

BUILDING AND STANDARDS BOARD AGENDA ITEM # ____ FOR
WEDNESDAY, MARCH 29TH, 2005

DEVELOPMENT SERVICES
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

March 8, 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: 503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street

On January 25, 2006 a hearing was held before the Building and Standards Commission at City Council Chambers and it was found that the structure located on said property is substandard, unfit for human habitation or use and a hazard to the public health, safety, and welfare, and the structure is not in substantial compliance with the Municipal Ordinances regulating fire protection, structural integrity, and disposal of refuse. The Building and Standards Commission ordered the owner to demolish the building at 503 ½ S. Estrella Street within 30 days, clean and secure and maintain secure until rehabilitated the building at 507 S. Estrella Street and clean the premises of all weeds, trash and debris within (30) days. The owner was ordered to appear before Building and Standards Commission on March 29, 2006 to determine if the Building and Standards Commission Order of January 25, 2006 has been complied with and to determine penalties if the Building and Standards Commission Order has not been complied with.

To date the Building and Standards Commission Order has not been complied with.

The Department recommends that the Building and Standards Commission make the following findings:

- 1) That the owners of said property Elva Kelli Mellado Rocha and Camille Elizabeth Mellado AKA Camille Elizabeth Edminstien were notified of the requirements of Section 18.52.040 and their need to comply with these requirements; and

- 2) That after notification, the owners failed to demolish the building at 503 ½ S. Estrella Street within 30 days, clean and secure and maintain secure until rehabilitated the building at 507 S. Estrella Street, and clean the premises of all weeds, trash and debris within (30) days.
- 3) That the property which is subject to the Order is not the owner's homestead; and
- 4) That the Building and Standards Commission can assess a civil penalty against the owners in the amount not to exceed \$1,000 a day for each violation; and
- 5) That the owners have failed to comply with the Order, each day from February 24, 2006 through March 29, 2006 a total of 33 days.

The Department recommends that the Building and Standards Commission order:

- 1) That the owners have not complied with the Building and Standards Commission Order of January 25, 2006; and
- 2) That the City Clerk file a certified copy of the Order with the District Clerk of the County of El Paso; and
- 3) That the owners be placed on notice that continuing failure to comply with Building and Standards Commission Order of January 25, 2006 and clean the premises may result in additional and more severe penalties.
- 4) Since the owners or any other interested parties failed 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.

COPY

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT, PE, CBO
DEVELOPMENT SERVICES DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

BUILDING PERMITS AND INSPECTIONS

BUILDING STANDARDS ENFORCEMENT
November 11, 2005

Elva K. Rocha
4317 Larchmont Dr.
El Paso, Texas 79902-1410

Re: 503 ½ S. Estrella Street &
507 S. Estrella Street
Lots: N PT OF 17 to 19 (75 FT ON
N, 87.8 FT ON E, 65.08 FT ON SE,
18.44 FT ON S, 120 FT ON W)
Blk: 3, Mirafior
Zoned: A-3
COD05-17963
Certified Mail Receipt #
7005 1160 0004 6080 5339

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 18.50 International Property Maintenance Code, which states:

18.50.106.1 General.

When a structure or equipment is found by the Director to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure or equipment shall be condemned pursuant to the provisions of Chapter 2.38 of this code.

The El Paso Municipal Code Chapter 18.50 International Property Maintenance Code defines unsafe structure as follows:

18.50.106.1.1 Unsafe Structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

503 ½ S. Estrella Street & 507 S. Estrella Street

18.50.106.1.2 Unsafe Equipment

Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

18.50.106.1.3 Structure Unfit for Human Occupancy.

A structure is unfit for human occupancy whenever the Director finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth or contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public

The structure located at 503 ½ S. Estrella Street & 507 S. Estrella Street has the following violations:

- a. The foundation has not been maintained in a safe manner. [Sec.305.4]
- b. The floors have not been maintained in a safe manner. [Sec.305.4]
- c. The walls have not been maintained in a safe manner free of holes and cracks. [Sec.304.6]
- d. The roof structure has not been maintained free of defects that may cause leaks. [Sec304.7]
- e. The means of egress is/are inadequate and do not meet minimum code requirements. [Sec702.4]
- f. The plumbing system is inadequate and does not meet minimum code requirements. [Sec504.1]
- g. The electrical system is inadequate and does not meet minimum code requirements. [Sec604.3]
- h. The HVAC system is inadequate and does not meet minimum code requirements. [Sec603.1]
- i. The premises are full of weeds, trash, and debris [Sec302.1 & Sec302.4].

As a result of the aforementioned violations, the following action may be taken:

- a. This case is being submitted to the City Building and Standards Commission for unsafe structures proceedings. The City Building and Standards Commission will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Chapter 2.38 of the El Paso Municipal Code.

503 ½ S. Estrella Street & 507 S. Estrella Street

- b. By authority of Chapter 18.02.103.9.3 of the El Paso Municipal Code the electrical service at this property may be disconnected at the request of the Building Permits and Inspections Department because of Electrical Code violations.

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, 5th 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 DEVELOPMENT SERVICES:



Leo CassoLopez
Building Inspector

LC/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:

cc

Elva K. Rocha
4317 Larchmont Drive
El Paso, Texas 79902-1410
Re: 503 1/2 S. Estrella Street & 507
S. Estrella Street

#3

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Elva Rocha Addressee

B. Received by (*Printed Name*) C. Date of Delivery
Elva Rocha

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*) Yes

7005 1160 0004 6080 5339

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7005 1160 0004 6090 5339

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

LC
Postmark
Here

Elva K. Rocha
4317 Larchmont Drive
El Paso, Texas 79902-1410
Re: 503 ½ S. Estrella Street & 507
S. Estrella Street

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the 25th day of January, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, in El Paso, Texas, which property is more particularly described as:

Legal Description: tract or parcel of land, lying and being situated in the City of El Paso and County of El Paso, State of Texas and described as : Lots 17,18,19 and 20, in Block 3 of the MIRAFLOR addition to the City of El Paso, El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Elva Kelli Mellado Rocha and Camille Elizabeth Mellado a/k/a Camille Elizabeth Edminstien (the "**Owners**") are listed as the owners 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, 5th 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.

The Owners of said property are 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 Owners, 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 Owners, 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.

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

Certified Mail Receipt#7105 8873 0193 6100 2193

outlined in Chapter 2, Subsection 2.38.080 of the Municipal Code of the City of El Paso, and pursuant to State law.

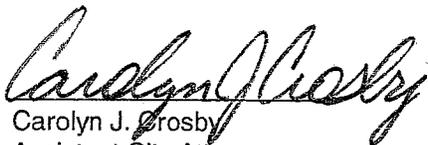
If the Owner fails, neglects or refuses to comply with the order of the Commission the City may pursue one, or more of the following actions:

- 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;

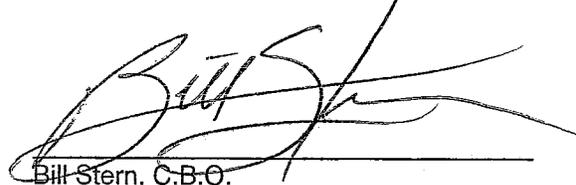
The City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

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

COMPLETE THIS SECTION ON DELIVERY

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

C. Signature
 X *Balvado P. Rocha* Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

1. Article Addressed to:

Elva K. Rocha
4317 Larchmont Dr.
El Paso TX 79902
5031/2&507EstrellaPH

3. Service Type

Certified Mail

4. Restricted Delivery? (Extra Fee) Yes

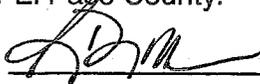
2. Article Number (Copy from service label)

7105 8873 0193 6100 2193

PS Form 3811, July 1999

Domestic Return Receipt

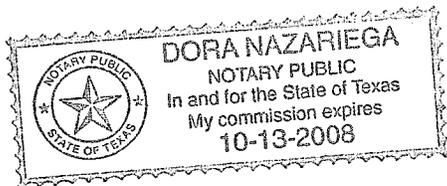
I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice of Public Hearing regarding the property located at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St.**, was filed with the County Clerk's Office, the official public records of real property for El Paso County.


Richarda Duffy Momsen

Executed this 6th day of January, 2006 on behalf of the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

STATE OF TEXAS
COUNTY OF EL PASO

Subscribed and sworn to before me, this 9th day of January, 2006.




Notary Public

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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St** was PUBLISHED in the official City newspaper on the 10th day of January, 2006.


Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva Kelli Mellado Rocha and,
Camille Elizabeth Mellado, a/k/a
Camille Elizabeth Edminsten
Address 503 ½ Estrella St.
City El Paso, TX 79905

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva Kelli Mellado Rocha and,
Camille Elizabeth Mellado, a/k/a
Camille Elizabeth Edminsten
Address 4317 Larchmont Dr.
City El Paso, TX 79902

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva K. Rocha
Address 4317 Larchmont Dr.
City El Paso, TX 79902

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 1/2 S. Estrella A.K.A 503 1/2 & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Joseph J. Rey
Address 543 Magolfin
City El Paso, TX 79901

Date: _____

Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 1/2 S. Estrella A.K.A 503 1/2 & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva V. Edmisten
Address 507 S Estrella St
City El Paso, TX 79903

Date: _____

Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 1/2 S. Estrella A.K.A 503 1/2 & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Salvador P. Rocha
Address 4317 Larchmont Dr.
City El Paso, TX 79902Name

Date: _____

Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 1/2 S. Estrella A.K.A 503 1/2 & 507 S. Estrella St**, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

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

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 **S. 503 ½ Estrella A.K.A 503 ½ & 507 S. Estrella St**, El Paso, Texas.

Date: _____

Time: _____

Inspector

ORDER OF THE BUILDING AND STANDARDS
COMMISSION OF THE CITY OF EL PASO

WHEREAS, the Director for Development Services of the City of El Paso has conducted an investigation and has reported to the Building and Standards Commission in writing that he is of the opinion that the structures located on the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, in El Paso, Texas, which property is more particularly described as follows:

Legal Description: tract or parcel of land, lying and being situated in the City of El Paso and County of El Paso, State of Texas and described as : Lots 17,18,19 and 20, in Block 3 of the MIRAFLOR addition to the City of El Paso, El Paso County, Texas

are dilapidated, substandard, and unfit for human habitation; are a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in 18.50 of the El Paso City Code; and

WHEREAS, Elva Kelli Mellado Rocha and Camille Elizabeth Mellado a/k/a Camille Elizabeth Edminstien, record Owner, and all mortgagees and lienholders were duly notified according to law to appear at a public hearing before the Building and Standards Commission at 5:30 p.m. on January 25, 2006; and

WHEREAS, Elva Kelli Mellado Rocha appeared.

IT IS THEREFORE, ORDERED ADJUDGED AND DECREED BY THE BUILDING AND STANDARDS COMMISSION OF THE CITY OF EL PASO:

1. That having heard the evidence, and being persuaded by a preponderance of same, the Building and Standards Commission makes the following findings:
 - A. That the structures located on said property are an urban nuisance;
 - B. That the structures located on said property are currently unsafe, substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare;
 - C. That the structures are not in substantial compliance with municipal ordinances regulating structural or service systems integrity and disposal of refuse;
 - D. That because of the Owner's failure to supply any drawings, plans, or reports to indicate otherwise, the structures cannot be repaired; and
 - E. That in order to be made safe, all of the aforementioned violations must be corrected.

2. That the Building and Standards Commission hereby orders the structure's certificate of occupancy revoked and the Owner(s) to comply with the following requirements:
 - A. That the building at 503 ½ Estrella be demolished within thirty (30) days; and
 - B. That the building at 507 Estrella be cleaned and secured and maintained secure until rehabilitated; and
 - C. That the premises be cleaned of all weeds, trash, and debris within thirty (30) days; and
 - D. That all dilapidated fences be repaired or removed within 30 days; and
 - E. That all junk vehicles be removed within (30) days.
3. That the Owner(s), mortgagees, lienholders, and/or any other person having an interest in the property are ordered to appear at a public hearing before the Building and Standards Commission at 5:30 p.m. on March 29, 2006; to determine if the property has been brought into compliance with said Order, and if the property has not been brought into compliance:
 - A. Determine what action is required to bring the property into compliance; and
 - B. Determine the amount and duration of civil penalties the City of El Paso may recover for failure to comply with this Order as allowed by Texas Local Government Code Chapter 54; and
 - C. Provide any other remedies permitted by State law.

6. **RIGHT TO APPEAL:** *The decision of the Building and Standards Commission is final (see discussion of rehearing, below). An appeal may be filed by verified petition in State District Court, setting forth that the decision of the Commission is illegal, in whole or in part, and specifying the grounds of the illegality. Petition for appeal must be filed by the owner(s) or interested party within twenty (20) days of receipt of notice of the Order of the Commission. Appeals in District Court are limited to hearings under the substantial evidence rule.*

A rehearing by the Building and Standards Commission may only be granted in the following circumstances:

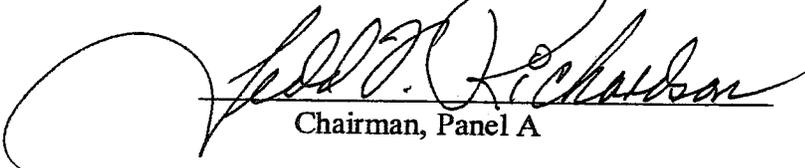
- A. *Proper request is made within twenty (20) days of receipt of notice of the Order of the Commission; and*
- B. *Rehearing fees of five hundred and forty dollars (\$540.00) are furnished with the rehearing request. The Building and Standards Commission may waive these fees in cases of financial hardship based on written affirmation from the applicant.*

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the City Clerk shall cause copies of this Order to be served on the record owner(s) and all other persons having interest in the property as provided by law.

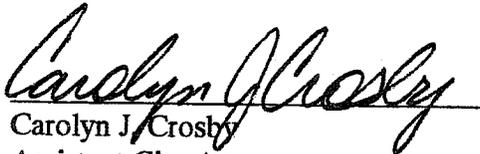
According to the real property records of El Paso County, you own or have an interest in the property described in this notice. If you no longer own or have an interest in the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address 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 no later than the twentieth (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.

ADOPTED on this 25th day of January 2006.

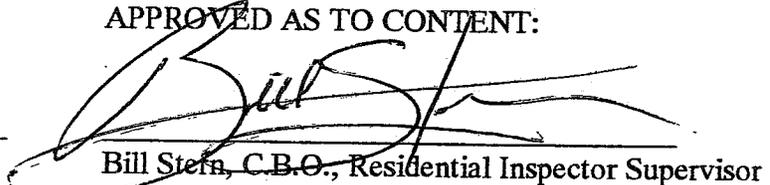
BUILDING AND STANDARDS COMMISSION


Chairman, Panel A

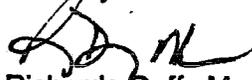
APPROVED AS TO FORM:


Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:


Bill Stefn, C.B.O., Residential Inspector Supervisor
Development Services Department
Building Permits & Inspections Division

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice of Public Hearing regarding the property located at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St.**, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

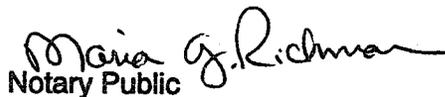
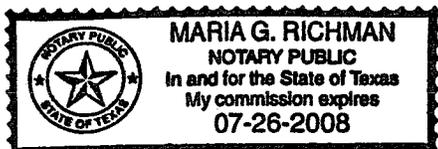


Richarda Duffy Momsen

Executed this 9th day of February, 2006 on behalf of the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

STATE OF TEXAS
COUNTY OF EL PASO

Subscribed and sworn to before me, this 10th day of February, 2006.



Notary Public

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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St** was PUBLISHED in the official City newspaper on the 13th day of February, 2006.


Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva Kelli Mellado Rocha and,
Camille Elizabeth Mellado, a/k/a
Camille Elizabeth Edminsten
Address 503 ½ Estrella St.
City El Paso, TX 79905

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva Kelli Mellado Rocha and,
Camille Elizabeth Mellado, a/k/a
Camille Elizabeth Edminsten
Address 4317 Larchmont Dr.
City El Paso, TX 79902

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva K. Rocha
Address 4317 Larchmont Dr.
City El Paso, TX 79902

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Joseph J. Rey
Address 543 Magolfin
City El Paso, TX 79901

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Elva V. Edmisten
Address 507 S Estrella St
City El Paso, TX 79903

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Name Salvador P. Rocha
Address 4317 Larchmont Dr.
City El Paso, TX 79902Name

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

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

Date:
Time:

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella A.K.A 503 ½ & 507 S. Estrella St**, 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 S. 503 ½ Estrella
A.K.A 503 ½ & 507 S. Estrella St, El Paso, Texas.

Date:

Time:

Inspector

DELIVERED
FEB 16 2006

1. Article Addressed to:

Ms K. Rocha
2517 Larchmont Dr.
El Paso TX 79902
5925725 (5301) 2-F6

COMPLETE THIS SECTION ON DELIVERY

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

ELVA KELLI ROLLA

C. Signature

X *Elva Kelli Rolla* Agent Addressee

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type

Certified Mail

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7305 8873 0793 6100 4432

PS Form 3811, July 1999

Domestic Return Receipt

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the 29th 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 will hold a public hearing on the question of whether the building located on the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street**, in El Paso, Texas, which property is more particularly described as:

Legal Description: Tract or parcel of land, lying and being situated in the City of El Paso and County of El Paso, State of Texas and described as: Lots 17, 18, 19 and 20, in Block 3 of the Mirafior Addition to the City of El Paso, El Paso County, Texas

and which is subject to that certain Building and Standards Commission Order dated January 25, 2006 has been brought into compliance with said Order, and to determine penalties if the order has not been complied with.

According to the real property records of the County of El Paso, Texas, **Elva Kelli Mellado Rocha and Camille Elizabeth Mellado AKA Camille Elizabeth Edminstien**, are listed as the Owners 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, 5th 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.

The Owners of said property are 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 Owners, 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.

The Owners of said property are 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.

CERTIFIED MAIL RECEIPT #7105 8873 0193 6300 2207

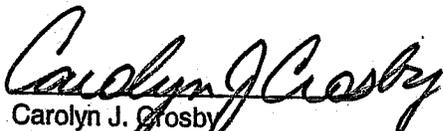
If the Owners fail, neglect or refuse to comply with the order of the commission the City may pursue one, or more of the following actions:

- 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 Owners, 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 Owners 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 Owners show 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 Owners 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 of Public Hearing regarding the property located at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street**, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

Richarda Duffy Momsen

Executed this ____ day of _____, 2006 on behalf of the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

STATE OF TEXAS
COUNTY OF EL PASO

Subscribed and sworn to before me, this ____ day of _____, 2006.

Notary Public

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 **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** 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 **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Elva Kelli Mellado Rocha and Camille Elizabeth Mellado
AKA Camille Elizabeth Edminstien
503 ½ Estrella Street
El Paso, Texas 79905

Date: _____

Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Elva Kelli Mellado Rocha and Camille Elizabeth Mellado
AKA Camille Elizabeth Edminstien
4317 Larchmont Drive
El Paso, Texas 79902

Date: _____

Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Elva K. Rocha
4317 Larchmont Drive
El Paso, Texas 79902

Date: _____

Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Joseph J. Rey
543 Magoffin Avenue
El Paso, Texas 79901

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Elva V. Adminstien
507 S. Estrella Street
El Paso, Texas 79903

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Salvador P. Rocha
4317 Larchmont Drive
El Paso, Texas 79902

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** 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 **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** 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 **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** 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 **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

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

Date: _____
Time: _____

Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street** 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
503 ½ S. Estrella Street AKA 503 ½ and 507 S. Estrella Street, El Paso, Texas.

Date: _____

Time: _____

Inspector

Firmbook Report

3/9/2006-3/9/2006

CMN	TRACKING	NAME	ADDRESS	
7105 8873 0193 6300 2207	5031/2 S.ESTRELLAAK A	ROBERT W. WARACH	7300 VISCOUNT BLVD. SUITE 101	EL PASO TX 79925

COMPLETE THIS SECTION ON DELIVERY

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

D. Carter MAR 10 1999

C. Signature Agent
 Addressee

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

1. Article Addressed to:

ROBERT W. WARACH
7300 VISCOUNT BLVD.
SUITE 101
EL PASO TX 79925
5031/2 S. ESTRELLA AKA

PH

3. Service Type

Certified Mail

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Copy from service label)

7105 8873 0193 6300 2207

l

Domestic Return Receipt

PS Form 3811, July 1999