

BUILDING AND STANDARDS BOARD AGENDA ITEM # \_\_\_\_ FOR  
WEDNESDAY, MAY 31<sup>ST</sup>, 2006

DEVELOPMENT SERVICES  
BUILDING PERMITS AND INSPECTIONS

MEMORANDUM

May 23, 2006

TO: The Honorable Chairman and Board Members

THROUGH: Larry Nichols, C.B.O. – The Director for Building Permits and Inspections

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

SUBJECT: 3737 Fred Wilson Road

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

- 1) First investigated September 13, 2002. The building were found opened, abandoned and in an advanced state of disrepair. There are two structures, which have been divided into 10 apartments. These structures were condemned to be secured on February 18, 2003. This property was secured and cleaned by the City of El Paso at a cost of \$3,498.16 on February 18, 2005. The buildings are now found to be open and abandoned. The buildings are being used as a harborage by unwanted persons. There is evidence of ongoing gang activity at the property. The police department has had numerous calls to this particular address. Several calls have been on gang activity.
- 2) A certified condemnation letter was mailed to Amiga Mia, 5401 Lackland St., El Paso, Texas 79904-6112.
- 3) Certified notices of the public hearing scheduled for May 31, 2006 were mailed to the owners and all interested parties on May 18, 2006.
- 4) As of May 8, 2006, \$5,239.74 are owed in taxes.
- 5) Since, the owners have failed to supply any drawings, plans, or reports to indicate otherwise, the structures cannot be repaired.

The Department recommends that it be found:

- 1) That the main structures be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
- 2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and

**ITEM #6**

3737 Fred Wilson Road

- 3) That the structure's certificate of occupancy be revoked; and
- 4) That the main structure be demolished within 30 days; and
- 5) That the premises be cleaned of all weeds, trash, and debris and all junked vehicles removed within 30 days; and
- 6) 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.



# UNSAFE STRUCTURES REPORT

## BUILDING PERMITS AND INSPECTIONS

**DATE OF EXAMINATION:** April 26, 2006

**REP. DISTRICT:**

**ADDRESS:** 3737 Fred Wilson Road

**ZONED:** A-2

**LEGAL DESCRIPTION:** Block 73A, Logan Heights, Lots 1 to 4 & 47 ft Adj. On E

**OWNER:** Amiga Mia, Inc.

**ADDRESS:** 5401 Lackland St.

**BUILDING USE:** Apartments

**TYPE OF CONSTRUCTION:** Miscellaneous/Rock/Plaster/Wood Frame/Siding (2 buildings 1-6 units and 1-4)

**FOOTINGS:** Rock foundation

**CONDITION:** Poor. A structural engineer must be hired to evaluate the actual condition of the footings and design new footings, which meet the code.

**FOUNDATION WALL:** Rock/Mortar/Concrete

**CONDITION:** Poor. A structural engineer must be hired to evaluate the actual condition of the foundation wall and recommend the proper course of action for its repair.

**FLOOR STRUCTURE:** Wood on pier and wood beams with 1 x 4 sub floor.

**CONDITION:** Poor condition. Floors warped and rotted. A structural engineer must be hired to evaluate the structural integrity of the floor system and design a system, which meets the codes.

**EXTERIOR WALLS:** Masonary walls

**HEIGHT:** 16'

**THICKNESS:** 8-

**CONDITION:** Poor. The rockwall exterior walls are supported by rubble stone and mortar foundation wall, which appears to not have a footing under it, and are deteriorated. A structural engineer must be hired to evaluate the load bearing exterior walls and recommend what corrections are needed.

Page 2

**INTERIOR WALLS & CEILINGS:** Rock, plaster, wood framing 2 x 4

**CONDITION:** Poor. Some walls have no veneer on the inside and different materials are deteriorated and must be replaced with approved materials and methods.

**ROOF STRUCTURE:** Wood frame, Wood decking

**CONDITION:** Poor. Wood decking is deteriorated and roof covering has failed, and leaks. A structural engineer must be hired to design a code compliant roof structure.

**DOORS, WINDOWS, ETC.:** Wood sash/Metal casement

**CONDITION:** Poor. Buildings have different types of windows steel sash, wood frame that are inoperable and do not meet minimum egress or lighting standards.

**MEANS OF EGRESS:** Not to code.

**CONDITION:** Poor. Units do not meet minimum egress code.

**PLUMBING:** None existing. A licensed contractor must be hired to evaluate the entire plumbing system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

**ELECTRICAL:** None existing. A licensed contractor must be hired to evaluate the entire electrical system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

**MECHANICAL:** None existing. A licensed contractor must be hired to evaluate the entire mechanical system and submit a report to this department on the corrective action required to bring the system up to minimum code compliance.

**IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED:** None

**WARNING POSTED:** Yes      **BARRICADED:** No      **POLICE AID REQD.:** No

**REMARKS:** These are two opened and abandoned buildings built in 1925. The structures are decaying, old clothing, furniture, feces, broken glass and other items were found throughout apartments. Due to structures being in an advanced state of disrepair and open to unwanted persons, the department recommends these structures be condemn for cleared of all trash and weeds. And junked vehicles be removed within 30 days.

Zuleika Davila  
Building Inspector

20060523 TC8006

CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS

155551

ACCOUNT L447999073A3300  
UNITS:01 03 06 07 08  
AMIGA MIA INC  
5401 LACKLAND ST

AMT DUE AS OF: 20060523 ROLL R ALT OWN  
OMIT(-)/SEL(+)  
73A LOGAN HEIGHTS  
1 TO 4 & 47 FT ADJ ON E  
(17640 SQ FT)

EL PASO

TX 79904-6112

ACRES	YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PARCEL ADDRESS	3737 FRED WILSON	PAYMENTS	TOTAL DUE
.4050	2005	64683		2019.67	2019.67	262.56			.00	2282.23
	2004	64683		2009.18	2009.18	948.34			.00	2957.52
	2003	60522		1830.93	01/21/2004			1830.93		.00
	2002	60000	Y X	1983.23	01/28/2004			1983.24		.01-
	2001	163874		4860.20	01/25/2002			4860.20		.00
	2000	101798		2938.08	01/27/2001			2938.08		.00
	1999	101798		2929.38	01/31/2000			2929.38		.00
	1998	101798		3024.80	01/29/1999			3024.80		.00
	1997	101798		2810.74	01/26/1998			2810.74		.00
	TOTAL			4028.85	4028.85	1210.90				

LAST PAYOR OWNER ----- PAGE TOTAL ----- 5239.74

NOTE EXISTS CUMULATIVE TOTAL 5239.74

MORE YEARS ON NEXT PAGE

**Davila, Zuleika C.**

**From:** Stern, William V.  
**Sent:** Friday, May 19, 2006 8:35 AM  
**To:** Davila, Zuleika C.  
**Subject:** RE: CONDEMNATION REPORT 3737 FRED WILSON RD.

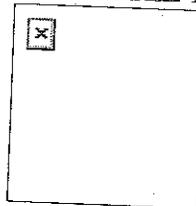
FYI

Bill Stern C.B.O.  
Residential Inspector Supervisor  
Building Permits and Inspections  
541 - 4800

-----Original Message-----

**From:** Salazar Jr, Rodolfo  
**Sent:** Friday, May 19, 2006 8:15 AM  
**To:** Stern, William V.  
**Cc:** Gamboa, Thomas; Jarvis, Sam  
**Subject:** CONDEMNATION REPORT 3737 FRED WILSON RD.

**EL PASO CITY-COUNTY HEALTH & ENVIRONMENTAL DISTRICT  
ENVIRONMENTAL HEALTH**



**MEMORANDUM**

**DATE:** May 19, 2006  
**MEMO TO:** William Stern C.B.O., Residential Inspector Supervisor  
**FROM:** Rodolfo Salazar, Environmental Health Inspector  
**SUBJECT:** Condemnation Report #COD06-06737  
**RE:** 3737 Fred Wilson Rd. Legal: Block 73A, Logan Heights, lots 1 to 4 & 47 FT  
ADJ ONE

An inspection of the property was conducted on May 18, 2006 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**

Junk and trash accumulation were noted in and around the building.

**SECTION 9.04.340 - ACCUMULATIONS**

Junk and debris, high vegetation, tires, and two disabled vehicle were noted through out the premises.

**SECTION 9.16 - NUISANCE**

Junk and debris, high vegetation, tires, chemicals and two disabled vehicle were noted through out the premises.

**SECTION 9.16.010 - DESIGNATED**

The premise is unsecured and is being used by kids and transients. Graffiti was noted on the interior and exterior of the building.

**9.28 - RAT CONTROL**

Rodent evidence was not noted on the premise.

SECTIC

## NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 5:30 p.m. on the 31<sup>st</sup> day of May, 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 buildings located on the property at 3737 Fred Wilson Road, in El Paso, Texas, which property is more particularly described as:

**Legal Description:** Lots 1, 2, 3, 4, and a Tract of land adjoining the said Lot 1 on the East, Block 73-A, FIRST REVISED PLAT OF LOGAN HEIGHT ADDITION, and addition to the City of El Paso, El Paso County, Texas according to the map or plat thereof recorded in Volume 12, Page 37, of the Plat Records of El Paso County, Texas and being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof for all purposes.

are unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Amiga Mia, Inc. (the "Owner"), 5401 Lackland, El Paso, Texas 79904, is 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, 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 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.

Certified Mail Receipt# 7005 1160 0004 6076 3332

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 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:



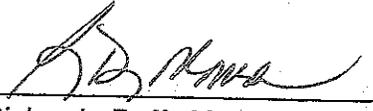
Carolyn J. Crosby  
Assistant City Attorney

APPROVED AS TO CONTENT:



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

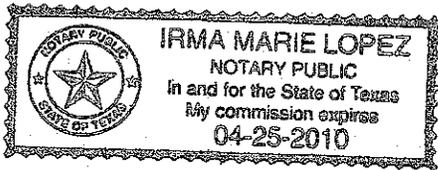
I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice of Public Hearing regarding the property located at 3737 Fred Wilson Road, was filed with the County Clerk's Office, the official public records of real property for El Paso County.

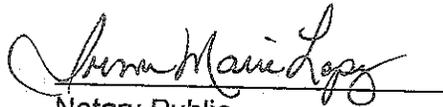
  
Richarda Duffy Momsen

Executed this 16<sup>th</sup> day of May, 2006 on behalf of the City of El Paso, Texas, by Richarda Duffy Momsen in her capacity as City Clerk.

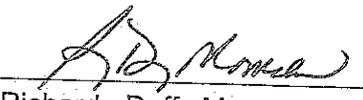
STATE OF TEXAS  
COUNTY OF EL PASO

Subscribed and sworn to before me, this 16<sup>th</sup> day of May, 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 **3737 Fred Wilson Road** was PUBLISHED in the official City newspaper on the 17<sup>th</sup> day of May, 2006.

  
Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Amiga Mia, Inc.  
3413 Polk  
El Paso, Texas 79930

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Amiga Mia, Inc.  
5401 Lackland  
El Paso, Texas 79904

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Irma Ramirez  
8512 Leo St.  
El Paso, Texas 79904

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Margarita Ortega  
5951 Griems  
El Paso, Texas 79905

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Arreola  
5401 Lackland  
El Paso, Texas 79905

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Frank T. James  
700 West Paisano  
El Paso, Texas 79901

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Sonora  
P.O. Box 1595  
El Paso, Texas 79948

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at

**3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Edward Mendoza  
5411 Allison St.  
Arvada, CO 80002

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Edward Mendoza  
3804 Jefferson  
El Paso, Texas 79930

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Sonora  
1994 Blake  
Los Angeles, CA 90039-3834

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Maria Sonora  
4725 Caples Cir.  
El Paso, Texas 79903

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Charles E. Vinson  
6044 Gateway East, Suite 301  
El Paso, Texas 79905

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at

**3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Isabel Medina  
5401 Lackland  
El Paso, Texas 79904

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, was MAILED CERTIFIED-RETURN RECEIPT REQUESTED to:

Isabel Medina  
1994 Blake  
Los Angeles, CA 90039-3834

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice regarding the property at **3737 Fred Wilson Road**, 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 **3737 Fred Wilson Road**, 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

**3737 Fred Wilson Road**, 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 was POSTED at  
**3737 Fred Wilson Road**, El Paso, Texas.

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

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

\_\_\_\_\_  
Inspector

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RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 3737 Fred Wilson Road, in El Paso, Texas, which property is more particularly described as follows:

Lots: 1 to 4 and 47 Ft. ADJ. ON E, Block 73A, Logan Heights

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Maria C. Sonora and Isabel Medina, 1994 Blake, Los Angeles, CA 90039-3834, record Owners, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on January 7<sup>th</sup>, 2003; which was postponed until February 18<sup>th</sup>, 2003, and

WHEREAS, NO ONE, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the structures located on said property are condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the structures are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. That the structures can be repaired.
2. That the City Council hereby orders Owners to comply with the following requirements:
  - a. That the Buildings be secured and maintained secured within (30) days; and
  - b. That the premises be cleaned of all weeds, trash and debris within (30) days; and
  - c. That a public hearing be scheduled for April 1<sup>st</sup>, 2003, in the City Council Chambers, to determine, if the Council order has been complied with and, if not, to determine penalties; and
  - d. That the Owners of said Buildings are hereby ordered to comply with all requirements of the Resolution; and
  - e. The owners are advised that in order to obtain a new certificate of occupancy, the buildings and the service systems must be brought into compliance with the current codes.

- f. That upon failure of the Owners to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to secure the Buildings and maintain the Buildings secure and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owners to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall secure the Buildings and maintain the Buildings secure and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owners of said property; and
4. That said Owners shall become personally liable for all costs incurred by City in connection with securing and maintaining the Buildings secure and cleaning the premises of all weeds, trash and debris; and
5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
6. That upon failure of the Owners to comply with this Order, one or all of the following actions will be taken:
  - a. 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
  - b. That upon failure of the Owners to comply with this order the City Council may assess a civil penalty against the property Owners in an amount not to exceed \$1,000.00 a day for each violation or, if the Owners show that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
  - c. That upon failure of the Owners to comply with this order, the Owners may be confined in jail as permitted by state law; and
7. That upon failure of the Owners, any mortgages or lienholders to restore the Buildings so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
8. The Owners, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owners 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 the 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 this office 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, even if you do not.

Adopted this 18<sup>th</sup> day February, 2003.

THE CITY OF EL PASO



Raymond C. Caballero, Mayor

ATTEST:

*for* Diana Nuñez - Deputy City Clerk  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

Teresa Garcia  
Teresa Garcia  
Assistant City Attorney

APPROVED AS TO CONTENT:

Terry Williams  
Terry Williams, Director  
Building Permits and Inspections

I, RICHARDA DUFFY MOMSEN, City Clerk of the City of El Paso, hereby certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property located at 3737 Fred Wilson Road, El Paso, Texas, was PUBLISHED in the official City newspaper on the 26 day of February, 2003.

for Diana Nuñez - Deputy City Clerk  
Richarda Duffy Momsen

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, was [MAILED CERTIFIED-RETURN RECEIPT REQUESTED] to:

Maria C. Sanora & Ismael Medina  
1994 Blake  
Los Angeles, CA 90039-3834

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, [MAILED CERTIFIED-RETURN RECEIPT REQUESTED] to:

Hector Delgado  
P. O. Box 54  
El Paso, Texas 79940

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, was [MAILED CERTIFIED-RETURN RECEIPT REQUESTED] to:

Robert Warach  
1155 Westmoreland, Suite 213  
El Paso, Texas 79925

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, was [MAILED CERTIFIED-RETURN RECEIPT REQUESTED] to:

F. T. James  
700 W. Paisano Dr.  
El Paso, Texas 79901

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, was [MAILED CERTIFIED-RETURN RECEIPT REQUESTED] to:

Chris A. Paul for Surety Savings Loan Assoc.  
221 N. Kansas St.  
El Paso, Texas 79902

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, 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 dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, was [MAILED CERTIFIED-RETURN RECEIPT REQUESTED] to:

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

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

\_\_\_\_\_  
Inspector

I certify that a true and correct copy of the foregoing Notice dated February 18<sup>th</sup>, 2003 regarding the property at 3737 Fred Wilson Road, El Paso, Texas, 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 was POSTED at  
3737 Fred Wilson Road, El Paso, Texas.

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

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

\_\_\_\_\_  
Inspector

COPY

**RAYMOND C. CABALLERO**  
MAYOR



**CITY COUNCIL**

**JAN SUMRALL**  
DISTRICT NO. 1

**ROSE RODRIGUEZ**  
DISTRICT NO. 2

**LARRY M. MEDINA**  
DISTRICT NO. 3

**JOHN COOK**  
DISTRICT NO. 4

**DANIEL S. POWER**  
DISTRICT NO. 5

**PAUL J. ESCOBAR**  
DISTRICT NO. 6

**LUIS G. SARIÑANA**  
DISTRICT NO. 7

**ANTHONY COBOS**  
DISTRICT NO. 8

**BUILDING PERMITS AND INSPECTIONS**  
**CODE COMPLIANCE**  
September 19, 2002

Maria C. Sanora & Ismael Medina  
1994 Blake  
Los Angeles, CA 90039-3834

Re: 3737 Fred Wilson Rd.  
Lots: 1 to 4 & 47 ft. Adj. On E  
Blk: 73A, Logan Heights  
Zoned: A-2  
COD02-16722  
Certified Mail Receipt #  
7001 2510 0005 1076 6896

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
- c. Boarded up, fenced, or otherwise secured in any manner in if:

3737 Fred Wilson Road

- 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 3737 Fred Wilson Road has the following violations:

- a. The floors have not been maintained in a safe manner.
- b. The walls have not been maintained in a safe manner free of holes and cracks.
- c. The roof structure has not been maintained free of defects that may cause leaks.
- d. The plumbing system is inadequate and does not meet minimum code requirements.
- e. The electrical system is inadequate and does not meet minimum code requirements.
- f. The structure is open and accessible to unauthorized entry.
- g. The premises are full of weeds, trash, and debris.
- h. 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 thirty (30) days from receipt of this letter.
- i. In the event you fail to correct these violations within 30 days, the case will be submitted to the City Attorney's Office for condemnation proceedings. The City Council will decide if the building should be condemned, vacated, secured, repaired or demolished as per Sec. 18.52.040.

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

3737 Fred Wilson Road

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:

A handwritten signature in black ink, appearing to read 'Victor Gonzalez', with a long horizontal flourish extending to the right.

Victor Gonzalez  
Building Inspector

VG/rl

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

7001 2510 0005 1076 6896  
0152 1002  
5000  
9209  
6896

**OFFICIAL USE**

Postage	\$		Postmark Here
Certified Fee			
Return Receipt Fee (Endorsement Required)		OCT 17 2002	
Restricted Delivery Fee (Endorsement Required)			

VG

Maria C. Sanora & Ismael Medina  
1994 Blake  
Los Angeles, CA 90039-3834  
Re: 3737 Fred Wilson Rd.