

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

DEPARTMENT: Environmental Services
AGENDA DATE: September 9, 2008
CONTACT PERSON/PHONE: Ellen A. Smyth, P.E., (915) 621-6719
DISTRICT (S) AFFECTED: Districts 1, 2, 4, 7

SUBJECT:

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

BACKGROUND / DISCUSSION:

748 Dorsey Drive – property was cleaned on March 31, 2008 **(District 1)**
8605 Gateway Blvd S– property was cleaned on March 17 & 18, 2008 **(District 2)**
3827 Tyler– property was cleaned on March 26, 2008 **(District 2)**
9949 Agena –property was cleaned on December 13, 2007 **(District 4)**
5712 Edinburg Drive – property was cleaned on March 21, 2008 **(District 4)**
Lot(s) 31 & 32, Block 73-C, Logan Heights Subdivision– property was cleaned on October 16 & 17, 2007 **(District 4)**
ELY 181.97 FT OF LOT 1 (21780.0 SQ FT), Block 5, Continental Industrial Park Subdivision– property was cleaned on April 18, 2008 **(District 7)**
WLY 78.11 FT OF LOT 1 (15137.45 SQ FT), Block 2, Rough Riders Subdivision– property was cleaned on March 25, 2008 **(District 7)**

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:** _____

CITY CLERK DEPT.
08 AUG 29 AM 11:35

**ATTACHMENT A
SOLID WASTE LIENS
SEPTEMBER 9, 2008**

748 Dorsey Drive (District 1)	\$154.60	Alfredo Diaz-Mata
8605 Gateway Blvd S (District 2)	\$591.23	Jamar Construction
3827 Tyler (District 2)	\$99.56	John H. Trien
9949 Agena (District 4)	\$131.71	Jeffrey H. Mumford
5712 Edinburg Drive (District 4)	\$152.82	Hugo J. Trevizo
Lot(s) 31 & 32, Block 73-C, Logan Heights Subdivision (District 4)	\$374.19	Howard M. & Lela M. Sims
ELY 181.97 FT OF LOT 1 (21780.0 SQ FT), Block 5, Continental Industrial Park Subdivision (District 7)	\$579.32	Arthur Veliz
WLY 78.11 FT OF LOT 1 (15137.45 SQ FT), Block 2, Rough Riders Subdivision (District 7)	\$414.35	Belk Brothers LTD

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ALFREDO DIAZ-MATA, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

748 Dorsey Drive, more particularly described as Lot(s) 32 EXC SWLY PT (0.80' ON ST-105.06' ON NELY-3.92' ON SELY-105' ON SWLY) & SWLY 1.0' OF LOT 33, Block 19, West Hills #7 Subdivision, El Paso, El Paso County, Texas, Parcel #W145-999-0190-3200

to be \$130.60, performed by the Environmental Services 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 of ONE HUNDRED FIFTY-FOUR AND 60/100 DOLLARS (\$154.60). The City Council finds that the work was completed on the 31st day(s) of March, 2008, 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 HUNDRED FIFTY-FOUR AND 60/100 DOLLARS

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(\$154.60) to be a lien on the above described property, said amount being due and payable within ten (10) 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 _____, 2008.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

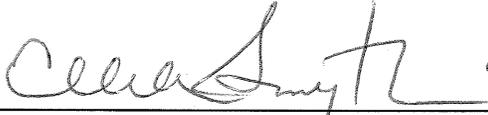
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Josette Flores
Assistant City Attorney

APPROVED AS TO CONTENT:



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

08 AUG 29 AM 11:35
CITY CLERK DEPT.

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:35

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JAMAR CONSTRUCTION, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

8605 Gateway Blvd S, more particularly described as N 136 FT OF LOT 95 & N 136 FT OF E 100 FT OF LOT 96 & N 16 FT OF W 100 FT OF LOT 96 (42383.00 SQ FT), Sunrise Acres #1 Subdivision, El Paso, El Paso County, Texas, Parcel #S912-999-001E-2800

to be \$567.23, performed by the Environmental Services 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 of FIVE HUNDRED NINETY ONE AND 23/100 DOLLARS (\$591.23). The City Council finds that the work was completed on the 17th and 18th day(s) of March, 2008, 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 FIVE HUNDRED NINETY ONE AND 23/100

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DOLLARS (\$591.23) to be a lien on the above described property, said amount being due and payable within ten (10) 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 _____, 2008.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Josette Flores
Assistant City Attorney



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

CITY CLERK DEPT.
08 AUG 29 AM 11:36

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:36

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JOHN H. TRIEN, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3827 Tyler, more particularly described as Lot(s) 1 & 2 (6600 SQ FT), Block 59, Morningside Heights Subdivision, El Paso, El Paso County, Texas, Parcel #M794-999-0590-0099

to be \$75.56, performed by the Environmental Services 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 of NINETY NINE AND 56/100 DOLLARS (\$99.56). The City Council finds that the work was completed on the 26th day(s) of March, 2008, 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 NINETY NINE AND 56/100 DOLLARS (\$99.56) to be a lien on the above described property, said amount being due and payable within ten (10) days

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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 _____, 2008.

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
Environmental Services Department

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

CITY CLERK DEPT.
08 AUG 29 AM 11:36

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:36

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, JEFFERY H. MUMFORD, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

9949 Agena, more particularly described as Lot(s) 15 (6400 SQ FT), Block 26, Dale Bellamah #7 Subdivision, El Paso, El Paso County, Texas, Parcel #D047-999-0260-2800

to be \$107.71, performed by the Environmental Services 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 of ONE HUNDRED AND THIRTY ONE AND 71/100 DOLLARS (\$131.71). The City Council finds that the work was completed on the 13th day(s) of December, 2007, 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 HUNDRED AND THIRTY ONE AND 71/100 DOLLARS (\$131.71) to be a lien on the above described property, said amount being due and

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payable within ten (10) 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 _____, 2008.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

JF *Bar h. Oro*

Josette Flores
Assistant City Attorney

Ellen A. Smyth

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

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

CITY CLERK DEPT.
08 AUG 29 AM 11:36

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:37

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, HUGO J. TREVIZO, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5712 Edinburg Drive, more particularly described as Lot(s) 6,
Block 95, Sun Valley Subdivision, El Paso, El Paso County,
Texas, Parcel # S816-999-0950-2100

to be \$128.82, performed by the Environmental Services 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 of ONE HUNDRED FIFTY-TWO AND 82/100 DOLLARS (\$152.82). The City Council finds that the work was completed on the 21st day(s) of March, 2008, 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 HUNDRED FIFTY-TWO AND 82/100 DOLLARS (\$152.82) to be a lien on the above described property, said amount being due and payable within

CITY CLERK DEPT.
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ten (10) 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 _____, 2008.

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
Environmental Services Department

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

CITY CLERK DEPT.
08 AUG 29 AM 11:37

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:37

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, HOWARD M. & LELA M. SIMS, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

Lot(s) 31 & 32, Block 73-C, Logan Heights Subdivision, City of
El Paso, El Paso County, Texas, Parcel # L447-999-073C-8900.

to be \$350.19, performed by the Environmental Services 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 of THREE HUNDRED SEVENTY-FOUR AND 19/100 DOLLARS (\$374.19). The City Council finds that the work was completed on the 16th and 17th day(s) of October, 2007, 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 THREE HUNDRED SEVENTY-FOUR AND 19/100 DOLLARS (\$374.19) to be a lien on the above described property, said amount being due and

CITY CLERK DEPT.
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payable within ten (10) 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 _____, 2008.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Josette Flores
Assistant City Attorney

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

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

CITY CLERK DEPT.
08 AUG 29 AM 11:37

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:37

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, ARTHUR VELIZ, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

ELY 181.97 FT OF LOT 1 (21780.0 SQ FT), Block 5, Continental Industrial Park Subdivision, El Paso, El Paso County, Texas, Parcel #C756-999-0050-1050

to be \$555.32, performed by the Environmental Services 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 of FIVE HUNDRED SEVENTY NINE AND 32/100 DOLLARS (\$579.32). The City Council finds that the work was completed on the 18 day(s) of April, 2008, 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 FIVE HUNDRED SEVENTY NINE AND 32/100 DOLLARS (\$579.32) to be a lien on the above described property, said amount being due and

payable within ten (10) 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 _____, 2008.

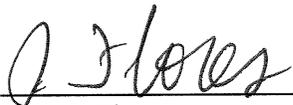
CITY OF EL PASO

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
Environmental Services Department

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

CITY CLERK DEPT.
08 AUG 29 AM 11:38

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:38

RESOLUTION

WHEREAS, in accordance with Section 9.04.380 of the El Paso Municipal Code, entitled Abatement, BELK BROTHERS LTD, referred to as owner, regardless of number, 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 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. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

WLY 78.11 FT OF LOT 1 (15137.45 SQ FT) Block 2,
Rough Riders Subdivision, El Paso, El Paso County, Texas,
Parcel #R872-999-0020-0100

to be \$390.35, performed by the Environmental Services 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 of FOUR HUNDRED FOURTEEN AND 35/100 DOLLARS (\$414.35). The City Council finds that the work was completed on the 25th day(s) of March, 2008, 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 FOUR HUNDRED FOURTEEN AND 35/100 DOLLARS (\$414.35) to be a lien on the above described property, said amount being due and payable within

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ten (10) 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 _____, 2008.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

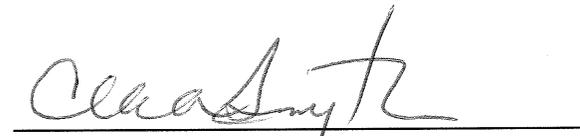
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Josette Flores
Assistant City Attorney



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

(ACKNOWLEDGEMENT ON FOLLOWING PAGE)

CITY CLERK DEPT.
08 AUG 29 AM 11:42

ACKNOWLEDGEMENT

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this ____ day of _____, 2008,
by John F. Cook, as Mayor, 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, 9th Floor
El Paso, Texas 79901-1196

CITY CLERK DEPT.
08 AUG 29 AM 11:43