700 E. Third St.
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COUNCIL AGENDA ITEM # ___ FOR
TUESDAY, January 20th, 2004

BUILDING PERMITS AND INSPECTIONS

MEMORANDUM
January 20, 2004

TO: The Honorable Mayor and City Council

THROUGH: R. Alan Shubert, P. E. - Building Permits and Inspections Director

FROM: Tom Maguire, Housing Compliance Supervisor

SUBJECT: 700 E. Third Ave. AKA 502 S. Florence St., El Paso, Texas 79901 (Rep. District #8)

The following is a brief chronology of the investigation of the referenced location:

1) First investigated September 5th, 2003. The building was found to be in an advanced state of disrepair. The main roof structure is collapsing and the property is littered with combustible trash and debris.
2) A certified condemnation letter was mailed to Adolfo J and Alexandro Avila on September 1st, 2003; and the new owner Lydia Patterson Institute on December 23, 2003.
3) Certified notices of the public hearing scheduled January 20th, 2004 were mailed to the owners and all interested parties December 23rd, 2003 and December 30th, 2003.
4) As of January 13th, 2004, $181.99 are owed in taxes.
5) Lydia Patterson Institute has informed us of the desire to demolish this structure, however no demolition permits have been issued.

The Department recommends that it be found:

1) That the structure be condemned as substandard, and unfit for habitation or use and a hazard to the public health, safety, and welfare; and
2) That the buildings are not in substantial compliance with the municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
3) That the structure's certificate of occupancy be revoked; and
4) That the structure cannot be repaired; and
5) That the structure be demolished within 30 days; and
6) That the premises be cleaned of all weeds, trash, and debris within 30 days.

UNSAFE STRUCTURES REPORT

BUILDING PERMITS AND INSPECTIONS

DATE OF EXAMINATION: September 5th, 2003 **REP. DISTRICT:** 8

ADDRESS: 700 E. Third Avenue AKA 502 S. Florence Street **ZONED:** A-3

LEGAL DESCRIPTION: Lots 11 & 12, Block 112, Campbell

OWNER: Adolfo J. & Alexandro Avila **ADDRESS:** 8445 New Haven Drive

BUILDING USE: Abandoned Apartment Building

TYPE OF CONSTRUCTION: V – Brick with wood framing

FOOTINGS: Unable to inspect footings due to the subterranean location.
CONDITION: An engineer must be hired to evaluate all structural aspects of the building

FOUNDATION WALL: N/A
CONDITION:

FLOOR STRUCTURE: Slab on grade
CONDITION: Entire floor is covered with debris. An engineer must be hired to evaluate the structural aspects of the slab.

EXTERIOR WALLS: Brick

HEIGHT: 8' – 10' **THICKNESS:** 12" – 16"

CONDITION: Will need tuck point and cleaning and structure must be evaluated by an engineer.

INTERIOR WALLS & CEILINGS: Brick & wood
CONDITION: Poor. All interior walls are in need of repair.

ROOF STRUCTURE: 2 x 6 Wood and iron bar joist.
CONDITION: Parts of the roof is in collapse and must be demolished and removed.

DOORS, WINDOWS, ETC.: Wood doors and wood sash windows
CONDITION: All doors and windows need to be replaced with code compliant units.

MEANS OF EGRESS: N/A
CONDITION:

PLUMBING: Water service is off. The entire system must be evaluated by a licensed plumber and brought up to code.

ELECTRICAL: Electrical service has been off for years. The entire electrical system needs to be evaluated by a licensed contractor and replaced.

MECHANICAL: Entire heating and conditioner system must be replaced by a licensed contractor.

IF CONDEMNED, HOW MANY PERSONS WILL BE AFFECTED: 0

WARNING POSTED: Yes **BARRICADED:** No **POLICE AID REQD.:** No

REMARKS: This abandoned apartment building must be demolished or rehabilitated as soon as possible. The roof is collapsing. The property is being entered by uninvited people. It is unsafe and dangerous and a nuisance.

Bill Stern
Building Inspector

Tidemark Advantage

File Edit Options Window Help

Exit New Open Task List QBE

Close View Add Delete Sign Off Print Documents

Code Enforcement -- COD03-15455 Status RE

Name: AVILA, ADOLFO J & ALEXANDRO Updated: 10/1/2003 RL

Address: 700 E THIRD AVE -702

Description: Master #: COD03-15455 Project:

Housing code violations

General

Category

Comments

View / Edit Activity

Activity: 0040 Desc: Refer to Fire Updated: 11/13/2003 931

Disposition: DONE Hold Level: No hold

Dates

Date Referred 10/2/2003

Date Received 10/2/2003

Date Completed 11/13/2003

Calendar Tag: FDCM

Report Tag:

Assigned To: 931

Done By: 931

Notes:

This is a wood frame, masonry structure that is not occupied or secured. There are broken windows and doors. This structure presents a severe fire hazard and needs to be secured until demolition can be carried out. Fire recomends condemnation proceeds.

Edit

Sign Off

Date 2

OK

Help

View/Add Activities

Start Inbox - Micr... Tidemark A... Printscreen 95 9:32 AM

Copy

JOE WARDY
MAYOR

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING Jr.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN COOK
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DISTRICT NO. 5

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DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY COBOS
DISTRICT NO. 8

BUILDING PERMITS AND INSPECTIONS
CODE COMPLIANCE
October 1, 2003

Adolfo J. & Alexandro Avila
8445 New Haven Dr.
El Paso, Texas 79907-5250

Re: 700 E. Third Ave. AKA
502 S. Florence St.
Lots: 11 & 12
Blk: 112, Campbell
Zoned: A-3
COD03-15455
Certified Mail Receipt #
7003 1010 0004 5303 9206

To All Owners, Lienholders, and Mortgagees:

An inspection at the above referenced address has revealed that the structure is in violation of the El Paso Municipal Code, Chapter 18.52.030 - Unsafe Structures - Owner Not To Allow Condition To Continue, which states:

> It is unlawful for the owner of any building or structure, or part thereof, which has become unsafe and dangerous so as to endanger persons or property, or so as to be a fire hazard by reason of defective construction, overloaded floors, lack of guards against fire, defective condition of the foundations, walls, or parts thereof, or deterioration caused by fire or otherwise, or for any reason, to allow or permit same to remain upon any real estate within the City.

The El Paso Municipal Code Chapter 18.52.040 - unsafe structures - Remedial action by owner or City defines unsafe structure as a structure or part thereof that is:

a. Dilapidated, substandard, or unfit for human habitation and a hazard to the public health, safety, and welfare; or

b. Regardless of its structural condition, unoccupied by its owners, lessees or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or

c. Boarded up, fenced, or otherwise secured in any manner in if:

700 E. Third Avenue AKA 502 S. Florence Street

i. The building constitutes a danger to the public even though secured entry, or

ii. The means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection.

The structure located at 700 E. Third Avenue AKA 502 S. Florence Street has the following violations:

a. The foundation has not been maintained in a safe manner.

b. The floors have not been maintained in a safe manner.

c. The walls have not been maintained in a safe manner free of holes and cracks.

d. The roof structure has not been maintained free of defects that may cause leaks.

e. The plumbing system is inadequate and does not meet minimum code requirements.

f. The electrical system is inadequate and does not meet minimum code requirements.

g. The HVAC system is inadequate and does not meet minimum code requirements.

h. The premises are full of weeds, trash, and debris.

i. This case is being submitted to the City Attorney's office for unsafe structures proceedings. The City Council will decide if the structure is unsafe and if it should be vacated and secured, or demolished as per Sec. 18.52.040 of the El Paso Municipal Code.

If you have any plans, reports or current permits which pertain to the property, you must submit them prior to this hearing to Building Permits and Inspections or bring them to Council Chambers the day of the hearing. Without these documents, no extensions of the deadlines can be granted.

700 E. Third Avenue AKA 502 S. Florence Street

Many of these corrections will require a permit. Permits for commercial or rental property must be taken out by a bonded and insured contractor who is registered with the City of El Paso.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5th floor, City Hall, no later than the 20th day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Should you have any questions regarding this matter, please contact me at 541-4800.

FOR THE DIRECTOR FOR BUILDING PERMITS AND INSPECTIONS:

Bill Stern
Building Inspector

BS/rl

CITY-COUNTY HEALTH DISTRICT

MEMORANDUM

TO: Bill Stern

DATE: 8-26-03

FROM: J. Ramirez

SUBJECT: 502 S. Florence (01)

This property is located across from the Lydia Patterson Academy — at the corner of 3rd & Florence — the building is vacant — the structure is unsafe

Needs immediate attention.

Thanks

stewart title of el paso

CYNTHIA BILBE
President

500 North Mesa, Suite 300
El Paso, TX 79901
915-544-0006
915-544-0733 fax
800-773-7141

OWNERSHIP LETTER

Date: December 19, 2003

Re: Our GF No. 035061275, Lots 11 and 12, Block 112, CAMPBELL'S ADDITION, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 2, Page 68, Plat Records of El Paso County, Texas.

Upon search of the records of El Paso County, Texas, through November 19, 2003, we find the following information pertaining to the above referenced property:

> Warranty Deed dated November 19, 2003 filed in the Real Property Records of El Paso County, Texas, from Adolfo J. Avila and Alexandro Avila in favor of Lydia Patterson Institute a/k/a Lydia Patterson Institute of The Methodist Church (LAST DEED IN CHAIN OF TITLE)

THIS IS NEITHER A GUARANTY NOR WARRANTY. BY ACCEPTANCE OF THIS CERTIFICATE IT IS UNDERSTOOD THAT THE LIABILITY OF THE ISSUER HEREOF IS EXPRESSLY LIMITED TO THE ACTUAL MONETARY CONSIDERATION PAID FOR SAME.

STEWART TITLE OF EL PASO

BY: Susan Hutsell
SUSAN HUTSELL
COMMERCIAL ESCROW OFFICER

Seller's Closing Statement

SELLER(S) FINAL CLOSING STATEMENT

Prepared by
STEWART TITLE COMPANY OF EL PASO
500 N. MESA SUITE 300
EL PASO, TEXAS 79901
(915) 544-0006

Seller(s): ADOLFO J. AVILA, AND, ALEXANDRO AVILA
Buyer(s): LYDIA PATTERSON INSTITUTE A/K/A
LYDIA PATTERSON INSTITUTE OF THE, METHODIST CHURCH
Lender:
Property: EL PASO TX
Closing Date: 11/18/2003 Proration Date: 11/18/2003
Escrow Officer: SUSAN HUTSELL
File Number: 03506175

SALES PRICE		65,000.00
REIMBURSEMENTS/CREDITS:		
TOTAL REIMBURSEMENTS/CREDITS:		
GROSS AMOUNT DUE TO SELLER:		65,000.00
LESS CHARGES AND DEDUCTIONS:		
ESCROW CHARGES:		
Escrow Fee	150.00	
PAYEE: STEWART TITLE COMPANY		
TITLE CHARGES:		
Owner's title policy	768.20	
Liability amount (OTP) $65,000.00		
PAYEE: STEWART TITLE COMPANY		
RECORDING FEES/TRANSFER CHARGES:		
Tax Certificates	35.85	
PAYEE: STEWART TITLE COMPANY		
MISCELLANEOUS CHARGES:		
Taxes	1,327.66	
PAYEE: TAX ASSESSOR COLLECTOR		
TOTAL CHARGES AND DEDUCTIONS:		2,281.71
BALANCE DUE TO SELLER:		62,718.29

My signature hereon acknowledges approval of tax prorations, and signifies my understanding that prorations were based on figures for preceding year, or estimates for current year, and in event of any change for current year, all necessary adjustments must be made between Seller and Purchaser direct; likewise any DEFICIT in delinquent taxes will be reimbursed to Title Company by the Seller. The undersigned further acknowledges the above information was assembled from sources other than this company and therefore, this company cannot guarantee the accuracy thereof. Interest on existing liens is figured to the date indicated and additional interest may have to be collected, if necessary, to secure release from the lienholder.

NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 20th day of January, 2004 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 700 E. Third Avenue AKA 502 S. Florence Street, in El Paso, Texas, which property is more particularly described as:

Lots: 11 & 12, Block 112, Campbell

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Adolfo J. & Alexandro Avila, 8445 New Haven Drive, El Paso, Texas 79907, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

CERTIFIED MAIL RECEIPT #7003 1010 0004 5306 7155

January 4, 2004

The City of El Paso/Building Permits & Inspections
Two Civic Center Plaza
El Paso, Tx 79901-1196

Gentlemen:

In regards to the property mentioned in your Notice of Public Hearing, Please be informed that the property was sold and deeded out on November 2003 to the party shown in the enclosed copy of deed. Please correct and change your records accordingly and advise the new owners of this hearing accordingly, thank you.

Sincerely

Adolfo J & Alejandro Avila
Xavier S Avila

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: BS

Adolfo J. & Alexandro Avila
8445 New Haven Dr.
El Paso, Texas 79907-5250
Re: 700 E. Third Ave. AKA 502 S. Florence St.

Lt #3

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Hermila Avila ☐ Agent ☐ Addressee

B. Received by (Printed Name) HERMILA AVILA
C. Date of Delivery OCT 0 3 2005

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7003 1010 0004 5303 9206

PS Form 3811, August 2001 Domestic Return Receipt 102595-01-M-2509

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: BS

Lydia Patterson Institute
517 S. Florence St.
El Paso, Texas 79901
Re: 700 E. Third Ave. AKA 502 S. Florence Street

1st Dip

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Jose Molina ☐ Agent ☐ Addressee

B. Received by (Printed Name) Jose Molina
C. Date of Delivery DEC 31 2003

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7003 1010 0004 5306 7308

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: BS

Adolfo J. & Alexandro Avila
8445 New Haven Dr.
El Paso, Texas 79907
Re: 700 E. Third Ave. AKA 502 S. Florence Street

1st Dip

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X Adolfo Avila ☐ Agent ☐ Addressee

B. Received by (Printed Name) Adolfo Avila
C. Date of Delivery 1-5-04

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7003 1010 0004 5306 7148

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

20040113 TC8006 CITY OF EL PASO TAX OFFICE - ACCOUNT STATUS 153733

ACCOUNT C05099911205500 AMT DUE AS OF: 20040113 ROLL R ALT OWN
UNITS:01 03 06 07 08 OMIT(-)/SEL(+)
AVILA, ADOLFO J & ALEXANDRO 112 CAMPBELL
11 & 12 (6240 SQ FT)

8445 NEW HAVEN DR

EL PASO TX 79907-5250
ACRES .1433 PARCEL ADDRESS 700 THIRD

YEAR	GROSS VAL	HOVDFAER	RCVL LEVY	REM LEVY	FEES	PAYMENTS	TOTAL DUE
2003	49902		1509.65	181.99		1327.66	181.99
2002	49902		1499.50	12/27/2002		1499.50	.00
2001	63867		1894.18	03/19/2002	170.48	2064.66	.00
2000	30754		887.62	12/28/2000		887.62	.00
1999	30754		885.00	12/21/1999		885.00	.00
1998	30754		913.82	04/16/1999	100.53	1014.35	.00
1997	30754		849.14	12/12/1997		849.14	.00
		TOTAL	1509.65	181.99	.00		

LAST PAYOR STEWART TITLE PAGE TOTAL 181.99
CUMULATIVE TOTAL 181.99

ENTER NEXT ACCOUNT