Agenda Item Form

Agenda Date: 10/12/04

Districts Affected: 1,2,3,4,7,8
Dept. Head/Contact Information: Ellen Smyth, P.E., (915) 621-6719

Type of Agenda Item:

- ☒ Resolution
- ☐ Tax Installment Agreements
- ☐ RFP/ BID/ Best Value Procurement
- ☐ Application for Facility Use
- ☐ Interlocal Agreements
- ☐ Other _____
- ☐ Staffing Table Changes
- ☐ Tax Refunds
- ☐ Budget Transfer
- ☐ Bldg. Permits/Inspection
- ☐ Contract/Lease Agreement
- ☐ Board Appointments
- ☐ Donations
- ☐ Item Placed by Citizen
- ☐ Introduction of Ordinance
- ☐ Grant Application

Funding Source:

- ☐ General Fund
- ☐ Grant (duration of funds: _____ Months)
- ☐ Other Source: _____

Legal:

☒ Legal Review Required Attorney Assigned (please scroll down): Ruth Reyes ☒ Approved ☐ Denied

Timeline Priority: ☐ High ☐ Medium ☐ Low # of days:_____

Why is this item necessary:
To release a lien placed against the following properties: 4756 Sir Garth Drive, 2732 Morehead, 2421 Pittsburg Avenue, 3528 & 3530 Thomason, 3530 Thomason, 3500 Thomason, 290 Edith (3 liens), 5700 Block of Manila, 7800 Block of Mansfield, 3501 East San Antonio Avenue, and 3505 East San Antonio Avenue. Original lien amount plus 10% interested has been made to satisfy release of the lien(s).

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:
n/a

Statutory or Citizen Concerns:
n/a

Departmental Concerns:
n/a

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign release of liens on the following properties (legal description on file in the City Clerk's Office) for consideration paid to the City in full satisfaction of amount owed pursuant to these solid waste management liens for :

	Lien	Interest	Total Paid
3528 & 3530 Thomason Avenue District 2	$ 383.27	$ 492.63	$ 875.90
3530 Thomason Avenue District 2	$ 131.83	$ 152.66	$ 284.49
3500 Thomason Avenue District 2	$ 457.90	$ 278.25	$ 736.13

ADOPTED this 12th day of October, 2004.

CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Ruth Reyes
Assistant City Attorney

STATE OF TEXAS)
)
COUNTY OF EL PASO)

RELEASE

WHEREAS, in accordance with Section 9.04.380, entitled Abatement, of the El Paso City Code, after providing due notice to the owner of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of the El Paso City Code, and the owner failed to comply after due notice, the City's Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds and/or other rubbish; and

WHEREAS, the El Paso City Council, in accordance with Section 9.04.380 of the El Paso City Code, declared the total amount of ONE THOUSAND EIGHT HUNDRED NINETY SIX AND 52/100 DOLLARS ($ 1,896.52) to be liens on the hereinafter described property by Resolution dated March 31, 1992, and said Resolution is recorded in Book 2435, Page 0982, of the Deeds Records of El Paso County, Texas; and the El Paso City Council, in accordance with Section 9.04.380 of the El Paso City Code, and by Resolution dated January 4, 1994, and said Resolution is recorded in Book 2676, Page 1736 of the Deeds Records of El Paso County, Texas; and by Resolution dated August 18, 1998, and said Resolution is recorded in Book 3430, Page 0757 of the Deeds Records of El Paso County, Texas; and

WHEREAS, the property owner desires a release of the property covered by said sanitation liens and has made satisfactory arrangement with the City of El Paso to justify said releases;

NOW, THEREFORE, in consideration of the above, the City of El Paso, for valuable consideration, the receipt whereof is hereby acknowledged, does release the following property from the above-mentioned sanitation liens:

> 3500, 3528 and 3530 Thomason, City of El Paso, El Paso County, Texas, being more particularly described as Lots 30 to 32, Block 86-B, Logan Heights Subdivision, Parcel #L447-999-086B-9200,

EXECUTED this 12th day of October, 2004.

CITY OF EL PASO

_____
Joe Wardy
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Ruth Reyes
Ruth Reyes
Assistant City Attorney

(ACKNOWLEDGEMENT FOLLOWS ON NEXT PAGE)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared _____ _____, as _____ of the CITY OF EL PASO, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before in my county aforesaid that he had executed the same for the purpose and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2004.

_____
Notary Public, State of Texas

My Commission Expires:_____