

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Community and Human Development

AGENDA DATE: February 15, 2005

CONTACT PERSON/PHONE: Charles D. Ruiz 541-4221

DISTRICT(S) AFFECTED: 2

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Fourteen Thousand And No/100 Dollars (\$14,000.00, Grant Note -\$1,440.00, Loan Note - \$12,560.00), against the following described real property:

South 40 feet of Lots 17 through 19, and South 40 feet of the East 15 feet of Lot 20, Block 126, HIGHLAND PARK ADDITION, an addition to the City of El Paso, El Paso County, Texas,

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City. **(District 2)** [Community and Human Development, Charles Ruiz, (915) 541-4221]

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

Release of Lien – 2615 N. Piedras, El Paso, TX 79930 (Loan No. 954)

This resolution is a release of lien on the property located at 2615 N. Piedras, El Paso, Texas, 79930. The owners of said property, Doroteo L. Franco and Guadalupe S. Franco have satisfied all obligations deriving from a Housing Rehabilitation Loan of \$12,560.00 with payments of \$76.11 for 239 months and one payment of 81.69 at 4% interest rate and a Grant of \$1,440.00 with payments of \$12.00 for 120 months at 0% interest rate, both dated July 27, 1984. (District No. 2.)

[Handwritten mark]

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

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

LEGAL: (required) *[Signature]* **FINANCE:** (if required) _____
John Nance,
Assistant City Attorney

DEPARTMENT HEAD: *[Signature]*
Robert A Salinas, Director

(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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of FOURTEEN THOUSAND AND NO/100 DOLLARS (\$14,000.00, Grant Note – \$1,440.00, Loan Note - \$12,560.00), against the following described real property:

South 40 feet of Lots 17 through 19, and South 40 feet of the East 15 feet of Lot 20, Block 126, HIGHLAND PARK ADDITION, an addition to the City of El Paso, El Paso County, Texas, known as 2615 North Piedras

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

ADOPTED this 15th day of February, 2005.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



John F. Nance
Assistant City Attorney

APPROVED AS TO CONTENT:



Robert A. Salinas, Director
Community and Human Development

RELEASE OF LIEN

Date:

Note: SECURED GRANT NOTE

Date: August 27, 1984

Original Amount: ONE THOUSAND FOUR HUNDRED FORTY AND
NO/100 DOLLARS (\$1,440.00)

Maker: Doroteo L. Franco and Guadalupe S. Franco

Payee: City of El Paso

Date of Maturity: July 27, 1994

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

2 Civic Center Plaza
El Paso, Texas 79901-1196
El Paso County, Texas

Note: LOAN NOTE

Date: September 1, 1984

Original Amount: TWELVE THOUSAND FIVE HUNDRED SIXTY AND
NO/100 DOLLARS (\$12,560.00)

Maker: Doroteo L. Franco and Guadalupe S. Franco

Payee: City of El Paso

Date of Maturity: August 1, 2004

Holder of Note and Lien: City of El Paso

Holder's Mailing Address (including County):

#2 Civic Center Plaza
El Paso, Texas 79901-1196
El Paso County, Texas

[Handwritten mark]

Note and Lien are described in the following documents recorded in:

Builder's and Mechanic's Lien Contract (with Power of Sale), dated July 27, 1984, between Doroteo L. Franco and wife, Guadalupe S. Franco, as Owners, and Jesus Javier Velarde d/b/a J. J. Velarde Construction, as Contractor, for the amount of \$14,000.00 and transferred to the City of El Paso, to all of which and its record, reference is here made for full particulars.

Property (including any improvements) Subject to Lien:

South 40 feet of Lots 17 through 19, and South 40 feet of the East 15 feet of Lot 20, Block 126, HIGHLAND PARK ADDITION, an addition to the City of El Paso, El Paso County, Texas, known as 2615 North Piedras

Holder of the notes acknowledges full satisfaction and compliance with repayment terms and releases the property from the lien.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this 15th day of February, 2005.

THE CITY OF EL PASO

Joe Wardy
Mayor

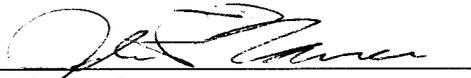
ATTEST:

Richarda Duffy Momsen
City Clerk

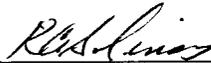
Richarda Duffy Momsen, Trustee

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



John F. Nance
Assistant City Attorney



Robert A. Salinas, Director
Community and Human Development

(Acknowledgment)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the ____ day of February 2005, by JOE WARDY, as Mayor of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:

Notary Public, State of Texas

Notary's name (printed)

(Acknowledgment)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the ____ day of February 2005, by RICHARDA DUFFY MOMSEN, as City Clerk and Trustee of the City of El Paso, a municipal corporation, on behalf of said corporation.

Notary's Commission Expires:

Notary Public, State of Texas

Notary's name (printed)

AFTER RECORDING RETURN TO:

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