

**CITY OF EL PASO, TEXAS
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Tax Department
AGENDA DATE: September 10, 2013
CONTACT PERSONS/PHONE: Dr. David Childs, Ph.D., City Tax Assessor/Collector
DISTRICT(S) AFFECTED: DISTRICT 7

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 an Ordinance authorizing the City Manager to execute a quitclaim (tax resale) deed conveying all right, title and interest to **MARCELINO ARRIAGA** in accordance with Section 34.05 (h) of the Texas Property Tax Code the following described parcel:

Part of Tract 2-A, Block 6, Ascarate Grant, and known as Tract 2-V-1-F, an Addition to the City of El Paso, El Paso County, Texas, as further described in Volume 926, Page 1635, Deed Records, El Paso County, Texas.
Acct No. A765-999-006L-0320

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. An offer has been made to purchase the properties for the full amount of the judgment in accordance with Section 34.05 (h) of the Tax Code. Section 34.05 (h) permits the City to sell a property for the total amount of the judgment and the sale of the property does not require the consent of each taxing entity entitled to receive proceeds from the sale. If the sale is approved the properties will be put back on the tax rolls to generate revenue.

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:** _____

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO EXECUTE A QUITCLAIM (TAX RESALE) DEED CONVEYING ALL RIGHT, TITLE AND INTEREST IN REAL PROPERTIES DESCRIBED AS PART OF TRACT 2-A, BLOCK 6, ASCARATE GRANT, AND KNOWN AS TRACT 2-V-1-F, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, AS FURTHER DESCRIBED IN VOLUME 926, PAGE 1635, DEED RECORDS, EL PASO COUNTY, TEXAS., TO MARCELINO ARRIAGA, IN ACCORDANCE WITH SECTION 34.05 (H) OF THE TAX CODE.

WHEREAS, by Sheriff's Sale conducted on February 4, 1992, the below described property was struck off to the City of El Paso, (the "City") Trustee, pursuant to a delinquent tax foreclosure decree of the 120th Judicial District Court, El Paso County, Texas and

WHEREAS, the sum of TWO THOUSAND THREE HUNDRED FIFTY and NO/XX DOLLARS (\$2,350.00), the total amount of the judgment(s) against the property, has been tendered by MARCELINO ARRIAGA, of El Paso County, Texas ("ARRIAGA") for the purchase of said property pursuant to Section 34.05 (h) (2), Texas Tax Code Ann. (Vernon, 1996),

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

That the City Manager is hereby authorized to execute a Quitclaim (Tax Resale) Deed conveying to MARCELINO ARRIAGA, all of the right, title, and interest of the City of El Paso, and all other taxing units interested in the tax foreclosure judgment in the following described real property:

PART OF TRACT 2-A, BLOCK 6, ASCARATE GRANT, AND KNOWN AS TRACT 2-V-1-F, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS, AS FURTHER DESCRIBED IN VOLUME 926, PAGE 1635, DEED RECORDS, EL PASO COUNTY, TEXAS.

PASSED AND APPROVED THIS _____ day of _____, 2013.

CITY OF EL PASO

Oscar Leoser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Sol M. Cortez
Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT:

David Childs
Dr. David Childs, Ph. D.
City Tax Assessor-Collector