

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

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: JUNE 26, 2007

CONTACT PERSON/PHONE: WILLIAM V. STERN, DEVELOPMENT SERVICES, (915) 541-4800

DISTRICT(S) AFFECTED: 2

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:

8925 Roberts \$7,483.32 District 2
Shirley J. Cutright

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

CITY CLERK DEPT.
07 JUN 19 PM 4:00

*****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:** _____

CITY CLERK DEPT.
07 JUN 19 PM 4:08

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 27th day of September, 2006, after due notice and hearing, ordered Shirley J. Cutright, record Owner of the hereinafter described property that the Building(s) be secured 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 secure 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 secure 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 securing the Building(s) and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lots 7 and 8 and South 5 Feet of Lot 9, Block 12, Del Norte Acres Subdivision, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Book 8, Page 54, Plat Records, El Paso County, Texas, municipally known and numbered as 8925 Roberts, El Paso, Texas,

to be \$6,500.71, performed by the Street Department of the City of El Paso, and \$982.61, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$7,483.32. The City Council finds that the work was completed on the 10th day of April, 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 SEVEN THOUSAND FOUR HUNDRED EIGHTY-THREE AND 32/100 DOLLARS (\$7,483.32) 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.

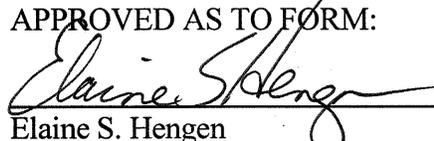
CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



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

CITY CLERK DEPT.
07 JUN 19 PM 4:08



**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: June 13, 2007

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

FROM: Elaine S. Hengen, Senior Assistant City Attorney

SUBJECT: Agenda Item for Consent Agenda

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

8925 Roberts \$7,483.32 District 2

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	\$6,500.71
Notification	462.56
Notification	370.05
Title Report	<u>150.00</u>
TOTAL	<u>\$7,483.32</u>

If I can provide further information, please call me.

cc: Juanita Gardea, City Comptroller's Office

CITY CLERK DEPT.
07 JUN 19 PM 4:08