



**OFFICE OF THE CITY ATTORNEY
M E M O R A N D U M**

**CONFIDENTIAL ATTORNEY-CLIENT AND/OR ATTORNEY WORK PRODUCT COMMUNICATION
NOT INTENDED FOR PUBLIC DISSEMINATION**

DATE: January 22, 2007
TO: R. Alan Shubert, P.E., C.B.O., Director
Development Services Department
FROM: Roberta B. Cross, Assistant City Attorney
SUBJECT: Agenda Item for Consent Agenda

The following lien should be considered on the City Council Consent Agenda.

8700 Pell Way \$25, 146.17 District 7

The attached Condemnation Lien is in accordance with Texas Local Government Code §214.001(n). City Council previously conducted public hearings on this property and ordered that measures be taken to ensure that the property was made safe. After the Owners of the property failed to comply with such orders, various City departments took action on behalf of the Owners to ensure that the property was made safe.

The costs incurred for this property include those associated with notifying all parties having an interest in the property of the public hearings, as follows:

Street Department Costs	\$24,238.57
Notification	347.90
Notification	259.70
Title Report	150.00
Title Report	<u>150.00</u>
TOTAL	<u>\$25,146.17</u>

If I can provide further information, please call me.

cc: Juanita Gardea, City Comptroller's Office

RESOLUTION

WHEREAS, in accordance with Section 18.52.040 and Section 18.52.080 of the El Paso Municipal Code, the City Council of the City of El Paso, by Resolution dated the 25th day of September, 2005, after due notice and hearing, ordered EDUARDO SANCHEZ and VELIA SANCHEZ, record Owners of the hereinafter described property that the Buildings be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to demolish the Buildings and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property failed after due notice to comply with such ORDER, the Street Department of the City of El Paso has been ordered to proceed to demolish 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 demolishing the Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Tract 11B, Block 7, Ysleta Grant, an Addition to the City of El Paso, El Paso County, Texas, municipally known and numbered as 8700 Pell Way,

to be \$24,238.57, performed by the Street Department of the City of El Paso, and \$907.60, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$25,146.17. The City Council finds that the work was completed on the 19th day of October, 2006, 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 TWENTY-FIVE THOUSAND ONE HUNDRED FORTY-SIX AND 17/100 DOLLARS (\$25,146.17) 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 _____, 2007.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Roberta B. Cross
Roberta B. Cross
Assistant City Attorney

R. Alan Shubert
R. Alan Shubert, P.E., C.B.O. Director
Development Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2007 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