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March , 2010

Mr. Brian Moersch
Ector County Independent School District
Executive Director
Of District Operations
802 North Sam Houston
Odessa, TX 79761

RE: REQUEST FOR A DECISION FROM THE BOARD OF TRUSTEES OF OJCD TO SELL PROPERTY FOR LESS THAN MARKET VALUE SPECIFIED IN THE JUDGMENT OF FORECLOSURE AND ALSO LESS THAN THE TOTAL AMOUNT OF JUDGMENTS AGAINST THE PROPERTY

Dear Mr. Moersch:

Please place on the agenda of the next board meeting of the Board of Trustees of Ector County Independent School District a request to approve the sale of property located on Pronto Avenue for \$2,000.00, which is less than the market value specified in the judgment of foreclosure against the property and is also less than the total amount of the judgment against the property. Such a sale of this property is requested by Ted Tuminosky of Diversified Warehouse, Inc., whose offer letter is attached to this letter.

This offer differs from most sales of this type. This is because this property may have undesirable environmental conditions. Because the property may have such conditions, we do not recommend foreclosing on this property in a way that might result in the taxing entities acquiring the property. Generally, tax foreclosures have the potential outcome of the taxing entities acquiring the property that is being foreclosed. This happens when no bidder makes the minimum bid that is legally required for a property. Again, we would not want the taxing entities to acquire this, or any property, with environmental concerns.

While Mr. Tuminosky, as he explains in his offer letter, wants this property, he would not make the legally required minimum bid at a foreclosure sale. This is because he will face considerable expense in cleaning this property up. He would, however, offer a small bid and represent that he plans to clean up the property. Based on my inspection, this property is littered with a large amount of discarded steel equipment, has uncovered pits, and has a large amount of debris that has been dumped on the property.

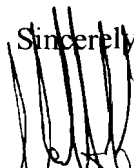
To give Mr. Tuminosky an opportunity to acquire this property, the taxing entities may sell the title to the property to him before the property is foreclosed upon, with provisions that title to the property will pass directly to him upon foreclosure, or that his purchase money will be refunded in the unlikely event that another interested person purchases the property at the foreclosure sale. Either way, the property would be returned to private ownership and use instead of remaining in its present state of

waste. And, with this plan, the taxing entities would not be held responsible for any environmental conditions of the property.

I request that this be placed on the agenda to obtain a decision from the Board of Trustees on whether to sell this property in this proposed manner.

If you have any questions, please call me at 332-9047.

Sincerely,



Mark A. Flowers
Partner

Meeting Date: _____
_____ Approved OR _____ Not Approved

cc: Ted Tuminosky
P.O. Box 3585
Odessa, TX 79760

BEST LITTLE WAREHOUSE IN TEXAS



JANUARY 21, 2010

Mark Flowers
1301 E. 8th St. Suite 200
Odessa, TX 79760

RE: T-2-S Blk 41 Sec 20 (Pronto Ave.)

My name is Ted Tuminowski. I am the owner of Diversified Warehouse, Inc, which is a company that provides commercial / industrial warehousing. We are a full service warehouse that only works with business, unloading trucks, maintaining detailed inventory records, and distributing their goods.

Almost four years ago, with the need to expand our facilities, there was abandoned land across the street from one of our warehouses. It had been foreclosed on by the County more than 20 years prior, and was in terrible shape. Attached as Exhibit 1, is the property which over the years became a haven for illegal activities such as, dumping household and industrial trash, drugs, and gang activities. The buildings were stripped and set a fire. After receiving bids in excess of \$85,000.00 to clean the land, I offered a nominal bid to the county with the promise of cleaning it up and improving the land so it would generate tax revenue again. Exhibit 2 is the property after being cleaned and a new building erected. Today, the property is on the tax rolls for taxes assessed of \$20,398.39.

I have been asked over the years by several customers to expand my services to include rail. I have been contacted by one company that wants to bring in a ceramic bead, the consistency of sand as part of a new technology in fracing oil and gas wells. However, due to the large quantities of material needed for these projects, the product is in bulk and must be brought in by rail.

After searching for a location, I came across a piece of property in a similar situation as the aforementioned piece. This property has been abandoned for over 20 years. Exhibit 3 indicates the property suffers from the same type of illegal activities and vandalism. Due to some environmental issue of the prior owner Permian Chemical Company, the property has not been foreclosed.

I am interested in obtaining this property. Along with the assistance of Bob Swannner, we are willing the clean up the property and plan for a total clean up of the property, both physically and environmentally, we would like to renovate and make the rail spur operational and we plan to build at least two buildings with additional improvements to follow in the future.

By acquiring this property the real benefit to the community is we will be using local contractors and businesses to accomplish getting the property totally cleaned up, making improvements, and expanding a local small business. This will allow me to offer additional services, and put the property back on the tax roll after over 20 years. I would be interested in making a nominal cash offer of \$2,000.00 to tender for this property in it's present condition. Although there is no way to know the exact cost of clean up and improvements, I anticipate that it could easily run in excess of \$250,000.00.

Thank you for your consideration, if accepted this would be a win-win situation for everyone involved. I would respectfully request that the county consider my offer to purchase the referenced property for \$2,000.00.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Tuminowski", written over a horizontal line.

Ted Tuminowski
President, Diversified Warehouse, Inc.