ceilings are badly deteriorated from water intrusion due to roof leaks and broken windows. Large sections of plaster have fallen onto the floor.

1725 Arizona Avenue

**ROOF STRUCTURE:** Asphalt shingles over wood shakes. 1 x 6 deck on wood framing.

**CONDITION:** Very poor. Evidence of leaks inside the building. Portions of the soffit have deteriorated. Some damage to the rafter tails may have occurred.

**DOORS, WINDOWS, ETC.:** Wood sash windows and wood doors.

**CONDITION:** Many of the doors and windows have weathered and will require repair or replacement.

**MEANS OF EGRESS:** N/A

**CONDITION:**

**PLUMBING:** The plumbing for the most part is archaic and should be evaluated by a licensed plumbing contractor. A bathroom was installed on the second floor for which no plumbing permit has been located. The work needs to be legalized or the permits must be produced.

**ELECTRICAL:** The electrical system needs to be evaluated by a licensed electrical contractor. The system is every old, but some elements of it may be serviceable.

**MECHANICAL:** A new mechanical system was installed at some time in the last decade. No permits have been located in our records. The installation must be inspected by a licensed HVAC contractor. Permits must be obtained or the permits already issued must be produced.

**IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED:** 0

**WARNING POSTED:** No

**BARRICADED:** No

**POLICE AID REQD.:** No

**REMARKS:**

This structure is open and abandoned and has numerous structural defects and should be secured and repaired as soon as possible.

  
Tom Maguire  
Chief Inspector

3045 Buena Vida Circle #109  
Las Cruces, NM 88011-9121  
May 5, 2003

El Paso City Planning Department  
El Paso City Inspection Department  
El Paso City Representative Anthony Cobos  
2 Civic Center Plaza  
El Paso, TX 79999

Dear sirs:

I am a retired NMSU professor who has studied local history for many years, culminating in publication of my book entitled "The Two Alberts: Fountain and Fall." The subject of this letter is the former Albert Fall home, located at 1725 Arizona in El Paso.

Co-signer of this letter is Mrs. Emadair Jones, grand-daughter of Albert B. Fall and. in the mid-1920s, a resident of the house

I first must briefly explain the telephone trail that has led me to this correspondence.

a. Mr. Tom McGuire, a building inspector at some level of El Paso government, recently inspected the Arizona street home and found it in an advanced state of disrepair, apparently open and inhabited by transients. Mr. McGuire mentioned this to El Paso librarian Carol Brey. Ms Brey recalled my "Alberts" book and suggested he call me.

b. I called old friend Leon Metz who referred me to the El Paso County Historical Society, which referred me to Mr. Al Telles of the Landmark Commission

c. Mr. Telles told me the Fall house now is owned by a landlord who has a less than exemplary record of maintaining his properties and suggested I contact the above addressees - City Planning, City Inspection, and Council Representative Cobos.

By my records, the Fall house was built in 1905, at a cost of \$35,000, was elegantly planned, decorated and furnished. and was considered an El Paso show place. Although Albert Fall is most often referred to historically as a New Mexican, he maintained his law office and practice in El Paso and resided with his family in the Arizona Street home for a number of years. He was general counsel for Col William Greene in the first decade of the 1900s when the Colonel owned vast mining, timber, cattle and railroad interests in Mexico and Texas. In that capacity, Fall was quite active in civic and development affairs in the first decade of the twentieth century.

Fall was twice elected to the U. S. Senate, then served as Secretary of the Interior in the Warren G. Harding administration, His intense loyalty to his political party and his friends led to his being imprisoned for nearly a year as the scapegoat of the Teapot Dome oil affair.

Left invalided by the lengthy Teapot Dome trials and his imprisonment Fall spent much of the last twelve years of his life in El Paso, often hospitalized at Hotel Dieu.

However, without even considering the role of the man in early 20th century El Paso and in national history, preservation and renovation of a home of that age, quality and location deserves to be considered.

Would you please advise us whether there is any action, correspondence or petitioning which we could undertake to help save the Fall house?

Respectfully

Mrs. Tom W. (Emadair) Jones

*Emadair Jones (Mrs. Tom W.)*

Dr. Gordon R. Owen, Ph. D

*Gordon R. Owen*

cc Tom McGuire.

**DEMOLITION BY NEGLECT  
CASE HP03042 – 1725 AROZONA**

**TIMELINE**

December 2003

Initial complaint received by BP&I.

December 26, 2003

Tom Maguire conducted an inspection of the subject property discovering that further evaluation by an architect or engineer is required.

January 8, 2004

First notice is sent to property owner of public hearing to be held on January 20, 2003 to discuss possible finding of demolition by neglect.

January 20, 2004

The HLC took action on a finding of demolition by neglect and the property owner was given 30 days to provide a progress report on improvements to the property.

January 21, 2004

A letter is mailed to the property owner reiterating the finding by the HLC and warning that failure to act may result in substantial penalties. Progress report will be discussed at a meeting of the HLC on March 1, 2004.

March 1, 2004

No progress report with plan of action for improvement was submitted by the property owner and no such report was produced for the following public hearings:

May 17, 2004

June 17, 2004

August 2, 2004

September 2, 2004

September 2, 2004

No report having been produced, the HLC requested a meeting between BP&I and the property owner's engineer to discuss potential improvements to the subject property.

October 18, 2004

HLC public hearing. No report was given and no meeting was yet held. No report was produced or meeting reported at the following regular HLC meetings:

November 1, 2004

November 15, 2004

December 13, 2004

December 13, 2004

No report having been produced, the HLC acted to require completion of the restoration of the property by April 4, 2005, with a progress report to be given on February 21, 2005.

December 22, 2004

Notice was sent to the property owner reiterating the action taken by HLC on December 13, 2004 with a timeline for action and progress report.

February 16, 2005

A notice was sent to the property owner reminding of the previous notice with the timeline outlined again.

February 21, 2004

No quorum, meeting postponed.

March 7, 2005

Michael Walker, owner's representative was present to report on progress. A request for an extension was denied by the HLC. Work must still be completed and a report given by April 4, 2005.

April 4, 2005

The HLC voted to authorize the BP & I Department to take legal action against the property owner for Demolition by Neglect.

Note: For all public hearings held, notice in the form of an agenda was mailed to the property owner.

THOMAS D. WESTFALL  
MAYOR

LEON METZ  
EXECUTIVE ASSISTANT

ROBERT H. GABEL  
DIRECTOR, OMB



27 February 1981

**CITY COUNCIL**

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DISTRICT NO. 5

DAVID ESCOBAR  
DISTRICT NO. 6

W. L. RIEGER  
CITY CLERK

Mrs. Ignacia Samaniego  
1725 Arizona Avenue  
El Paso, Texas 79902

Dear Mrs. Samaniego:

Thank you for the opportunity of visiting and inspecting your truly beautiful home. El Paso is fortunate that you are interested in the continued preservation of Senator Albert B. Fall's former residence.

As we promised during the inspection, we noted everything that an architect and contractor would have to address in order to bring your home to a good state of repair. The inspection report attached is a listing of everything we noted. You may use the report to guide a restoration architect if you decide to hire one.

We hope the report will help you to get a fair estimate for the costs of restoration of your home.

If we can be of further service, please call 543-2180.

Sincerely,

Patrick Abel  
Historic Preservation Coordinator

PA/ba

Enclosure

Inspection Report  
February 5, 1981

1725 Arizona

- ✓ Install weep holes in retaining wall
- ✓ Reconstruct rock wall base, stairways, and bulkheads
- ✓ Reconstruct all terraces, <sup>GOON</sup> fountain, and walk around house
- ✓ Erosion in sedimentary rock foundation - joints need repointing - use black mortar
- ✓ Install splash blocks and extension of downspouts (convex tooled joints)
- ✓ Crack on west side of house, downspouts broken
- ✓ Basement entry needs some sort of shading to prevent water from entering & pooling at entry - put in dry well drain from basement stairway
- ✓ Fill joints and brickwork at back of house
- ✓ Graffito must be done as in example in rear of house below stained glass window
- ✓ Overhangs must be re-done
- ✓ Structural crack over window on east side - 3 span, arched window
- ✓ Repair all columns, wood balustrades, etc.
- ✓ New eaves needed
- ✓ Repoint all masonry
- ✓ Fill up cracks & spaces in base of columns and all woodwork w/paste of epoxy, sawdust and zinc oxide - sand, and finish and paint
- ✓ 2nd floor balcony - overhang of floor - fix warping and install drip edge
- ✓ 1st floor ceiling (porch) - has to be replaced
- ✓ Check structural wood for 1st floor porch ceiling
- ✓ Preserve and repair (3) light fixtures on 1st floor porch
- ✓ Porch floor and stairways - replace and level w/proper slope
- ✓ All concrete flat work has to be replaced outside and brought up to bldg foundation to avoid empty spaces for accumulation of water
- ✓ Rear screened porch needs to be re-worked <sup>GOON</sup>
- ✓ Fence rebuilt
- ✓ Re-wiring of basement
- ✓ Re-mortar interior of basement
- ✓ Dig trench and dampproof wall
- ✓ Wall of basement room - water leakage
- ✓ Garage - Reconstruct and plaster walls, roof, joists, sheeting
- ✓ <sup>GOON</sup> Repair portion of retaining wall used for garage
- ✓ Replace lintel of garage door
- ✓ Supply electricity in garage
- ✓ Every entry needs handrails
- ✓ Repair cracked lintels and basement windows
- ✓ Reconstruct wooden porch w/handrails at exterior rear <sup>GOON</sup>

Relocate 3 air conditioners on roof & install new system, concealing ducts in closets or in concealed places throughout house

4 chimneys need checking and/or reconstruction

Check, reconstruct, and waterproof 3 skylights

Entrance - convert gaslight fixtures to elec. - include rewiring all of house

Paint walls, ceiling, in general for all house

Preserve masonry of fireplace

Preserve woodwork - good condition

Patch ceramic tile work at living room fire place

Parquet floor to be refinished

Preserve existing exist doors to Laurel & Arizona Streets

Check plumbing over hall ceiling at Laurel entrance

Preserve original draperies and screen doors

All plumbing, heating, boiler for steam, checked, repaired, preserved

Dining room, patch crack in wall and paint

Floors to be refinished

Replace cabinets in pantry and linoleum floor

Kitchen floor needs reconstruction, install base and base shoe

Kitchen light fixtures change to design appropriate to the epoch of bldg

Retain kitchen fixtures w/proper installation of cabinet

Stairway to basement needs reconstruction, add handrails

At 2nd floor, explore for original wallpapers

Restore original tile, floors and wainscot in bathroom and original tub & commode in basement

Reconstruct bathroom floor

Wood floors at 2nd floor to be repaired, filled, and refinished

Fireplace at bedroom, the tile to be repaired, missing parts to be replaced

Guest room - remove asphalt tile, recover original wood floor & refinish

Wood windows and screens to be repaired

Terrace floor and ceiling need replacement, install drip edge, furred beams of terrace to be repaired w/new car siding, and check structural components

All balustrades to be replaced or repaired & reinstalled

Redesign structural component of front porch to receive concrete floor or terra-cotta tile

Attic needs insulation, and repair dormer windows (4)

Original roof- wood shingles installed over 1 x 6 separated 6"

Handrails at stairway to the attic

repair burlap wainscoat at 2nd floor

Reconstruct porch at 2nd floor level ~~to~~

Existing bath fixtures reinstalled avoiding cross connections-gas lines, install elec. heaters in bathrooms

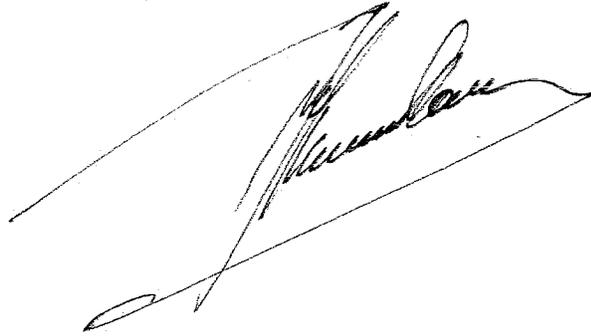
Repair c. tile wainscoat and floor in bathroom #2

Plumbing fixtures and gas installation

Check stained glass panels and reinstall them properly

✓ Repair stained glass panels, replace broken parts and missing parts

✓ Area under stained glass in rear requires repair

A handwritten signature in cursive script, appearing to read "M. J. [unclear]". The signature is written in dark ink and is positioned in the center of the page.

**EL PASO CITY COUNTY HEALTH DISTRICT  
ENVIRONMENTAL HEALTH SERVICES**

**MEMORANDUM**

**DATE : 01-09-04**  
**MEMO TO : Tom Maguire, Housing Compliance Supervisor**  
**FROM : Ben Blumenfeld, Environmental Health Inspector**  
**SUBJECT : Condemnation Report Request**  
**RE : 1725 Arizona Ave.**

**An inspection of the property was conducted on 01-08-04 and the conditions checked were found in violation of Title 9 – Health and Safety, El Paso Municipal Code.**

**Section 9.04 - SOLID WASTE STORAGE AREA:  
Trash was noted in the front and back yard**

**SECTION 9.04.340 – ACCUMULATIONS:  
Junk and debris was also noted.**

**SECTION 9.16 - NUISANCE:  
Tall weeds were noted.**

**SECTION 9.16.010 – DESIGNATED:  
Heavy damage noted to the roof, roof trimming , the gutters, the pillars. Many holes were noted in the balcony ceiling and the porch ceiling. All walls marking the property line were falling down.**

**SECTION 9.28 – RAT CONTROL:  
N/A**

Title 20 ZONINGChapter 20.67 HISTORIC LANDMARK PRESERVATION\*

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**20.67.120 Demolition by neglect.**

A. No owner or person with an interest in real property designated as an historic landmark, as identified on the department of planning historic district maps, shall permit the historic landmark to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature or interior feature on a designated historic interior, which would, in the judgment of the commission, produce a detrimental effect upon the character of the historic district as a whole, or the life and character of the individual historic landmark itself.

Examples of such deterioration include:

1. Deterioration of roofs or other horizontal members;
2. Deterioration of chimneys;
3. Deterioration or crumbling of stucco or mortar;
4. Ineffective waterproofing of exterior walls, roof or foundations, including broken windows or doors; or
5. Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

B. Upon notification to the commission of such a state of disrepair, the commission shall notify the owner in writing, informing the owner of the complaint and specifics of the alleged deterioration, requesting that the owner appear before the commission for a fuller and more accurate determination of the existence of detrimental deterioration.

C. If, after a hearing before the commission, the commission determines that the deterioration has produced a detrimental effect as described in subsection A of this section, the owner, tenant or anyone with an interest in the historic landmark shall be given a reasonable time and opportunity to cure the deterioration by restoration or other appropriate actions. The owner or individual who will be restoring the historic landmark must comply with all requirements of requesting a certificate of appropriateness from the commission. This may be requested at the time of the hearing in subsection B of this section. Property owners may appeal to the commission or city council under Section 20.67.105. (Ord. 13016 (part), 1996; Ord. 10823 (part), 1992)

Maguire, Thomas J.

---

From: Alfonso E. Tellez[SMTP:AITellez@co.el-paso.tx.us]  
Sent: Tuesday, January 06, 2004 10:06 AM  
To: maguiretj@ci.el-paso.tx.us  
Subject: FW: 1725 Arizona

> -----Original Message-----

> From: Alfonso E. Tellez  
> Sent: Monday, January 05, 2004 8:38 AM  
> To:  
> Subject: 1725 Arizona

>  
> Tom: Here is a disposition of what I relayed to you over the phone last week;  
> My first experience with Mr. Abraham was in the early 90s when I was working for the City Planning Dept. I had received a complaint about  
> the Senator Fall home on Arizona St. and I went to make an inspection. I found the building vacant and unsecured. I walked in the front  
> door and it soon became apparent that thieves, burns, and vandals had preceded me. The house was in a condition of rack and ruin.  
> An elaborate oak fireplace mantle had been ripped of the dining room wall, several bedrooms had been trashed, and fires had been set  
> in different parts of the building, including the wood parquet floor in the living room. Later, when I confronted Mr. Abraham over the condition  
> of this historic landmark, he pulled out several plans and when into a long-winded tirade about how he was going to restore the house  
> and turn it into a high end professional building for attorneys. Since this was my first experience with Mr. Abraham, I believed him then.  
> Of course, he did none of this and the building continued to deteriorate. It is now apparent in hind sight, that this is the way he treats all of his historic buildings.

JOE WARDY  
MAYOR



Planning, Research &  
Development Department

**CITY COUNCIL**

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DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

January 21, 2004

Mr. Joseph S. Abraham Jr.,  
717 E. San Antonio Av.  
El Paso, TX 79901

Via certified mail  
(Return receipt requested)  
Regular mail  
Fax (532-4768)

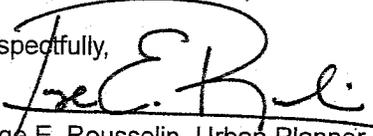
**Re: 1725 Arizona**

Legal description: Lots 11-14, Block 5, Golden Hill

Dear Mr. Abraham,

After careful consideration of evidence presented at the regular meeting of the Historic Landmark Commission (HLC) held on January 20, 2004, the HLC made a finding of Demolition by Neglect on the above described property pursuant to 20.67.120 of the El Paso Municipal Code. The HLC has given you thirty (30) days to return with a plan of action on improvements made to the property in addressing the areas of concern as detailed by Building Permits & Inspections & the HLC. This item will be placed on the agenda for discussion and action at the HLC hearing on March 1, 2004 at 4:00 PM in the City Council Chambers, 2 Civic Center Plaza, 2<sup>nd</sup> floor. Be advised that you are on notice as to the action of the HLC concerning said property and the HLC is authorized to proceed as deemed appropriate even without your presence. An unresolved finding of demolition by neglect could eventually subject you to substantial penalties as outlined in 20.68 of the El Paso Municipal Code. Your prompt attention to this matter is greatly appreciated. If you have any questions please contact me at (915) 541-4723.

Respectfully,

  
Jorge E. Rousselin, Urban Planner  
Urban Design / Historic Preservation  
Planning, Research & Development Department

Enclosures: HLC Staff report  
BP&I Report on condition of property  
BP&I Notice of Violations to 18.52.040 – Unsafe Structures

Cc: George G. Sarmiento, Director of Planning  
Rudy Valdez, Chief Urban Planner  
Matt Watson, Assistant City Attorney  
Tom Maguire, Building Permits & Inspections

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the 29<sup>th</sup> day of March, 2006 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the Building and Standards Commission of El Paso (the "**Commission**") will hold a public hearing on the question of whether the building located on the property at **1725 Arizona Avenue**, in El Paso, Texas, which property is more particularly described as:

**Legal Description: Lots 11 through 17 (inclusive), Block 5, Golden Hill Addition, an addition to the City of El Paso, El Paso County, Texas, according to the Plat thereof on file in Book 3, Page 35, Plat Records, El Paso County, Texas**

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, **Joseph Sib Abraham, Jr. (the "Owner"), 717 E. San Antonio Avenue, 3<sup>rd</sup> Floor, El Paso, Texas 79949**, is listed as the owner of the real property described herein.

According to the real property records of El Paso County, you own or have an interest in the real property described in this notice. If you no longer own or have an interest in the property, you must execute an affidavit stating that you no longer own or have an interest in the property and stating the name and last known address of the person who acquired the property or interest from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Building Standards Enforcement Division of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> 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.

The Owner of said property is hereby ordered to appear before the Building and Standards Commission and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before the Commission at said date, hour, and place to show cause why said building should not be declared a nuisance and ordered to be abated. The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Title 18, as mandated by Section 18.50 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the Owner, lien holders, mortgagees, or any other person having an interest in the property must present to the Commission any evidence showing that the structure or part thereof is safe.

CERTIFIED MAIL RECEIPT #7105 8873 0193 6300 2474

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to the Commission at this hearing.

The time periods, which govern the completion of work ordered by the commission, are outlined in Chapter 2, Subsection 2.38.080 of the Municipal Code of the City of El Paso, and pursuant to State law.

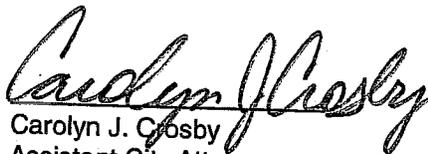
If the Owner fails, neglects or refuses to comply with the order of the Commission the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said building in an amount not to exceed \$1,000.00 a day for each violation, or \$10.00 a day if the Owner shows that the property is the Owner's lawful homestead; and
- III) appoint a receiver as permitted by state law; and
- IV) any other remedies permitted by state law.

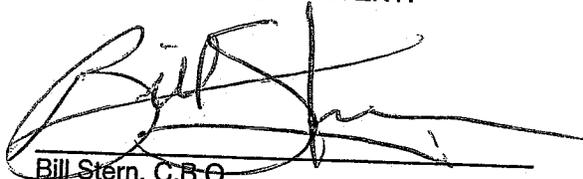
Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full;

The City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

APPROVED AS TO FORM:

  
Carolyn J. Crosby  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
Bill Stern, C.B.O.  
Residential Inspector Supervisor  
Building Permits and Inspections Department

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice regarding the property located at **1725 Arizona Avenue** was PUBLISHED in the official City newspaper on the \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Irma Yvonne Portillo  
628 Westview Drive  
El Paso, Texas 79912

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ignacia Silva Samaniego  
1725 Arizona Avenue  
El Paso, Texas 79949

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Joseph Sib Abraham, Jr.  
P. O. Box D  
El Paso, Texas 79951

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Michael F. Ainsa  
P. O. Drawer 1977  
El Paso, Texas 79950

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Robert E. Kennedy  
7400 Viscount Blvd., Suite 221  
El Paso, Texas 79925

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Cielo Vista Bank  
Mr. Bill Thomas  
7400 Viscount Blvd.  
El Paso, Texas 79925

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Western Bank  
2501 N. Mesa St.  
El Paso, Texas 79902

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso Federal Savings and Loan Association  
517 North Kansas Street  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso Electric Company  
303 North Oregon Street  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

First City National Bank of El Paso  
320 North Stanton Street  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Mrs. Irma Portillo  
328 Windrose Pl.  
El Paso, Texas 79912

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Scott, Hulse, Marshall, Feuille, Finger & Thurmon, P. C.  
Attn: Terry L. Johnson, Esq.  
Texas Commerce Bank Building, 11<sup>th</sup> Floor  
201 E. Main  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Paul Wendell Adams  
501 Corto Way  
El Paso, Texas 79902

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

William David Abraham  
P. O. Box D  
El Paso, Texas 79951

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

James A. Daross  
6044 Gateway East, Suite 901  
El Paso, Texas 79905

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Antonio Cortez  
6044 Gateway East, Suite 901  
El Paso, Texas 79905

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

806 -CorAm, L. L. C., A Texas Limited Liability Company  
1201 E. Yandell Drive  
El Paso, Texas 79902

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Solid Waste Management  
City of El Paso  
7969 San Paulo Dr.  
El Paso, Texas 79907

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

City Attorney's Office  
Assistant City Attorney  
2 Civic Center Plaza  
El Paso, Texas 79901-1196

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Harold E. Crowson, Jr.  
P. O. Box 862  
El Paso, Texas 79945

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Ingram Crowson  
310 N. Mesa Street, Suite 706  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

William J. Mounce  
P. O. Drawer 1977  
El Paso, Texas 79950-1977

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Nations Bank, N. A. DBA Bank of America  
100 North Tryon Street  
Charlotte, North Carolina 28255

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Joseph Abraham, Jr.  
P. O. Box 512312  
El Paso, Texas 79951

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Joseph & Margaret Abraham, Jr.  
717 E. San Antonio Avenue  
El Paso, Texas 79901-2520

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Department of the Treasury – Internal Revenue Service  
700 E. San Antonio Avenue  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Sib Abraham, Joseph Jr.  
P. O. Box 797  
El Paso, Texas 79949

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Sib Abraham, Joseph Jr.  
717 E. San Antonio Avenue, 3<sup>rd</sup> Floor  
El Paso, Texas 79949

Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
\_\_\_\_\_

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was HAND-DELIVERED to:

City of El Paso  
C/O City Clerk  
#2 Civic Center Plaza  
El Paso, TX 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Governor of the Ysleta Del Sur Pueblo Indian Tribe  
AKA Tigua Indian Community  
119 S. Old Pueblo Road  
El Paso, Texas 79907

Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso Central Appraisal District  
5801 Trowbridge Ave.  
El Paso, Texas 79925

Date: \_\_\_\_\_  
Time: \_\_\_\_\_  
\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Linbarger, Goggan, Blair & Sampson  
215 N. Stanton Street, 2<sup>nd</sup> Floor  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **1725 Arizona Avenue** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

El Paso County Probate Court  
500 E. San Antonio Avenue, Suite 703  
El Paso, Texas 79901

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice was POSTED at **1725 Arizona Avenue**, El Paso, Texas.

Date: \_\_\_\_\_  
Time: \_\_\_\_\_

\_\_\_\_\_  
Inspector

MAR 15 2005

CITY OF EL PASO  
DEVELOPMENT SERVICES

1. Article Addressed to:  
SIB ABRAHAM, JOSEPH JR.  
717 E. SAN ANTONIO  
3RD FLOOR  
EL PASO TX 79949  
1725 ARIZONA PH

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature  Agent

D. Is delivery address different from item 1?  Addressee

If YES, enter delivery address below:  Yes

No

3. Service Type

Certified Mail

4. Restricted Delivery? (Extra Fee)

Yes

2. Article Number (Copy from service label)

7105 8873 0193 6300 2474

PS Form 3811, July 1999

Domestic Return Receipt