

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

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: JUNE 3, 2008

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

DISTRICT(S) AFFECTED: 2 & 8

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. <u>4903 Wichita Circle</u> | <u>\$11,498.65</u> | <u>District 2</u> |
| <u>Edwards J. and Susan M. Jenkins</u> | | |
| 2. <u>3308 Rivera Avenue</u> | <u>\$1,755.46</u> | <u>District 8</u> |
| <u>Loys Walker</u> | | |

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, Development Services 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 City Council of the City of El Paso, by Order dated the 31st day of July, 2001, after due notice and hearing, issued an order to EDWARD J. and SUSAN M. JENKINS, record Owners of the hereinafter described property that the building be demolished 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 demolish the structure 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 structure and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 2071, Block 85, Mountain View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 23, Plat Records of El Paso County, Texas, more particularly described as 4903 Wichita Circle, El Paso, Texas,

to be \$11,498.65, performed by the Street Department of the City of El Paso, making a total of \$11,498.65. The City Council finds that the work was completed on the 31st day of May, 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 ELEVEN THOUSAND FOUR HUNDRED NINETY-EIGHT AND 65/100 DOLLARS (\$11,498.65) 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

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Mark Shoemith
Mark Shoemith
Assistant City Attorney

APPROVED AS TO CONTENT:

Victor Torres
Victor Torres, Director
Development Services Department

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

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 30th day of August, 2006, after due notice and hearing, issued an order to LOYS WALKER, record Owner of the hereinafter described property that the primary building and accessory structures 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 the primary and accessory structures 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 primary and accessory structures and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

All of Lots 27 and 28, in Block E of the East El Paso, addition to the City of El Paso, El Paso County, Texas, together with all improvements thereon, more particularly described as 3308 Rivera Avenue, El Paso, Texas,

to be \$1,327.99, performed by the Street Department of the City of El Paso, and \$427.47 performed by the City Clerk's Office, making a total of \$1,755.46. The City Council finds that the work was completed on the 2nd day of February, 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 ONE THOUSAND SEVEN HUNDRED FIFTY-FIVE AND 46/100 DOLLARS (\$1,755.46) 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 _____, 2008.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Mark Shoosmith

Mark Shoosmith
Assistant City Attorney

[Signature]

Larry F. Nichols, C.B.O., 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