

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Environmental Services

AGENDA DATE: June 28, 2011

CONTACT PERSON NAME AND PHONE NUMBER: William V. Stern, Deputy Building Official
(915) 599-3742

DISTRICT(S) AFFECTED: 2, 3 & 6

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 City Code:

- | | | | |
|----|--|--------------------|-------------------|
| 1. | 8739 Orion Place
County of El Paso, Texas, Mark T. Davis, Olie S. Robinson, Jesus Diaz De Leon | \$6,102.08 | District 2 |
| 2. | 577 Gallagher Street
Blas Nevarez and Carmen Nevarez | \$14,838.58 | District 3 |
| 3. | 410 Canal Road
David Hernandez Jr. | \$11,461.60 | District 6 |

BACKGROUND / DISCUSSION:

The Building and Standards Commission conducted a public hearing on the mentioned properties and ordered that action be taken to ensure that the properties are made safe. The cost incurred for these properties were performed by the Department of Transportation of the City of El Paso, the City Clerk's Office and the Environmental Services Department.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

1. BSC Public Hearing – 8739 Orion Place – January 18, 2011
2. BSC Public Hearing – 577 Gallagher Street – October 27, 2010
3. BSC Public Hearing – 410 Canal Road – July 25, 2010

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

DEPARTMENT HEAD:

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

Information copy to appropriate Deputy City Manager

RESOLUTION

WHEREAS, in accordance with Chapter 18.50 of the City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 18th day of January, 2011, after due notice and hearing, issued an order to COUNTY OF EL PASO, TEXAS, MARK T. DAVIS, OLIE S. ROBINSON, JESUS DIAZ DE LEON, record Owners of the hereinafter described property that the structure be secured within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owners and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation 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 Environmental 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 the securing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 23, Block 2, Sunrise Courts, an addition to the City of El Paso, El Paso County, Texas, according to the map pat thereof on file in the Book 788 of the Deed Records of El Paso County, Texas, municipally known as 8739 Orion Place, El Paso, Texas,

to be \$4,990.13, performed by the Department of Transportation of the City of El Paso, and \$1,111.95, performed by the City Clerk's Office and Environmental Services Department, making a total of \$6,102.08. The City Council finds that the work was completed on the 18th day of January, 2011, 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 SIX THOUSAND ONE HUNDRED TWO AND 08/00 DOLLARS (\$6,102.08) 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 _____, 2011.

CITY OF EL PASO

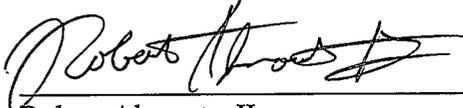
ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Robert Almonte, II
Assistant City Attorney



Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 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 City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 27th day of October, 2010, after due notice and hearing, issued an order to BLAS NEVAREZ and CARMEN NEVAREZ, record Owners of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental 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 the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 4, Block 1, Linda Gardens, according to plat thereof, filed for record in the Deed Records of El Paso County, Texas, in Book 505, Page 641, Back, said property being situated in El Paso, County, Texas, more particularly described as 577 Gallagher Street, El Paso, Texas,

to be \$13,835.92, performed by the Department of Transportation of the City of El Paso, and \$1,002.66, performed by the City Clerk's Office and Environmental Services Department, making a total of \$14,838.58. The City Council finds that the work was completed on the 4th day of March, 2011, 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 FOURTEEN THOUSAND EIGHT HUNDRED THIRTY-EIGHT AND 58/100 DOLLARS (\$14,838.58) 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 _____, 2011.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Robert Almonte II
Assistant City Attorney

Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 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 City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 25th day of July, 2010, after due notice and hearing, issued an order to DAVID HERNANDEZ, JR., record Owner of the hereinafter described property that the structure be demolished within thirty (30) days and that the premises be cleaned of all weeds, trash, and debris within thirty (30) days, and the Owner and any mortgagee or lienholder having failed after due notice to comply with such ORDER, the Department of Transportation of the City of El Paso has been ordered to proceed to demolish and clean the premises of all weeds, trash, and debris.

WHEREAS, the Director for the Environmental 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 the demolishing of the structure within thirty (30) days and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

All of Lot 17, Block F, Santa Fe Addition to the City of El Paso, El Paso County, Texas, more particularly described as 410 Canal Road, El Paso, Texas,

to be \$10,471.78, performed by the Department of Transportation of the City of El Paso, and \$989.82, performed by the City Clerk's Office and Environmental Services Department, making a total of \$11,461.60. The City Council finds that the work was completed on the 29th day of January, 2011, 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 SIXTY-ONE AND 60/100 DOLLARS (\$11,461.60) 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.

(Signatures follow on next page)

ADOPTED this _____ day of _____, 2011.

CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:





Robert Almonte II
Assistant City Attorney

Ellen A. Smyth, P.E., Director
Environmental Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2011 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