

RESOLUTION NO. 19-2008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE CONVEYANCE OF CITY-OWNED PROPERTY LOCATED AT 826 S. SAM HOUSTON ROAD FOR LESS THAN FAIR MARKET VALUE AND FINDING SAID CONVEYANCE TO CONSTITUTE A PUBLIC PURPOSE IN THE INTEREST OF NEIGHBORHOOD REVITALIZATION; AND AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO CONVEY THE SAID PROPERTY AND A SPECIAL WARRANTY DEED WITH THE OWNER OF SAID PROPERTY FOR THE PURPOSE OF PERFECTING THE CONVEYANCE.

WHEREAS, the Sherwood Forest Neighborhood is one of four target revitalization areas in the City of Mesquite, and overall housing conditions in the area must be improved in order to complete revitalization of the neighborhood; and

WHEREAS, the owner of 826 S. Sam Houston Road recently constructed an addition to his family's home that inadvertently encroached upon property owned by the City of Mesquite; and

WHEREAS, the City staff has determined that the land now occupied by the home is no longer required for its original intended purpose of stormwater control, and it would serve no useful purpose to require the removal of the improvements; and

WHEREAS, Texas Local Government Code, Section 272.001(g) states that a political subdivision may sell, exchange or otherwise convey land or interest to an entity for development of low-income or moderate-income housing; and

WHEREAS, Texas Local Government Code, Section 272.001(g) provides that a political subdivision may sell, exchange or otherwise convey land for less than its fair market price if the conveyance serves a public purpose; and

WHEREAS, the home improvements constructed by the owner at 826 S. Sam Houston Road are an enhancement to housing conditions in Sherwood Forest, have a positive influence on property values in the area, and serve as a good example for other owners who are considering reinvesting in their homes; and

WHEREAS, the Community Development Department has verified that the owner and his family meet the Housing and Urban Development (HUD) income qualifications for low to moderate income for the development of low-income to moderate-income housing.

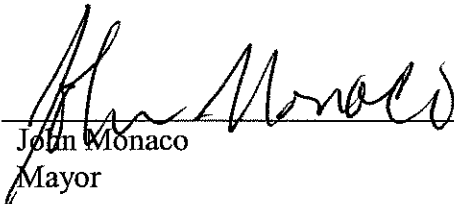
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That having the owner of 826 S. Sam Houston Road acquire and use a portion of the City's property for home improvements is more beneficial in the long term to the neighborhood than having the City retain ownership of the land in question.

SECTION 2. That the conveyance of said property for less than fair market value will enable the owner to continue investing in the property and thereby constitutes an important public purpose of encouraging homeowners to improve their property in the interest of revitalizing the Sherwood Forest Neighborhood.


SECTION 3. That the Mayor is hereby authorized to execute an Agreement to Convey Property and a Special Warranty Deed with the owner of 826 S. Sam Houston Road for the purpose of perfecting the conveyance.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 21st day of April, 2008.



John Monaco
Mayor

ATTEST:



Judy Womack
City Secretary

APPROVED:



B. J. Smith
City Attorney