

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

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: June 12, 2007

CONTACT PERSON/PHONE: William V. Stern, Development Services, (915) 541-4800

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:

<u>1917 E. San Antonio Avenue</u>	<u>\$33,225.08</u>	<u>District 8</u>
<u>Nasario P. Solis</u>		

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Enter appropriate comments or N/A

N/A

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

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

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:** _____

07 MAY 30 AM 9:45
CITY CLERK DEPT.



**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: May 14, 2007
TO: R. Alan Shubert, P.E., C.B.O., Director
Development Services Department
FROM: Roberta B. Cross, Assistant City Attorney *ABC*
SUBJECT: Agenda Item for Consent Agenda

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

1917 E. San Antonio Avenue \$33,225.08 District 8

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	\$32,452.78
Notification	274.40
Notification	347.90
Title Report	<u>150.00</u>
TOTAL	<u>\$33,225.08</u>

If I can provide further information, please call me.

cc: Juanita Gardea, City Comptroller's Office
Carmen Perez, Attorney at Law

07 MAY 30 AM 9:45
CITY CLERK DEPT.

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the El Paso Municipal Code, the Building Standards Commission of the City of El Paso, by Order dated the 28th day of September, 2005, after due notice and hearing, ordered Nasario P. Solis, record Owner of the hereinafter described property that the Building(s) be demolished within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owner 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 Building(s) 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 Building(s) 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 Building(s) and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

East 5 Feet of Lot 22, all of Lot 23, and the West 10 Feet of Lot 24, Block 20, Bassett Subdivision, El Paso County, El Paso, Texas, municipally known and numbered as 1917 East San Antonio Avenue, El Paso, Texas,

to be \$32,452.78, performed by the Street Department of the City of El Paso, and \$772.30, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$33,225.08. The City Council finds that the work was completed on the 3rd day of February, 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 THIRTY-THREE THOUSAND TWO HUNDRED TWENTY-FIVE AND 08/100 DOLLARS (\$33,225.08) to be a lien on the above-described property.

07 MAY 30 AM 9:45
CITY CLERK DEPT.

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:

Roberta B. Cross
Roberta B. Cross
Assistant City Attorney

APPROVED AS TO CONTENT:

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

07 MAY 30 AM 9:45
CITY CLERK DEPT.