Agenda Item Form

Agenda Date: November 2, 2004

Districts Affected: 2
Dept. Head/Contact Information: Charles D. Ruiz (915) 541-4221
Community and Human Development

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): Jeff McElroy ☒ Approved ☐ Denied

Timeline Priority: ☒ High ☐ Medium ☐ Low # of days:___

Why is this item necessary:

SUBJECT: Release of Lien - 8805 Mt. Chinati Dr., El Paso, TX 79904 (Loan No. 4103)

This item refers to a lien placed on the property located at 8805 Mt. Chinati Dr., El Paso, Texas, 79904. The owner of said property, Albertina P. Sosa, has satisfied all obligations deriving from a Housing Rehabilitation Loan of $9,933.00 with payments of $41.39 for 240 months at 0% interest rate and a Grant of $16,351.00 with payments of $136.26 for 120 months at 0% interest rate, both dated March 11, 1994. Albertina P. Sosa is due a refund in the amount of $948.39. Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFHOME, Fund: 09914, Financial Location: 71000, Account: 405065. (District No. 2.)

Explain Costs, including ongoing maintenance and operating expenditures, or Cost Savings:
Grant funded

Statutory or Citizen Concerns:
None expected

Departmental Concerns:
N/A

ITEM: _____

SUBJECT: Release of Lien – 8805 Mt. Chinati Dr., El Paso, Texas 79904 (Loan No. 4103)

This item refers to a lien placed on the property located at 8805 Mt. Chinati Dr., El Paso, Texas, 79904. The owner of said property, Albertina P. Sosa, has satisfied all obligations deriving from a Housing Rehabilitation Loan of $9,933.00 with payments of $41.39 for 240 months at 0% interest rate and a Grant of $16,351.00 with payments of $136.26 for 120 months at 0% interest rate, both dated March 11, 1994. Albertina P. Sosa is due a refund in the amount of $948.39. Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFHOME, Fund: 09914, Financial Location: 71000, Account: 405065. (District No. 2.)

RESOLUTION

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

THAT the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of TWENTY SIX THOUSAND TWO HUNDRED EIGHTY FOUR AND NO/100 DOLLARS ($26,284.00 Grant Note-$16,351.00, Loan Note-$9,933.00), against the following described real property:

> Lot 1423, Block 57, MOUNTAIN VIEW ADDITION, an addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 1, Page 62, Plat Records of El Paso County, Texas; known and numbered as 8805 Mt. Chinati

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City; and that the City Comptroller issue a refund check resulting from an overpayment on the loan for the amount of Nine Hundred Forty Eight and 39/100 Dollars ($948.39). [Funds are available in the CD Housing Rehab Dept ID: 71150039, Grant: 710RLFHOME, Fund: 09914, Financial Location: 71000, Account: 405065].

ADOPTED this 2nd day of November, 2004.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Jeff McElroy
Assistant City Attorney

APPROVED AS TO CONTENT:

Robert A Salinas, Director
Community and Human Development

Document #: 5028
Document Name: CHD\12\Reso 8805 Mt. Chinati
Document Author: JMCE

RELEASE OF LIEN

Date:

Note:	SECURED GRANT NOTE
Date:	March 11, 1994
Original Amount:	SIXTEEN THOUSAND THREE HUNDRED FIFTY ONE AND NO/100 DOLLARS ($16,351.00)
Maker:	Albertina P. Sosa
Payee:	City of El Paso
Date of Maturity:	May 1, 2004
Holder of Note and Lien:	City of El Paso

Holder's Mailing Address (including County):

2 Civic Center Plaza
El Paso, Texas 79901-1196
El Paso County, Texas

Note:	LOAN NOTE
Date:	March 11, 1994
Original Amount:	NINE THOUSAND NINE HUNDRED THIRTY THREE AND NO/100 DOLLARS ($9,933.00)
Maker:	Albertina P. Sosa
Payee:	City of El Paso
Date of Maturity:	May 1, 2014
Holder of Note and Lien:	City of El Paso

Holder's Mailing Address (including County):

#2 Civic Center Plaza
El Paso, Texas 79901-1196
El Paso County, Texas

Note and Lien are described in the following documents recorded in:

> Builder's and Mechanic's Lien Contract (with Power of Sale), dated March 11, 1994, recorded in Volume 2709, Page 0949, in Film Records of El Paso County, Texas, between Albertina P. Sosa, as Owner, and Jesus Ramirez d/b/a J.R. Remodeling General Partnership, as Contractor, for the amount of $26,284.00 and transferred to the City of El Paso, to all of which and its record, reference is here made for full particulars.

Property (including any improvements) Subject to Lien:

> Lot 1423, Block 57, MOUNTAIN VIEW ADDITION, an addition to the City of El Paso, El Paso County, Texas; according to the map thereof on file in Book 1, Page 62, Plat Records of El Paso County, Texas; known and numbered as 8805 Mt. Chinati

Holder of the notes acknowledges full satisfaction and compliance with repayment terms and releases the property from the lien.

When the context requires, singular nouns and pronouns include the plural.

EXECUTED this 2nd day of November, 2004.

THE CITY OF EL PASO

_____
Joe Wardy
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

_____
Richarda Duffy Momsen, Trustee

APPROVED AS TO FORM:

_____
Jeff McElroy
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Robert A Salinas, Director
Community and Human Development

(Acknowledgment)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the ____ day of November 2004, by JOE WARDY, as Mayor of the City of El Paso, a municipal corporation, on behalf of said corporation.

_____
Notary Public, State of Texas

Notary's Commission Expires:
_____

_____
Notary's name (printed)

(Acknowledgment)

STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on the _____ day of November 2004, by RICHARDA DUFFY MOMSEN, as City Clerk and Trustee of the City of El Paso, a municipal corporation, on behalf of said corporation.

_____
Notary Public, State of Texas

Notary's Commission Expires:
_____

_____
Notary's name (printed)

AFTER RECORDING RETURN TO:
_____
_____
_____

PREPARED IN THE LAW OFFICE OF:
City Attorney's Office
2 Civic Center Plaza
El Paso, TX 79901-1196