

RESOLUTION NO. R-2018-126

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS REDUCING MOWING AND OTHER RELATED LIENS FILED BY THE CITY OF BASTROP AGAINST 1002 CHURCH STREET TO TWO-THOUSAND AND 00/100 DOLLARS (\$2,000.00) AT TIME OF CLOSING MAKING IT ECONOMICALLY FEASIBLE TO BE PURCHASED AND MAINTAINED BY THE CALVARY EPISCOPAL CHURCH AS A PART OF THEIR CHURCH CAMPUS, AS ATTACHED AS EXHIBIT A; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Calvary Episcopal Church is interested in buying 1002 Church Street to be included in their church campus; and

WHEREAS, a title search discovered a sizable lien by the City of Bastrop of approximately \$12,000 against the current property owner for prior cleaning of the property by Code Enforcement and accrued charges for the failure of the owner to reimburse the City; and

WHEREAS, the church has offered to be responsible for \$2,000 of the lien payment to the City at the time of closing, which provides a permanent solution resolving a long-standing code enforcement nuisance; and

WHEREAS, City of Bastrop City Charter, Section 3.01 City Council – Powers and Duties, Item 16 specifically enumerates for greater certainty that the Council has the authority to compromise and settle any and all claims and lawsuits of every kind and character in favor of or against the City; and

WHEREAS, finding a permanent solution to the ongoing care and maintenance of 1002 Church Street rather than continually being paid by Bastrop taxpayers through mowing liens is in the best interest of the community.

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

Section 1: The City Manager is authorized to execute all documents necessary to reduce the outstanding liens on 1002 Church Street, owed to the City of Bastrop, to Two-Thousand and 00/100 Dollars (\$2,000.00) at time of closing, making it economically feasible to be purchased and maintained by the Calvary Episcopal Church as a part of their church campus.

Section 2: All orders, ordinances, and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

Section 3: That this Resolution shall take effect immediately upon its passage, and it is so resolved.


DULY RESOLVED AND ADOPTED by the City Council of the City of Bastrop this 11th day of December 2018.

APPROVED:



Connie B. Schroeder, Mayor

ATTEST:

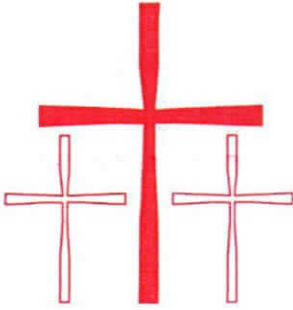


Ann Franklin, City Secretary

APPROVED AS TO FORM:



Alan Bojorquez, City Attorney



**Calvary
Episcopal
Church**

October 22, 2018

Lynda Humble
City Manager, City of Bastrop
1311 Chestnut Street
PO Box 427
Bastrop, Texas 78602

Dear Ms. Humble,

Calvary Episcopal Church has been attempting to purchase a small parcel of land that is contiguous to our property near the location of Calvary Episcopal School (see attached survey). As we worked with the owner and the title company, (Independence Title Company, Angie Kana, Escrow officer), we discovered a sizeable lien against the property of approximately \$12,000 placed on the property by the City of Bastrop for prior cleaning of the property and accrued charges for failure of the owner to reimburse the City of Bastrop. This lien makes it economically impossible for the church to complete this transaction and take over the responsibility for maintenance. It is our intent to include this property in the future as part of our church campus.

The church has offered to be responsible for \$2,000 of the lien payment to the City at closing to get this transaction accomplished. Calvary Episcopal Church hereby respectfully requests that the City of Bastrop consider forgiving the balance of this lien on the property beyond the \$2,000 so that this sale can move forward, and the nuisance issue of the property be solved.

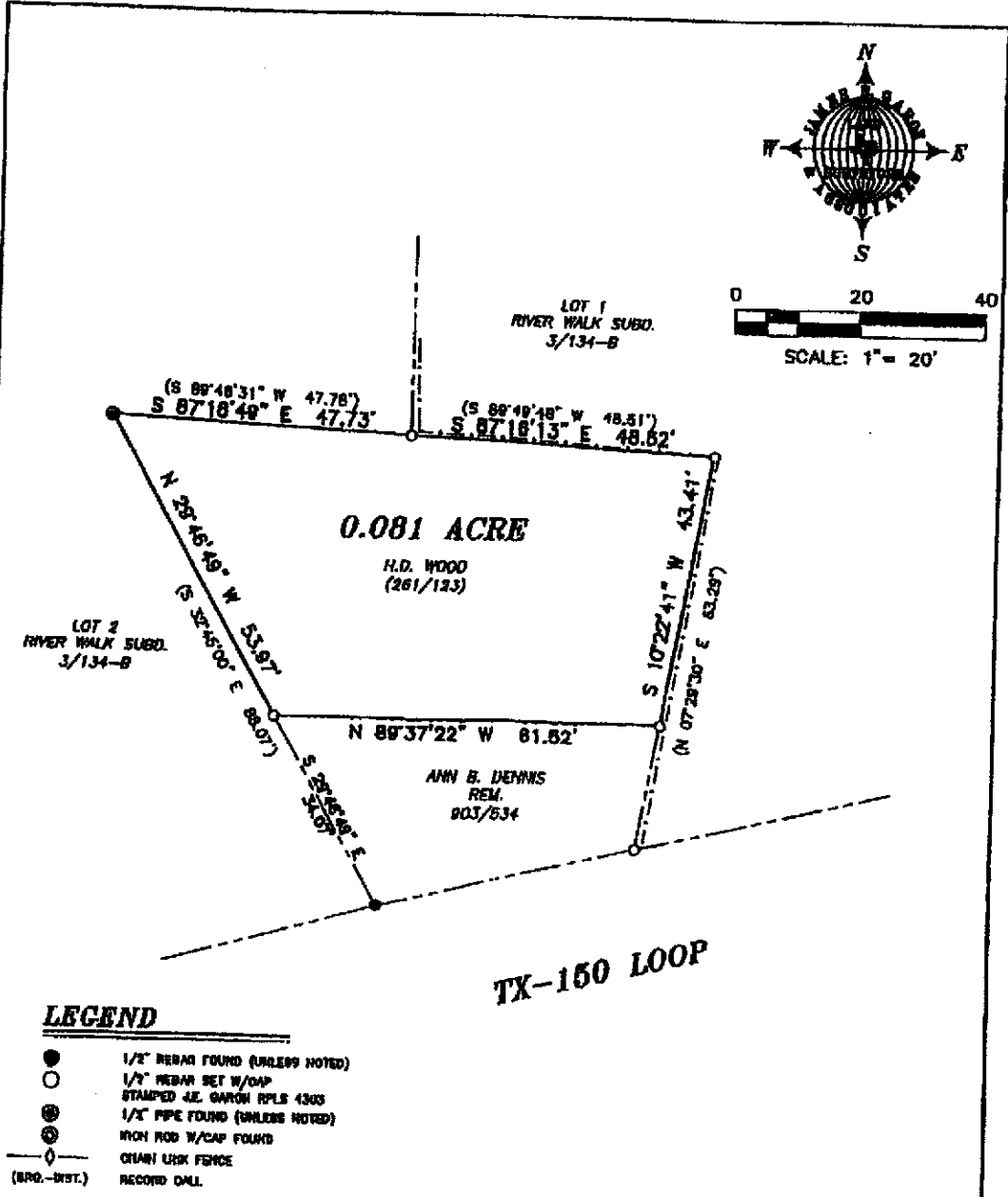
I will be happy to meet with you at your convenience to discuss resolution of this issue.

Respectfully,

David Treadwell
Senior Warden, Calvary Episcopal Church, Bastrop

cc: Bill Ennis, Bastrop City Council, Place 4

P.O. Box 721
603 Spring Street
Bastrop, Texas 78602
(512) 303-7515
(512) 303-6615
calvaryepiscopal@austin.rr.com



TO THE OWNERS, LIENHOLDERS AND INDEPENDENCE TITLE COMPANY

THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON.

THE UNDERSIGNED DOES FURTHER CERTIFY THAT THE PROPERTY DESCRIBED HEREON IS LOCATED IN ZONE "X", A 0.2% ANNUAL CHANCE FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP, PANEL NO. 48021C0388, EFFECTIVE JANUARY 16, 2008.



JAMES E. GARON & ASSOC.
PROFESSIONAL LAND SURVEYORS
Firm Reg. #10088400
P.O. Box 1917
Beaumont, Texas 77802
(512) 303-4188
jgaron@earthlink.net
www.jamesegaron.com

REFERENCE:
ADDRESS: 1802 CHURCH STREET
LEGAL DESCRIPTION: 0.081 ACRE, BUILDING BLOCK 11 WEST OF MAIN ST., CITY OF BEAUMONT, TEXAS; MAP OR PLAT OF RECORD IN CAB. 1, PG. 23A PLAT RECORDS, BEAUMONT COUNTY, TEXAS.
FIELD BOOK: 869/26
FILE: S:\Covallies\Beaumont\City of Beaumont\Building Blocks\B 11 WWS\13918.dwg

C.F. NO.: 181889-BAS

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EXHIBIT "A"

**JAMES E. GARON
& ASSOCIATES, INC.**
PROFESSIONAL LAND SURVEYORS

P.O. Box 1917
Bastrop, Texas 78602
512-303-4186
Firm Reg. #10058400
jgaron@aus|ln.r.com

June 28, 2018

LEGAL DESCRIPTION: BEING A 0.081 ACRE TRACT OF LAND LYING IN AND SITUATED OUT OF BUILDING BLOCK 11, WEST OF MAIN STREET, TOWN OF BASTROP IN BASTROP COUNTY, TEXAS AS SHOWN ON MAP OR PLAT RECORDED IN CABINET 1, PAGE 23-A, PLAT RECORDS, BASTROP COUNTY, TEXAS AND BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED BY DEED RECORDED IN VOLUME 261, PAGE 123, DEED RECORDS, BASTROP COUNTY, TEXAS; SAID 0.081 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND AS SURVEYED UNDER THE SUPERVISION OF JAMES E. GARON & ASSOCIATES IN JUNE, 2018:

BEGINNING at a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the common southerly corner of Lots 1 & 2, River Walk Subdivision as recorded by plat in Cabinet 3, Page 134-B of said plat records;

THENCE S 87°16'13" E a distance of 48.52 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the northeast corner hereof and an ell corner of Lot 1, River Walk Subdivision;

THENCE S 10°22'41" W a distance of 43.41 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the southeast corner hereof and the northeast corner of that certain tract of land conveyed to Ann B. Dennis by deed recorded in Volume 903, Page 634 official records, Bastrop County, Texas;

THENCE N 89°37'22" W a distance of 61.62 feet to a 1/2" iron rod with cap stamped "JE Garon RPLS4303" set for the southwest corner hereof and the northwest corner of said Dennis tract;

THENCE N 29°46'49" W a distance of 63.97 feet to a 1/2" iron pipe found for the northwest corner hereof and an ell corner of Lot 2, River Walk Subdivision;

THENCE S 87°18'49" E a distance of 47.73 feet to the **POINT OF BEGINNING**, containing 0.081 acre of land, more or less and as shown on sketch prepared herewith.

Surveyed by:

James E. Garon
Registered Professional Land Surveyor #4303

co\Bastrop\City of Bastrop\B.B. 11 WWS\43918

