

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

**DEPARTMENT:** Environmental Services

**AGENDA DATE:** December 14, 2010

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

**DISTRICT(S) AFFECTED:** 1 & 2

**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. | <b>1024 East River Avenue</b><br>Carlos A. and Maria G. Reyes | <b>\$7,590.34</b> | <b>District 1</b> |
| 2. | <b>4936 Sierra Madre</b><br>Francisco G. Arteche              | <b>\$3,993.31</b> | <b>District 2</b> |

**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 Street Department, the City Clerk's Office and the Development Services Department.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

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**BOARD / COMMISSION ACTION:**

1. BSC Public Hearing – 1024 East River Avenue – June 30, 2010
  2. BSC Public Hearing – 4936 Sierra Madre – May 26, 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 30<sup>th</sup> day of June, 2010, after due notice and hearing, issued an order to CARLOS A. and MARIA G. REYES, 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 Street Department 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 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 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:

Lots 12 & 13 & E ½ of 11, Block 292, Pierce Findley, an addition to the City of El Paso, El Paso County, Texas, more particularly described as 1024 East River Avenue, El Paso, Texas,

to be \$6,571.07, performed by the Street Department of the City of El Paso, and \$1,019.27, performed by the City Clerk's Office and Development Services Department, making a total of \$7,590.34. The City Council finds that the work was completed on the 7<sup>th</sup> day of September, 2010, 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 FIVE HUNDRED NINETY AND 34/100 DOLLARS (\$7,590.34) 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 \_\_\_\_\_, 2010.

CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Cynthia Osborn  
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 \_\_\_\_\_, 2010 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 26<sup>th</sup> day of May, 2010, after due notice and hearing, issued an order to FRANCISCO G. ARTECHE, record Owner 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 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 secure 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 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 559, Block 22, Mountain View Addition, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 40, Plat Records of El Paso County, Texas, municipally known as 4936 Sierra Madre Drive, El Paso, Texas,

to be \$2,974.65, performed by the Street Department of the City of El Paso, and \$1,018.66, performed by the City Clerk's Office and Development Services Department, making a total of \$3,993.31. The City Council finds that the work was completed on the 27<sup>th</sup> day of September, 2010, 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 THREE THOUSAND NINE HUNDRED NINETY-THREE AND 31/00 DOLLARS (\$3,993.31) 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 \_\_\_\_\_, 2010.

CITY OF EL PASO

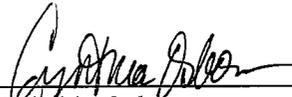
ATTEST:

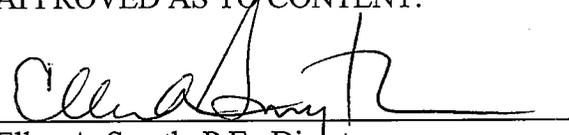
\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Cynthia Osborn  
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 \_\_\_\_\_, 2010 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