

Re: HUMBERTO LOPEZ property division

August 5, 2021

Attn: Jeanna Thompson, City Secretary

Mr. Lopez is trying to clear up a blunder of errors in the deed process that has taken place due greatly to the inability for them to communicate what was intended. We were approached to divide the South 110' of Lots 11 and 12 in Block 11 of the Original Townsite of Bay City in early 2020. Due to the Covid situation and it's financial strain that came into play it has taken this long to get to the end of the tunnel. We spoke with Marla Jasek, in early 2020 about the possibility of dividing the property. The property had two separate houses built according to the tax roll in 1935. The properties have had separate addresses and services since then. Marla did not see any reason that they could not be split since they had been established that long and said a simple subdivision plat should be in order. We proceeded to divide the property and got thru the process to a preliminary plat being approved, at that point when Covid interrupted the process. Mr. Lopez asked us to halt the process due to him losing his job and his ability to pay for the plat at that time. Spring forward to being able to proceed with the process. Now Marla has left, the City staff is mostly replaced and moved around and we start with the preliminary plat being out of date and needing new flood info and new city names to be changed. Then, the plat is rejected by the new members of the city process (do to their understanding of the rules for a subdivision plat, we can understand that) and we have tried to answer any questions and concerns as best we can. It was decided it should go thru the Planning Commission for a Variance do to the size of one of the lots. We divided the property according to the fences that have been in place for years. One lot will be 4300 square feet and the other will be 6700 square feet, that is how they have been historically since the 1940's. They have separate addresses, utilities and now separate owners. In the process of trying to separate the properties, we told them that it should be re-plated. We could have just called it out to be "the North 43' of the South 110' of lots 11 & 12" and "the South 67" feet of the South 110' of lots 11 & 12" of Block 11. But, that could be altered with another change of description in the future if someone so desired. Allowing the re-plat will lock the properties in as plated lots 11A and 12A of block 11. It will give the lots a true identity for taxing purposes and any future changes of ownership. In the process of trying to transfer the properties the ownership was not represented properly for the transfer and the correction for it gave all of Mr. Lopez's rights away. Bay City Abstract has worked with Mr. Lopez to correct the title issues and discrepancies to get us ready to transfer the property to the right owners as Lot 11A and 12A and will pass on to the Appraisal District the legal info for the taxes. It also usually will create a small increase in value with it being called a "lot" for taxes, we have noticed in the past. Not so good for the owner, but better for the City and better tracking for the taxes. We ask you consider all the issues that have been corrected and efforts put into trying to make a proper identity for the two tracts and grant a variance for the lot size needed to complete the process.

Thank you.

Gary Murphree

Survey Tech – G & W Engineers