

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

DEPARTMENT: City Development/Real Estate Services

AGENDA DATE: September 18, 2012

CONTACT PERSON/PHONE: Mathew McElroy/Jane Tomchik 541-4897

DISTRICT(S) AFFECTED: 8

SUBJECT:

Discussion and Action on Resolution to authorize the City Manager to accept, on behalf of the City of El Paso, a donation from Luther Acquisition LP of Lots 11-14, Block 230 Campbell Addition, El Paso County Texas, municipally known as 218 N. Campbell; and to authorize the City Manager to sign all documents and take all actions necessary to effectuate this transaction; and directing the City Manager to initiate the process to a) add this project to the City's Capital Improvement Program.

BACKGROUND / DISCUSSION:

The property located in Downtown El Paso at 218 North Campbell, has the potential to be utilized for re-location of City Departments and administrative offices currently housed in space that the City is leasing from third parties. In addition, its location across from The 9-1-1 District facility and near other critical City and County facilities makes potential partnerships feasible. The property's unique location offers additional benefit by utilizing the building for Office of Emergency Management functions such as primary location for Continuation of Operations Plan (COOP) and secondary Emergency Operations Center (EOC) operations. It is also across the street from the El Paso Times building and four (4) blocks away from the 801/11 Texas buildings being considered for purchase and housing of City administration and operations.

The proposed use of this building will cause the restoration, renovation and reactivation of a currently vacant and blighted property with rich local history in Downtown El Paso.

PRIOR COUNCIL ACTION:

On April 24, 2012, Council considered a proposal to execute a 20 year lease with option to purchase at the end of the lease. At that time, the Council voted to postpone consideration of the resolution and was interested in pursuing purchase only.

On July 7, 2012, Council considered a proposal to purchase the property after it had been renovated. At that time, Council chose not to act on the proposal but to pursue the purchase of two other buildings for City Hall relocation.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:


(Example: if RCA is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, Luther Acquisition LP, the owner of the property municipally known and numbered as 218 N. Campbell, El Paso, El Paso County, Texas and the improvements thereon, has offered to donate the property to the City of El Paso; and

WHEREAS, the City Manager has recommended that the City of El Paso accept the donation.

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

That the City Manager be authorized to accept the donation of the property legally described as Lots 11-14, Block 230 Campbell Addition, El Paso County Texas, municipally known and numbered as 218 N. Campbell, El Paso, El Paso County, Texas from Luther Acquisition LP; and the City Manager be authorized to sign all documents, approved by the City Attorney, and take all actions necessary to consummate the transfer of the property to the City of El Paso; and the City Manager is directed to initiate the process to add this project to the City's Capital Improvement Program.

PASSED AND APPROVED this _____ day of _____, 2012.

CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

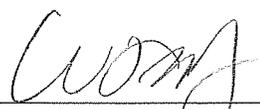
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Sylvia Borunda Firth
City Attorney

APPROVED AS TO CONTENT:



William F. Studer, Jr., Deputy City Manager
Development and Tourism

El Paso CAD

Property Search Results > 55450 LUTHER ACQUISITION COMPANY LP for Year 2012

Property

Account

Property ID: 55450 Legal Description: 230 CAMPBELL 11 TO 14 (12480 SQ FT)
 Geographic ID: C05099923004300 Agent Code: 999
 Type: Real
 Property Use Code:
 Property Use Description:

Location

Address: 218 N CAMPBELL ST Mapsco:
 EL PASO, TX
 Neighborhood: CBD GOVERNMENT OFFICE DISTRICT Map ID: NWC173
 Neighborhood CD: 214

Owner

Name: LUTHER ACQUISITION COMPANY LP Owner ID: 310193
 Mailing Address: 6500 TROWBRIDGE DR % Ownership: 100.0000000000%
 EL PASO, TX 79905-3402
 Exemptions:

Values

(+) Improvement Homesite Value: + \$0
 (+) Improvement Non-Homesite Value: + \$28,583
 (+) Land Homesite Value: + \$0
 (+) Land Non-Homesite Value: + \$499,200 Ag / Timber Use Value
 (+) Agricultural Market Valuation: + \$0 \$0
 (+) Timber Market Valuation: + \$0 \$0

 (=) Market Value: = \$527,783
 (-) Ag or Timber Use Value Reduction: - \$0

 (=) Appraised Value: = \$527,783
 (-) HS Cap: - \$0

 (=) Assessed Value: = \$527,783

Taxing Jurisdiction

Owner: LUTHER ACQUISITION COMPANY LP
 % Ownership: 100.0000000000%
 Total Value: \$527,783

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax
CAD	CENTRAL APPRAISAL DISTRICT	0.000000	\$527,783	\$527,783	\$0.00
CEP	CITY OF EL PASO	0.658404	\$527,783	\$527,783	\$3,474.94
G01	EL PASO COUNTY	0.361196	\$527,783	\$527,783	\$1,906.33
IEP	EL PASO I.S.D.	1.235000	\$527,783	\$527,783	\$6,518.12
SCC	EL PASO COMMUNITY COLLEGE	0.115442	\$527,783	\$527,783	\$609.28
SDM	DOWNTOWN MANAGEMENT DISTRICT	0.120000	\$527,783	\$527,783	\$633.34
SHO	UNIVERSITY MEDICAL CENTER OF EL PASO	0.192363	\$527,783	\$527,783	\$1,015.26
Total Tax Rate:		2.682405			
				Taxes w/Current Exemptions:	\$14,157.27
				Taxes w/o Exemptions:	\$14,157.28

Improvement / Building

Improvement #1: Commercial **State Code:** F1 **Living Area:** 63648.0 sqft **Value:** \$28,583

Type	Description	Class CD	Exterior Wall	Year Built	SQFT
MA	MAIN AREA	PSBL	848	1914	62400.0
MB1	BSMNT POOR NO VALUE	*		0	1248.0
01B	PASSENGER ELEVATOR/4-7 STY	*		1914	2.0

Land

#	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1	214011	ABOVE AVG PRIMARY CORNER	0.2865	12480.00	0.00	0.00	\$499,200	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2013	N/A	N/A	N/A	N/A	N/A	N/A
2012	\$28,583	\$499,200	0	527,783	\$0	\$527,783
2011	\$28,583	\$499,200	0	527,783	\$0	\$527,783
2010	\$28,583	\$499,200	0	527,783	\$0	\$527,783
2009	\$28,583	\$499,200	0	527,783	\$0	\$527,783
2008	\$136,487	\$499,200	0	635,687	\$0	\$635,687

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Type	Description	Grantor	Grantee	Volume	Page	Deed Number
1	5/11/2006 12:00:00 AM	Z	Special Warranty Deed	EL PASO RENAISS	LUTHER ACQUISIT			20060044134
2	5/26/2004 12:00:00 AM	F	Foreclosure	JENSEN DIANE L	EL PASO RENAISS			20040052021
3	7/10/2003 12:00:00 AM	D	Deed	BISHOP LYNN & JII	JENSEN DIANE L	4636	1581	

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Information relating to 2012 should be considered a "work in progress". Prior year data is informational only and does not necessarily replicate the values certified to the tax office.

Building and land detail information is not available prior to 2009.

Questions Please Call (915) 780-2000

11-11-723
#106
5 pgs.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL MEN BY THESE PRESENTS
COUNTY OF EL PASO §

EL PASO RENAISSANCE - LUTHER, LP, a Texas limited partnership (hereinafter called "Grantor"), for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration paid to Grantor by LUTHER ACQUISITION COMPANY LP, a Texas limited partnership (hereinafter called "Grantee"), the receipt and sufficiency of which are hereby acknowledged, does hereby GRANT, SELL, CONVEY, ASSIGN and DELIVER to Grantee the real property described in Exhibit A attached hereto and made a part hereof, together with all buildings and other improvements situated thereon, all fixtures and other property affixed thereto and all right, title and interest of Grantor in and to adjacent streets, alleys and rights-of-way, subject to the encumbrances described in Exhibit B attached hereto and made a part hereof (hereunder called the "Permitted Encumbrances").

TO HAVE AND TO HOLD the herein described property, together with all and singular the rights and appurtenances thereto in anywise belonging unto Grantee, its successors and assigns, forever, and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against every person whomsoever lawfully claiming, or to claim the same, or any part thereof, by, through or under Grantor, but not otherwise, subject however, to the Permitted Encumbrances.

Current ad valorem taxes on the herein described property having been prorated, Grantee hereby assumes the payment thereon.

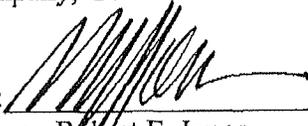
IN WITNESS WHEREOF, this Deed is executed by Grantor on this 11th day of May, 2006.

The address of Grantee is:

6500 Trowbridge Drive
El Paso, Texas 79905

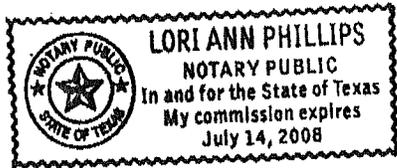
EL PASO RENAISSANCE - LUTHER, LP, a Texas
limited partnership

By: EPR GP, LLC, a Delaware limited liability
company, General Partner

By: 
Name: Robert E. Jones
Title: Manager

THE STATE OF TEXAS §
 §
COUNTY OF EL PASO §

This instrument was acknowledged before me on May 11th, 2006, by Robert E. Jones, Manager of EPR GP, LLC, a Delaware limited liability company, on behalf of such limited liability company, as General Partner of EL PASO RENAISSANCE - LUTHER, LP, a Texas limited partnership, on behalf of such limited partnership.



Lori Ann Phillips
Notary Public, State of Texas

Lori Ann Phillips
(printed name)

My commission expires:

7-14-08

EXHIBIT A

LEGAL DESCRIPTION

Lots 11 - 14, Block 230, CAMPBELL ADDITION, an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof on file in Volume 2, Page 68, Real Property Records, El Paso County, Texas.

EXHIBIT B

PERMITTED EXCEPTIONS

LIST FINAL SCHEDULE B EXCEPTIONS IN FINAL OWNER'S POLICY

The following matters and all terms of the documents creating or offering evidence of the matters:

- a. Rights of tenants in possession under unrecorded Leases as tenants only, and solely with respect to the space occupied by each such tenants, without options to purchase, rights of first offer or rights of first refusal.
- b. Claims by the Tigua Indian Tribe of the Ysleta del Sur Pueblo, and as evidenced by that certain Affidavit Concerning Filing of Notice of Claim to the Ysleta Grant and Aboriginal Title Areas, executed by Julian Granillo, Governor of the Ysleta del Sur Pueblo Indian Tribe, also known as the Tigua Indian Community, dated April 12, 1993, filed April 16, 1993, in Volume 2553, Page 1958, of the Real Property Records, El Paso County, Texas.
- c. The El Paso Downtown Management District of El Paso County as evidenced by that certain Order Nunc Pro Tunc, filed in Volume 3223, Page 1138, Real Property Records, El Paso County, Texas, and documents described therein.
- d. Encroachment of false columns that fall 0.50 feet into the easterly and southerly sides of the rights-of-way for Campbell Street and Mills Avenue which are along the northwesterly and southwesterly sides of the subject property, as cited in Volume 1690, Page 920, and corrected in Volume 1753, Page 532, Real Property Records, El Paso County, Texas.
- e. Encroachment of a building located primarily on adjacent property over and onto the southeasterly portion of the property described in Exhibit "A" attached hereto, as shown on the survey dated February 3, 2006, last revised April 26, 2006, prepared by Bradley Roe of BRHP Roe Engineering, L.C.
- f. Encroachment of a portion of the existing building, concrete slabs, emergency fire exit ladders, and "basement limits" over and onto the rights-of-way for Mills Avenue (to the northwest), and/or Campbell Street (to the southwest), and/or a twenty-foot wide alley (to the northeast), as shown on the survey dated February 3, 2006, last revised April 26, 2006, prepared by Bradley Roe of BRHP Roe Engineering, L.C.

Doc# 20060044134
#Pages 5 #FFPages 1
05/11/2006 03:04 PM
Filed & Recorded in
Official Records of
EL PASO COUNTY
WALDO ALARCON
COUNTY CLERK
Fees \$32.00

6

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



Waldo Alarcon

EL PASO COUNTY, TEXAS

Return to:
#106
AB
OP



2013 City Hall Relocation Real Estate Acquisitions



Postponed Acquisitions:

801/11 Texas: Authorized purchase price of no more than \$2,338,000; negotiated purchase price of \$2,300,000. In final negotiation of terms.

300 North Campbell: Negotiated purchase price of \$11,000,000 for building; \$3,000,00 for parking lot. Additional Appraisal being secured for possible re-negotiation of purchase price.



Luther Building Donation



Luther Building's value to the City strategically:

- 1) The Luther Building is strategically located in the government center of downtown. It could become a City safe-haven as it is built to provide maximum security in the basement.

- 2) The City can utilize the 73,667 square foot Luther building for other City departments (e. g. Fire department Admin) that are currently located in leased space and realize the lease savings.



Value of the Luther Building

- TVO/RJL estimated the Luther Building value “as is” to be approximately \$2.3 million. This is based on the recent appraisal done at 801/811 Texas. The “as is” Luther Building and 801/811 Texas are comparable assets.



Detail of Luther Building Valuation:

Luther Building Value - As Is

- Based on 801/811 Texas recent appraisal due to those buildings being in a similar state

801/811 Texas Appraised Value	2,180,000
801/811 Texas Square Footage	68,400
Value Per Square Foot	\$ 31.87
801/811 Texas Value PSF	\$ 31.87
Luther Building Square Feet	73,667
Luther Building Value As Is	2,347,866



Staff Recommendation

Acceptance of Donation as partial compensation for the necessity of relocating City Hall until new City Hall can be built.