

**CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)**

DEPARTMENT: Law office of Delgado Acosta Spencer Linebarger & Perez, LLP

AGENDA DATE: June 20, 2006

CONTACT PERSONS/PHONE: Carmen I Perez, 545-5481 (office) or 704-8393 (cell)

DISTRICT(S) AFFECTED: CITY TAX OFFICE

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? **OR AUTHORIZE** the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Approve a resolution whereby City of El Paso requests the sheriff of El Paso County to sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code the properties described on the attached Exhibit "A." Section 34.05 (c) and (d) allow the City to request the sheriff to sell the properties at a public auction in the manner prescribed by the Texas Rules of Civil Procedure.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

The properties are referred to as "struck off" because they were bid off to the City at a tax sale when no bids were received. They do not generate revenue at this time and the purpose of the sale is to try and put the properties back on the tax rolls to generate revenue for taxing entites.

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

Yes, Council has considered other resolutions for other struck off properties to be sold pursuant to Section 34.05 (c) and (d).

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

No additional cost to the City.

BOARD / COMMISSION ACTION:

None at this time.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** _____ n/a _____

DEPARTMENT HEAD: _____

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

WHEREAS, the City of El Paso (the "**City**"), as trustee, acquired title to the properties described in **Exhibit "A,"** which is attached hereto and incorporated herein by reference, by Sheriff's Tax Deed because no bids were received when the properties were offered for sale and the officer selling these properties bid them off to the City, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City desires the sheriff of El Paso County to sell said properties in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code, which allows the City to request the sheriff to sell the properties at a public auction in a manner prescribed by the Texas Rules of Civil Procedure.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

THAT the City hereby requests the sheriff of El Paso County to sell, in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code, the properties described in **Exhibit "A"** which is attached hereto and incorporated herein by reference.

ADOPTED this _____ day of _____, 2006.

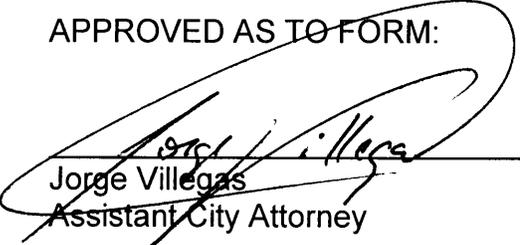
CITY OF EL PASO:

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Jorge Villegas
Assistant City Attorney

APPROVED AS TO CONTENT:



Juan Sandoval
Tax Assessor-Collector

MEMORANDUM

TO: Joyce Wilson, City Manager

FROM: Carmen I. Perez, Delgado Acosta Spencer Linebarger & Perez, LLP

DATE: June 7, 2006

RE: Resale of Struck off properties

As you are aware, we post many properties for tax sale each year as part of our overall effort to collect the delinquent taxes. Many of these properties are "Struck Off" to the taxing entities when no one offers the amount of the opening bid at sale. Many times we resell these properties at public auction, but until such time the properties do not produce revenue for the taxing entities.

With this in mind our firm carefully reviewed the inventory of tax resale properties to identify those properties which have been "Struck Off" the tax rolls and could be sold at a resale auction. After careful consideration, and discussion with Mr. Juan Sandoval, he requested that we offer the properties for sale at public auction to be held on Saturday, September 23, 2006 at 10:00 a.m. The sale will be held at Liberty Hall (Jury Hall). We believe this is the best course of action to effect the sale of these properties and return them to the tax rolls as revenue producing.

Enclosed herewith is Exhibit A which is a list of 58 tax resale properties, all located within, and struck off to the City of El Paso and an original resolution requesting that the properties listed in Exhibit A be sold at a Sheriff's sale pursuant to section 34.05 subsection (c) and (d) of the Texas Property Tax Code. Mr. Sandoval has authorized me to request that this be placed on the agenda for the June 20, 2006 City Council's meeting. It is Mr. Sandoval's recommendation that you approve the resolution to allow the Sheriff to sell the properties listed in Exhibit A at public auction. Your courtesy and cooperation in this matter are greatly appreciated. As always, if you have any questions regarding any of the above, please do not hesitate to contact me at your convenience.

EXHIBIT “A”

Lots 39 & 40, Block 5, Horizon City Estates #7, an Addition in El Paso County, Texas.
PID #H784-007-0050-0390

Lot 22, Block 1, Horizon City Estates #25, an Addition in El Paso County, Texas.
PID #H784-025-0010-0220

Lot 98, Block 2, Los Altos Subdivision, a Subdivision in El Paso County, Texas according to the Map and Plat thereof on file in Volume 2, Page 27, Plat Records, El Paso County, Texas.
PID #L700-000-002B-3300

Lot 20, Block 3, Los Altos Subdivision, a Subdivision in El Paso County, Texas according to the Map and Plat thereof on file in Volume 2, Page 27, Plat Records, El Paso County, Texas.
PID #L700-000-0030-3900

Tracts 2, 3 and 4, Section 7, Block 77, Township 3, T & P Railway Survey Abstract 1966, as further described in Volume 411, Page 2098, of the Deed Records, El Paso County, Texas.
PID #X577-000-3070-0020

Lots 13 thru 15, Block 85, Sunland Estates Unit 14, in El Paso County, Texas.
PID #S838-014-0850-0130

Lots 1 thru 6, Block 382, Shadow Ridge Estates Unit 30, an Addition in El Paso County, Texas.
PID #S335-030-3820-0010

Lot 2, Block 19, Horizon City Estates #25, El Paso County, Texas.
PID #H784-025-0190-0020

Lots 7 Thru 10, Block 941, Horizon City Estates #106, El Paso County, Texas.
PID #H779-106-9410-0070

Lots 19 Thru 22, Block 337, Mountain Shadow Estates #45, El Paso County, Texas.
PID #M831-045-3370-0190

Lots 13 thru 24, Inclusive, Block 38, El Paso East #37, an Addition to the County of El Paso, Texas.
PID #E363-037-0380-0130

Lots 13 thru 18, Inclusive, Block 86, Shadow Ridge Estates #7, an Addition to the County of El Paso, Texas.
PID #S335-007-0860-0130

Lots 40 thru 44, Inclusive, Block 141, Mountain Shadow Estates #18, an Addition to the County of El Paso, Texas.
PID #M831-018-1410-0400

Lots 62 thru 68, Inclusive, Block 230, Shadow Ridge Estates #19, an Addition to the County of El Paso, Texas.
PID #S335-019-2300-0620

Lot 77, Block 1, Los Altos Subdivision, an Addition in El Paso County, Texas.
PID #L700-000-0010-7700

Lot 30, in Tract 2-C, Block 11, Lower Valley Surveys, being a portion of Tract 2-C, an Addition in the El Paso County, Texas, as further described in volume 302, page 119, Deed Records, El Paso County, Texas.
PID #L891-000-011B-4070

Lot 28, in Tract 2-C, Block 11, Lower Valley Surveys, being a portion of W.C. Stanley Survey #50, an Addition in El Paso County, Texas, as further described in volume 394, page 1061, Deed Records, El Paso County, Texas.
PID #L891-000-011B-4211

Lot 72, Block 1, Los Altos Subdivision, an Addition in El Paso County, Texas.
PID #L700-000-0010-7200

Lot 73, Block 1, Los Altos Subdivision, an Addition in El Paso County, Texas.
PID #L700-000-0010-7300

Lot 13, Block 2, Sierra Crest Addition, an Addition to the City of El Paso, El Paso County, Texas.
PID #S365-999-0020-2500

Lot 4, Block 2, Matador City #2, El Paso County, Texas.
PID #M161-002-0020-0040

Lot 3, Block 2, Matador City #2, El Paso County, Texas.
PID #M161-002-0020-0030

Lot 3, Block 12, Matador City, 2nd Replat, an Addition in El Paso County, Texas.
PID #M161-000-0120-0030

Lot 2, Block 12, Matador City, 2nd Replat, an Addition in El Paso County, Texas.
PID #M161-000-0120-0020

Lot 7, Block 6, Matador City, 2nd Replat, an Addition in El Paso County, Texas.
PID #M161-000-0060-0070

Lot 1, Block 13, Matador City, 2nd Replat, an Addition in El Paso County, Texas.
PID #M161-000-0130-0010

The East ½ of the Southwest ¼ of the Northeast ¼ of the Southeast ¼, Township 4, Section 33, Block 78, T & P Abstract 2094, (5.00 acres), in El Paso County, Texas.
PID #X578-000-4330-0830

Lot 4, Block 4, Matador City 2nd Replat, Deed Records, El Paso County, Texas.
PID #M161-000-0040-0040

The West ½ of the Southeast ¼ of the Northeast ¼ of the Southeast ¼ of Section 11, Block 79, Township 3, T & P Co. Surveys, being more particularly described in volume 164, page 1694, Deed Records of El Paso County, Texas.

PID #X579-000-3110-0680

5.00 acres more or less, being the West ½ of the Northeast ¼ of the Northeast ¼ of the Southeast ¼ of Section 6, Block 77, Township 3, Texas and Pacific Railway Company Surveys, being more particularly described in Volume 1060, Page 172, Deed Records, El Paso County, Texas.

PID #X577-000-3060-1000

5.00 acres more or less, being the East ½ of the Northwest ¼ of the Northeast ¼ of the Southeast ¼ of Section 6, Block 77, Township 3, Texas and Pacific Railway Company Surveys, being more particularly described in Volume 1060, Page 174, Deed Records, El Paso County, Texas.

PID #X577-000-3060-1010

Lot 20, Block 20, East El Paso Addition, an Addition to the City of El Paso, being more particularly described in Volume 768, Page 1537, Deed Records of El Paso County, Texas.

PID #E014-999-0200-6100

Lot 13, Block 9, Vista Del Prado, Unit 2, an Addition to the City of El Paso, being more particularly described in Volume 1559, Page 1624, Deed Records of El Paso County, Texas.

PID #V887-999-0090-2500

Lot 4 and the East ½ of Lot 5, Block 81, Magoffin Addition, an Addition to the City of El Paso, described in the third tract in Volume 2624, Page 222, Deed Records, El Paso County, Texas.

PID #M028-999-0810-1600

Lot 6 and the West ½ of Lot 5, Block 81, Magoffin Addition, an Addition to the City of El Paso, described in the second tract in Volume 2624, Page 222, Deed Records, El Paso County, Texas.

PID #M028-999-0810-2100

The East 19 feet 8 inches of Lot 4 and all of Lot 5, Block 2 Supplemental Map #1, East El Paso Addition, an Addition to the City of El Paso, being more particularly described in Volume 133, Page 775, Deed Records of El Paso County, Texas. Also known as 3007 Rivera Avenue.

PID #E014-999-0020-0700

A portion of Lot 3, Block 1, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Exhibit "A"-1, "A"-2 and "B" in Volume 2096, Page 595, Deed Records of El Paso County, Texas.

PID #S365-999-0010-0600

A portion of Lot 4, Block 1, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Exhibit "B" in Volume 2096, Page 595, Deed Records of El Paso County, Texas.

PID #S365-999-0010-1000

Lot 8, Block 2, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Volume 2096, Page 595, Deed Records of El Paso County, Texas.
PID #S365-999-0020-1500

Lot 14, Block 2, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Volume 2096, Page 595, Deed Records of El Paso County, Texas.
PID #S365-999-0020-2700

Lot 15, Block 2, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Volume 2096, Page 595, Deed Records of El Paso County, Texas.
PID #S365-999-0020-2900

Lot 16, Block 2, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Volume 2096, Page 595, Deed Records of El Paso County, Texas.
PID #S365-999-0020-3100

Lot 17, Block 2, Sierra Crest Replat D, Addition, an Addition to the City of El Paso, being more particularly described in Volume 2096, Page 595, Deed Records of El Paso County, Texas.
PID #S365-999-0020-3300

Lot 9, Block 5, Sierra Crest, an Addition to the City of El Paso, being more particularly described in Volume 1567, Page 232, Deed Records of El Paso County, Texas.
PID #S365-999-0050-1700

Lot 2, Block 2, Sierra Crest Replat "C", Addition, City of El Paso, El Paso County, Texas, being more particularly described in Volume 1652, Page 1378, Deed Records of El Paso County, Texas.
PID #S365-999-0020-0300

Lots 7 and 8, Block 5, Zambrano Addition, El Paso County, Texas, being more particularly described in Volume 2429, Page 67, Deed Records of El Paso County, Texas.
PID #S052-999-0050-1300

Lots 26 thru 28 and South 2 feet of Lot 29, Block 2, Hadlock Suburban Gardens, an Addition to the City of El Paso, being more particularly described in Volume 1043, Page 1314, Deed Records of El Paso County, Texas.
PID #H042-999-0020-3700
PID #H042-999-0020-3701

Lots 26 and 27, Block 23, Franklin Heights, an Addition to the City of El Paso, being more particularly described in volume 849, page 371, Deed Records of El Paso County, Texas.
PID #F607-999-0230-8100
PID #F607-999-0230-8101

Lot 24, Block 3 of Hughes Subdivision, of Lots 8 through 15, Block 2, of the Alameda Acres Addition, an Addition to the City of El Paso, being more particularly described in Volume 1445, Page 79, Deed Records of El Paso County, Texas.
PID #H867-999-0030-9200

Lots 10 and 11, Block 40, East El Paso Addition, an Addition to the City of El Paso, being more particularly described in volume 2321, page 1023, Deed Records of El Paso County, Texas.

PID #E014-999-0400-1600

PID #E014-999-0400-1800

Lots 15 and 16, Block 25, Alexander's Addition, an Addition to the City of El Paso, being more particularly described in Volume 150, Page 934, Deed Records of El Paso County, Texas.

(PID #A462-999-0250-6100)

Lots 9 and 10, Block 27, Sunset Heights Addition, an Addition to the City of El Paso, being more particularly described in volume 602, page 851, Deed Records of El Paso County, Texas.

PID #S979-999-0270-3100

Lot 48, Block B, Bassett, an Addition to the City of El Paso, being more particularly described in an affidavit filed in Volume 4, Page 225, Deed Records of El Paso County, Texas.

PID #B202-999-000B-7100

Lot 2, Block "C", Deal Addition, an Addition to the City of El Paso, being more particularly described in Volume 1077, Page 317, Deed Records of El Paso County, Texas.

PID #D317-999-000C-1700

The South 80 feet of Lots 30, 31 and 32, Block 4, Government Hill Addition, an Addition to the City of El Paso, being more particularly described in volume 156, page 1612, Deed Records of El Paso County, Texas.

PID #G569-999-0040-8600

Lots 31 and 32 and the East 20 feet of Lot 30, Block 25, Franklin Heights Addition, an Addition to the City of El Paso, being more particularly described in Volume 543, Page 474, Deed Records of El Paso County, Texas.

PID F607-999-0250-9100

Lots 19 and 20, Block 15, Franklin Heights Addition, an Addition to the City of El Paso, being more particularly described in Volume 133, Page 332, Deed Records of El Paso County, Texas.

PID #F607-999-0150-4300

The West 6.50 feet of Lot 5, All of Lots 6, 7 and 8, Block 76, Bassett Addition, an Addition to the City of El Paso, as further described in Volume 1381, Page 33, and in Volume 1538, Page 75, Deed Records, El Paso County, Texas.

PID #B202-999-0760-1600