

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

DEPARTMENT: Office of the City Attorney
AGENDA DATE: December 10, 2013
CONTACT PERSONS/PHONE: David Childs, Ph.D., Tax Assessor/Collector, 915-212-1736
DISTRICT(S) AFFECTED: DISTRICT 3

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 the 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 following described parcel:

Lot 46, Block 6, Stiles Gardens Addition, an Addition to the City of El Paso, being more particularly described by the map or plat thereof, recorded in Volume 3, Page 9, Plat Records of El Paso County, Texas.

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 property is referred to as "struck off" because it was bid off to the City at a tax sale when no bids were received. The Sheriff of El Paso County shall sell in accordance with Section 34.05 subsections (c) and (d) of the Texas Property Tax Code. Section 34.05 (c) and (d) allow the City to request the sheriff to sell the property at a public auction in the manner prescribed by the Texas Rules of Civil Procedure. The purpose of the sale is to try and put the property back on the tax rolls to generate revenue for the taxing entities.

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: David Childs

APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

WHEREAS, the City of El Paso, as trustee, acquired title to the property described below by Sheriff's Tax Deed because no bids were received when the property was offered for sale and the officer making the sale bid the property off to the City of El Paso, all in accordance with Section 34.01 of the Texas Property Tax Code; and

WHEREAS, the City of El Paso desires the sheriff of El Paso County to sell said property in accordance with Section 34.05, subsections (c) and (d) of the Texas Property Tax Code;

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

THAT the City of El Paso 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 following described parcels:

Lot 46, Block 6, Stiles Gardens Addition, an Addition to the City of El Paso, being more particularly described by the map or plat thereof, recorded in Volume 3, Page 9, Plat Records of El Paso County, Texas.

ADOPTED this _____ day of _____, 2013.

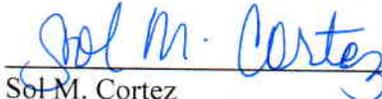
CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Sol M. Cortez
Assistant City Attorney

APPROVED AS TO CONTENT:



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