

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

DEPARTMENT: DEVELOPMENT SERVICES

AGENDA DATE: JULY 24, 2007

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

DISTRICT(S) AFFECTED: 4

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 18.50.106 (Unsafe Structures and Conditions) of the El Paso Municipal Code:

<u>5629 Hemmingway Drive</u>	<u>\$9,189.36</u>	<u>District 4</u>
<u>Rico Alvarez</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) _____

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:** _____



**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: July 10, 2007

TO: Larry F. Nichols, C.B.O., Deputy Director
Building Permits and Inspections

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.

5629 Hemmingway Drive \$9,189.36 District 4

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:

Notification	\$520.60
Notification	\$611.22
Title Report	\$150.00
Street Department Costs	<u>\$7,907.54</u>
TOTAL	\$9,189.36

If I can provide further information, please call me.

cc: Juanita Gardea, City Comptroller's Office

RESOLUTION

WHEREAS, in accordance with Section 18.50.106 of the El Paso City Code, the Building and Standards Commission of the City of El Paso, by Order dated the 31st day of January, 2007, after due notice and hearing, issued an order to RICO ALVAREZ, record Owner of the hereinafter described property that the Buildings 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 Buildings 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 Buildings and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

Lot 5, Block 98, Sun Valley Addition Unit Nine, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 9, Page 60, Plat Records of El Paso County, Texas, municipally known and numbered as 5629 Hemmingway Drive, El Paso, Texas,

to be \$7,907.54, performed by the Street Department of the City of El Paso, and \$1,281.82, performed by the City Attorney's Office and the City Clerk's Office, making a total of \$9,189.36. The City Council finds that the work was completed on the 8th 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 NINE THOUSAND ONE HUNDRED EIGHTY-NINE AND 36/100 DOLLARS (\$9,189.36) 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 _____, 2007.

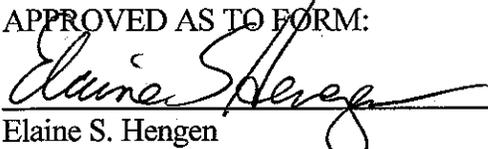
CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

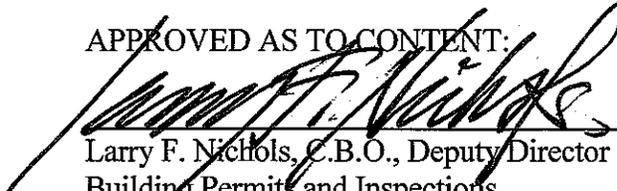
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Elaine S. Hengen
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, C.B.O., Deputy Director
Building Permits and Inspections

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

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Rico Alvarez

\$9,189.36

District 4

(contact person: William V. Stern, Code Enforcement, (915) 541-4800)