

ATKINS PEACOCK & LINEBARGER GOGGAN, LLP

ATTORNEYS AT LAW  
1301 East 8<sup>th</sup> Street, Suite 200  
Odessa, Texas 79761  
(432) 332-9047  
fax: (432) 333-7012

*Mark A. Flowers*

March 22, 2011

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

RE: REQUEST FOR A DECISION FROM THE BOARD OF TRUSTEES OF ECISD 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:

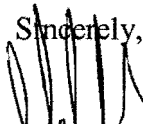
Please place on the agenda of the next board meeting of the Board of Trustees of ECISD a request to sell 2118 Judy Ave for \$5,000.00, which is less than the market value specified in the judgment of foreclosure against the property and is also less than the total amount of the judgment against the property.

Pursuant to the inter-local agreement, which was set up to sell these properties, Trower Realtors has obtained a contract on the property and the buyer, Joe Branco, Precision Pipe Coatings, has deposited \$500.00 with Atkins Peacock & Linebarger Goggan, LLP. The property is located at 2118 Judy Ave and has an appraised value of \$76,461.00. I have attached an exhibit indicating what each jurisdiction will receive after all costs are paid. Taxes on this property have been delinquent since 1990. I have also attached pictures and a letter from Precision Pipe Coatings to Commissioner Gardner.

I request that this be placed on the agenda to obtain a decision from the Board of Trustees on whether to sell the above described property for less than the market value and the total judgment amount taken against the property by the taxing entities.

If you have any questions, please do not hesitate to call me at 332-9047.

Sincerely,



Mark A. Flowers  
Attorney

Meeting Date: \_\_\_\_\_  
\_\_\_\_\_ Approved OR \_\_\_\_\_ Not Approved



Trower Realtors, Inc.

Residential/Commercial/Property Management

1412 E. 8th  
Odessa, Texas 79761

Phone (432) 333-3211  
Fax (432) 333-4329

March 22, 2011

RE: 2118 Judy Ave

Ector County Taxing Entities  
Odessa, Texas

Gentlemen:

This offer is for 5.2300 acres in a commercial neighborhood out of the city limits.

My listing price is \$68,787.22. This contract is for \$5,000.00. This property has been listed since February 08, 2011.

I recommend that we accept this offer.

Sincerely,

Jeff Ashley  
Trower Realtors, Inc.

**Tax Resale Distribution Sheet**

**Address:** 2118 Judy Ave  
**Cause #:** A-9225-T  
**Legal Description:** Tract 6, Blk 2, Greenfield Acres Sub, Ector County, Texas, as described in Vol. 950, Pg. :Pg. 335  
Deed Records of Ector County, Texas; Save & Except however that Certain 0.459 tract

	<b><u>Taxes Owed</u></b>	<b><u>Percentage</u></b>	<b><u>\$ to be Received</u></b>
SCHOOL	\$34,840.66	0.549999953	\$1,907.14
COLLEGE	\$2,565.54	0.040500004	\$140.43
CED	\$0.00	0	\$0.00
CITY	\$0.00	0	\$0.00
HOSPITAL	\$1,556.43	0.02457004	\$85.20
COUNTY	\$24,384.03	0.384930003	\$1,334.75
UTILITY	\$0.00	0	\$0.00

BID PRICE:	\$5,000.00
REALTOR'S FEE:	\$400.00
CLOSING:	\$0.00
COURT COSTS:	\$362.00
SHERIFF'S FEE:	\$100.00
COSTS:	\$670.48
	<hr/> \$3,467.52

DEED TRANSFERRING TITLE INTO ECTOR COUNTY

RECORDED ON:

8-Feb-11

GENERAL FUND DEPOSIT

DATE OF DISBURSEMENT: \_\_\_\_\_

CHECK# \_\_\_\_\_

DATE OF CHECK: \_\_\_\_\_

Cause No. A-9225-T

Style: Ector County CAD, et al vs. Odessa Drum Company

LAW FIRM'S FEES REIMBURSABLES:

Publication Costs	\$ <u>227.48</u>
Deed Preparation Fee	\$ <u>20.00</u>
Deed Filing Fee	\$ <u>48.00</u>
Ad Litem Fee	\$ <u>200.00</u>
Abstract fee	\$ <u>175.00</u>
Miscellaneous	\$ _____

Invoice # 206320

Date: 6/28/07

Total Amount to be Deposited to General Fund: \$ 670.48



3 814 W. Kermit Hwy. - Odessa - TX 79764  
Tel.: ( 432 ) 889-5434 - ( 432 ) 339-9569  
Fax.: ( 432 ) 362.7230 - ( 432 ) 339-9650  
E-m: Joe@precision-coatings.com

March 6, 2011

Mr. Freddie Gardner  
Ector County Commissioner, Prct#1  
1010 East 8<sup>th</sup> Street  
Odessa, Texas 79762

RE: 2118 Judy Street; Greenfield Acres Block 2, Lot 6 Less NE 100 x 200

Dear Commissioner Gardner:


As per our conversation regarding the purchase of the property located at 2118 Judy Street in West Odessa. The property has been in a deteriorating state for over 21 years; it's horrendous, and an eye sore for West Odessa; as well as the neighbors that live in that community. The photos that I have submitted reflect the state of the property. The property encourages illegal activities such as: illegal dumping, the graffiti reflects gang activity, drug use, along with attracting vermin and possible environmental issues.

Over the past couple of months, we have spoken about the possibility of the county cleaning up the property; as you have indicated and after talking with the county's environmental officer you indicated it would require too much time, money and manpower with the county's limited resources. I have talked with numerous contractors and they all indicated it would cost \$65,000 to \$80,000 for the clean up; not to mention possible environmental issues. As instructed by your office, I contacted Ralph Johnson with the TCEQ (432) 620-6125. He informed me fifteen plus years ago the TCEQ underwent an emergency cleanup of the site; and was not sure of the outcome, but recommended a phase one environmental study be done on behalf of anyone wanting to purchase the property. He was in agreement it had become an unlicensed dump ground.

Therefore, because the property has deteriorated for over 21 years and no one wants to take on the responsibility of cleaning it up. I would be willing to purchase the property at minimal price (i.e., \$5,000). If the County accepts my offer; I will pursue phase one environmental study and would be responsible for the cost of the clean up providing there are no environmental issues. The County would benefit significantly by not having to pay for the clean up, collecting taxes on the property again and discouraging the criminal and gang activity that takes place there by beautifying the area.

Thank you for your attention on this matter. I know it will be a cumbersome process. If there is anything I can do to help this move forward or there is a need for any discussion, please do not hesitate to contact me.

Respectively yours,

  
Joe Branco  
Precision Pipe Coatings