

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

**DEPARTMENT:**     DEVELOPMENT SERVICES

**AGENDA DATE:**    DECEMBER 16, 2008

**CONTACT PERSON/PHONE:**     VICTOR Q. TORRES, DEVELOPMENT SERVICES (915) 541-4557

**DISTRICT(S) AFFECTED:** 8

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

<b><u>512 North San Marcial Street</u></b>	<b><u>\$3,899.54</u></b>	<b><u>District 8</u></b>
<u>Ola Mae Newton c/o Vivian A. Simmons</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) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_  
                                  **Victor Q. Torres, Development Services Director**

**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:** \_\_\_\_\_

## RESOLUTION

**WHEREAS**, in accordance with Chapter 18.50 of the El Paso Municipal Code, the Building Standards Commission of the City of El Paso, by Order dated the 30th day of August, 2006, after due notice and hearing, ordered OLA MAE NEWTON c/o VIVIAN A. SIMMONS, record Owners of the hereinafter described property that the Building(s) be secured within thirty (30) days and clean the premises of all weeds, trash, and debris all within thirty (30) days, and the Owners having failed after due notice to comply with such ORDER, any mortgagees, lienholders and other persons having an interest in the property have an additional ten (10) days to secure the Building(s) and clean the premises of all trash, debris, and the mortgagees, lienholders and other persons having an interest in the property 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 the Building(s) 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 securing the Building(s) and cleaning the premises of all weeds, trash and debris from the property, more particularly described as:

South 35 Feet of Lots 28 to 32, Block 62, East El Paso Subdivision, City of El Paso, El Paso County, Texas, municipally known and numbered as 512 North San Marcial Street, El Paso, Texas,

to be \$2,843.45, performed by the Street Department of the City of El Paso, and \$1,056.05, performed by the City Clerk's Office and Development Services Department, making a total of \$3,899.54. The City Council finds that the work was completed on the 6<sup>th</sup> day of June, 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 THREE THOUSAND EIGHT HUNDRED NINETY-NINE AND 54/100 DOLLARS (\$3,899.54) 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.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

CITY OF EL PASO

ATTEST:

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

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Mark Shoosmith  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Victor Q. Torres, Director  
Development Services Department

ACKNOWLEDGEMENT

THE STATE OF TEXAS     )  
                                      )  
COUNTY OF EL PASO     )

This instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2008 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