



Date: January 22, 2013

To: Thomas J. Bonfield, City Manager
Through: W. Bowman Ferguson, Deputy City Manager
From: Joel V. Reitzer, Director, General Services Department
David M. Fleischer, Real Estate Manager
Subject: Proposed Sale of Property Located at 1127 Midland Terrace, to the Estate of Thelma Louise Whitt White

Executive Summary

The City was contacted by representatives of the Estate of Thelma Louise Whitt White (the White Estate) with regard to the City-owned parcel of land located at 1127 Midland Terrace and identified as parcel #130198 (subject property). The White Estate owns parcel #130197 located adjacent to the subject property.

The subject property measures 15' wide by 200' deep, is a vacant non-conforming lot, has a tax value of \$100.00, and no market value. Currently the property of the White Estate encroaches onto the subject property and is used as a driveway for vehicular access as well as access to the side entry of the home. The White Estate has maintained the subject property since the mid 1980's and the City has not utilized the property since ownership in 1981. Subsequent to the death of Thelma Louise Whitt White, a boundary survey of the White's property revealed that land adjacent to their home belongs to the City, and the White's contacted the City regarding purchasing the subject property. General Services Department staff has negotiated a proposed sale price of the subject property of \$250.00.

The General Services Department proposes to sell City-owned parcel #130198 by private sale to the White Estate pursuant to the authority of Section 86 of the City Charter. Section 86 of the City Charter authorizes the City Council to publicly or privately sell, lease, rent, exchange or otherwise convey real or personal property or any interest in such belonging to the City upon the affirmative vote of four members of the City Council.

Recommendation

The General Services Department recommends that City Council:

- (1) declare parcel #130198 surplus property;
- (2) authorize the sale of parcel #130198 by private sale to the Estate of Thelma Louise Whitt White under the authority of Section 86 of the City Charter;
- (3) accept the offer of \$250.00 from the Estate of Thelma Louise Whitt White to purchase parcel #130198; and
- (4) authorize the City Manager to sell and the Mayor convey parcel #130198 by non-warranty deed.

Background

The City acquired the subject property via tax foreclosure on April 15, 1981. The owner of the property at that time was James R. Childers per Deed 1056 at Page 620. The cost of the acquisition to the City was \$203.21.

Issues/Analysis

The subject property is located adjacent to the property owned by the White Estate. The driveway, carport and side entry of the family's property is located on the subject property. Without the purchase of the subject property, the White Estate's property is not marketable.

Applicable City Departments have verified in writing that there is no current or future purpose for the City Property, and the property should be disposed of as surplus.

Alternatives

The City Council could decide not to approve the sale of the subject property. This alternative is not recommended as in doing so would create a hardship for the White Estate and would prevent them from selling their property in order to settle the estate. There is no value to the City or City Departments in retaining the subject property since it cannot be utilized for a public purpose or development. Furthermore, there is currently no income generated by the property and by selling it, the property becomes a part of the City tax base.

Financial Impact

Revenue to the City from the proposed sale is \$250.00.

SDBE Summary

This item does not require review by the Equal Opportunity/Equity Assurance Department.

Attachments: Survey, Offer to Purchase, and Location Map.