

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

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: MARCH 31, 2009

CONTACT PERSON/PHONE: VICTOR Q. TORRES, DEVELOPMENT SERVICES, (915) 541-4557

DISTRICT(S) AFFECTED: 6 & 7

SUBJECT:

Placing a condemnation lien on the following properties (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:

- | | | |
|--|-------------------|-------------------|
| 1. 8918 Ruiz Road
Antonio Z. Gonzalez | \$486.46 | District 6 |
| 2. 8232 McElroy Avenue
Maria Baxley, Executrix of the Estate of Angelica Reyes | \$3,316.82 | District 7 |

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: _____
Victor Q. Torres, Development Services 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 ANTONIO Z. GONZALEZ, record Owner of the hereinafter described property that the main structure be secured within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner 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 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 structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot B, being situated in the Ysleta Grant in El Paso County, Texas, municipally known and numbered as 8918 Ruiz Road, El Paso, Texas.

to be \$336.46, performed by the Street Department of the City of El Paso, and \$150.00, performed by the City Clerk's Office and Development Services Department, making a total of \$486.46. The City Council finds that the work was completed on the 31st day of January, 2009, 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 FOUR HUNDRED EIGHTY-SIX AND 46/100 DOLLARS (\$486.46) 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 _____, 2009.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Mark Shosmith
Assistant City Attorney

Victor Q. Torres, Director
Building Permits and Inspections
Development Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2009 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

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 25th day of March, 2003, after due notice and hearing, issued an order to MARIA BAXLEY, EXECUTRIX OF THE ESTATE OF ANGELICA REYES, record Owner of the hereinafter described property that the main structure be secured within thirty (30) days and to clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner 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 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 structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Pt. Of Tract 17 BEG 5.99 FT. S of NWC 260.72 of W – 53.31 Ft. on S 293.39 Ft. on E – 38.4 Ft on N, McElroy Acres, an addition to the City of El Paso, El Paso County, Texas, more particularly described as 8232 McElroy Avenue, El Paso, Texas,

to be \$3,166.82, performed by the Street Department of the City of El Paso, and \$150.00, performed by the City Clerk's Office and Development Services Department, making a total of \$3,316.82. The City Council finds that the work was completed on the 31st day of January, 2009, 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 THREE THOUSAND THREE HUNDRED SIXTEEN AND 82/100 DOLLARS (\$3,316.82) 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.

