CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: **DEVELOPMENT SERVICES**

AGENDA DATE: **FEBRUARY 12, 2008**

CONTACT PERSON/PHONE: **LARRY F. NICHOLS, DEVELOPMENT SERVICES/ (915) 541-4557**

DISTRICT(S) AFFECTED: **8**

SUBJECT:

Placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.50 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

701-719 Nino Aguilera Street AKA 701 Tornillo $8,714.68 District 8
El Paso Rivera Investments, Ltd, Burton I. Cohen, And Alfredo Rivera

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

**********REQUIRED AUTHORIZATION**********

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: _____
Larry F. Nichols, Building Permits & Inspections Deputy Director

OTHER: _____
(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 26th day of September, 2007, after due notice and hearing, issued an order to EL PASO RIVERA INVESTMENTS, LTD, BURTON I. COHEN, and ALFREDO RIVERA, record Owners of the hereinafter described property that the Buildings be secured within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to secure the Buildings and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Development Services Department has reported the cost of doing such work in the amount hereinafter set forth;

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

1. That the City Council determines the actual cost of securing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

> Lots 1 though 10, Block 50, Magoffin's Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 14, Page 19, Plat Records of El Paso County, Texas, municipally known and numbered as 701-719 Nino Aguilera Street AKA 701 Tornillo, El Paso, Texas.

to be $7,299.14, performed by the Street Department of the City of El Paso, and $1,415.54, performed by the City Clerk's Office and Development Services Department, making a total of $8,714.68. The City Council finds that the work was completed on the 11th day of December, 2007, and approves the costs.

2. That the City Council, in accordance with Texas Local Government Code §214.001(n), declares the above total amount of EIGHT THOUSAND SEVEN HUNDRED FOURTEEN AND 68/100 DOLLARS ($8,714.68) to be a lien on the above-described property.

3. That the City Clerk is directed to give notice of this lien by filing a copy of this Resolution for record with the County Clerk.

4. That all records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

ADOPTED this _____ day of_____, 2008.

CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Mark Shoesmith
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Larry F. Nichols, C.B.O., Deputy Director
Building Permits and Inspections

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2008 by_____, as _____of the City of El Paso.

_____
Notary Public, State of Texas
Notary's Printed or Typed Name:

_____

(Seal)

PREPARED IN THE OFFICE OF:
City Attorney's Office
#2 Civic Center Plaza
El Paso, Texas 79901-1196

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El Paso Rivera Investments, Ltd, Burton I. Cohen, And Alfredo Rivera
(contact person: William V. Stern, Code Enforcement, (915) 541-4800)