CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: **Environmental Services**

AGENDA DATE: **August 22, 2006**

CONTACT PERSON/PHONE: **Ellen A. Smyth, P.E., (915) 621-6719**

DISTRICT (S) AFFECTED: **All Districts**

SUBJECT:

Approve a resolution to place a lien for non-payment of property clean-ups

BACKGROUND / DISCUSSION:

Foster Surv 262 ABST 10062 (4.4662 Acre) - property cleaned March 7, 2006 (District 1)
Lot 26 & ADJ FT of Clsd Alley, Block 10, Del Norte Acres Subdivision - property was cleaned January 9, 2006 (District 2)
2605 Lebanon Avenue – property was cleaned March 16, 2006 (District 2)
4505 E. Missouri Avenue – property was cleaned January 26, 2006(District 2)
S 80.00 Ft of Lot 82 (12352 Sq Ft), Sunrise Acres #2 Subdivision – property was cleaned January 18 & 19, 2006 (District 2)
5100 Catskill – property was cleaned December 16, 2005 (District 2)
10120 Montana Avenue – property was cleaned February 8, 9, & 10, 2006 (District 3)
148 Raynolds – property was cleaned March 9, 2006 (District 3)
150 Raynolds – property was cleaned March 9, 2006 (District 3)
10560 Shannon – property was cleaned February 24, 2006 (District 3)
Lots 9 & 10 & 58 Ft of Closed Alley ADJ, Block 18, Lincoln Park Subdivision – property was cleaned December 16, 2005 (District 3)
E Pt of Tracts 246 to 248 N of Lexington Road (3.621 Acres), South Parkland Subdivision – property was cleaned March 20, 2006 (District 4)
9961 Agena Lane - property cleaned January 30, 2006 (District 4)
9330 Dyer Street - property was cleaned February 20, 2006 (District 4)
10039 Dyer Street – property was cleaned March 20, 2006 (District 4)
N 60.15 Ft of E 140.00 Ft of S 170.15 Ft of Lot 218 (8421.00 Sq Ft), South Parkland Subdivision – property was cleaned March 3, 2006(District 4)
9737 El Tepeyac – property was cleaned February 3, 2006 (District 6)
9868 Jericho Street – property was cleaned October 21, 2005 (District 6)
9809 La Morenita – property was cleaned March 16, 2006 (District 6)
9277 Leonardo Avenue – property was cleaned January 12, 2006 (District 6)
11912 Pueblo Dormido – property was cleaned January 10, 2006 (District 6)
1048 Richard – property was cleaned March 10, 2005 (District 7)
8141 Cooley Avenue – property was cleaned February 16, 2006 (District 7)
820 Park Street – property was cleaned October 31, 2005 (District 8)
242 Porfirio Diaz Street – property was cleaned November 9, 2005 (District 8)
2618 Chico – property was cleaned March 7, 2006 (District 8)
1112 North Stevens Street – property was cleaned February 1, 2006 (District 8)

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

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

DEPARTMENT HEAD: _____

(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 Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ABDOLKARIM SAADATKHAH, owner of the hereinafter described property, was given notice that said property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso Municipal Code; and the owner failed to comply with due notices. In accordance with El Paso Municipal Code 9.04.380 the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

WHEREAS, the Director of the Department of Solid Waste Management 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

> 10120 Montana Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Tract 1-A (8.1209 ACRE), Block 80, TSP 2 SEC 39 T & P SURV, Parcel #X580-999-239A-0102,

to be ONE THOUSAND SIX HUNDRED SEVENTY-FOUR AND 20/100 DOLLARS ($1,674.20), performed by the Solid Waste Management Department of the City of El Paso, and, the cost of recording the Resolution in the office of the El Paso County Clerk, $24.00, total to wit, making a total ONE THOUSAND SIX HUNDRED NINETY-EIGHT AND 20/100 DOLLARS ($1,698.20). The City Council finds that the work was completed on the eighth, ninth and tenth days of February, 2006, and approves the costs described herein.

2. The City Council, in accordance with Section 9.04.380 of the El Paso Municipal Code, declares the above total amount ONE THOUSAND SIX HUNDRED NINETY-EIGHT AND 20/100 DOLLARS ($1,698.20) to be a lien on the above described property, said amount being due and payable within thirty (30 days) from the date of City Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of the Lien by filing a copy of this Resolution for record with the County Clerk.

4. 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.

PASSED AND APPROVED this _____ day of _____, 2006.

CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Josette Flores
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Ellen A. Smyth, P.E., Director, Envir. Serv.
Solid Waste Management

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

Document Name:SWM/1/SANITATION LIEN 10120 MONTANA AVENUE
Document #: 23935
Author_Id: JFLO

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this _____ day of _____, 2006, by _____, as _____, of the City of El Paso.

_____
Notary Public, State of Texas
Notary's Printed or Typed Name:
_____

My Commission Expires:

_____

PREPARED IN THE OFFICE OF:

Office of the City Attorney
#2 Civic Center Plaza
El Paso, Texas 79901-1196

Document Name:SWM/1/SANITATION LIEN 10120 MONTANA AVENUE
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