

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

ATTORNEYS AT LAW  
1301 EAST 8TH STREET, SUITE 200  
ODESSA, TEXAS 79761-4703

432/332-9047  
FAX: 432/333-7012

Mark A. Flowers

April 11, 2014

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 ECTOR COUNTY ~~IND. SCHOOL~~ DISTRICT  
TO CONVEY INTEREST IN AND TO PROPERTY TO BE USED FOR PUBLIC USE  
BY THE CITY OF ODESSA

Dear Mr. Webster:

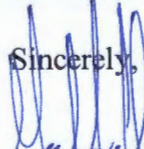
Please place on the agenda of the next meeting of the Ector County Independent School District, the City of Odessa's request to acquire the School's interest in and to 0.619 acres of land along alley at 40<sup>th</sup> and Pleasant Street and retain property for public use.

A previous offer was submitted and approval for \$4,850.00 was received from all entities except the City of Odessa. The City is requesting transfer of property to it for reasons given in the attached request and exhibit.

I request that this be placed on the agenda to obtain a decision from the School District on whether to approve the conveyance of their interest in and to the above described property to the City of Odessa for public use.

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



CITY ATTORNEY'S OFFICE

March 28, 2014

Mr. Mark Flowers, Esq.  
Linebarger Goggan Blain & Sampson, LLP  
1301 E. 8<sup>th</sup> Street  
Odessa, Texas 79761

**RE: Offer for and Acquisition of Properties for Public Use:  
0.619 Acres of Land Along Alley at 40<sup>th</sup> & Pleasant (P-3-292)**

Dear Mr. Flowers:

The property listed above is a tax foreclosure that is owned by the taxing entities.

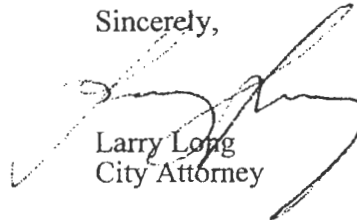
In the past, this property had been submitted to the City of Odessa for consideration of sale by bids. However, as explained in our response, the City was not interested in selling the properties because, as the response explained, acquisition of the property by the City would serve a public purpose.

Specifically, having this land available would facilitate expansion of the water treatment plant located on 42<sup>nd</sup> Street. While no expansion is currently planned, it is very likely that additional storage and/or treatment will be necessary in the future. Please see the attached copy of January 23, 2013 letter and map.

The City of Odessa is offering ten dollars (\$10.00) for each parcel described above. Your assistance in contacting the other taxing entities to place items on their respective agendas to consider selling their interest in these properties for said public uses would be greatly appreciated.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Larry Long  
City Attorney

TS/gg

enclosures

cc: Matt Squyres, Director of Public Works  
Thomas Kerr, Director of Utilities



**CITY ATTORNEY'S OFFICE**

January 23, 2013

Mark A. Flowers Attorney  
Atkins Peacock Linebarger Goggan, LLP  
1301 East 8<sup>th</sup> Street

Via Email: [Mark.Flowers@lgbs.com](mailto:Mark.Flowers@lgbs.com)

RE: Request for Decision from Odessa City Council to Sell A 0.619 Acre Tract Located in Section 16, Block 42, T-2-S, Odessa, Ector County, Texas

Dear Mark:

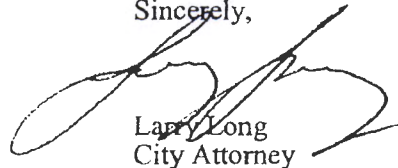
The aforementioned request, submitted by letter dated November 5, 2012, has been reviewed by City staff. Due to the close proximity of this property to City-owned property located on 42<sup>nd</sup> Street, the water treatment plant, it has been determined that it is in the City's best interest not to sell this property. Therefore, please make note and inform the buyer that the City of Odessa objects to the sale of this property.

It is also the recommendation of City staff that because of the recent investigations of additional water supplies to the City, this particular portion of property along with the remainder of the property north of this tract up to 42<sup>nd</sup> Street may be needed for expansion for future additional storage and/or treatment when the City's quest for additional water comes to fruition.

I would like the opportunity to discuss the latter aspect of this letter in order for the City to acquire this property and would appreciate any assistance that you can offer. I will give you a call after a few days.

If you have any questions before then, please do not hesitate to give me a call.

Sincerely,



Larry Long  
City Attorney

LL/gg

enclosures

cc: Victoria Lozano (Via Email: [Victoria.Lozano@lgbs.com](mailto:Victoria.Lozano@lgbs.com))