

ITEM# 1.9

Request by Jose A. & Juana Machuca to have the City dedicate a 24' access easement from a City drain ditch out of Lot 47, Melba Carter Subdivision (aka Lot 47, Earnhardt Subdivision U/R)

On September 27, 2023 staff received a letter from San Juanita Machuca on behalf of Jose Atanacio & Juana Machuca requesting a 24' access easement from the property adjoining theirs that belongs to the City of Mission. Mr. & Mrs. Machuca have lived at 408 Melba Carter Street for the last 30 years. They currently own a property that is considered to be landlocked since they don't have any access to a public street. Since then, Mr. & Mrs. Machuca have been using the City's drain ditch that adjoins their property to get in and out of their property.

Mr. Machuca has applied for the Housing Assistance Program on or about September 17, 2020. Although he appeared to be eligible based on income, CDBG was unable to continue with the eligibility process due to planning issues. Specifically, the Planning Department was unable to issue any building permit to demolish and reconstruct due to having no public access to his residence. The Planning Department could only issue a permit to remodel but for CDBG it was more cost effective to demolish and reconstruct than to remodel the existing home. They have asked all of their immediate neighbors for a 24' access easement but have not been successful. Since, they have exhausted all other measures their last resource was to come before the City Council to humbly ask for a 24' access easement from the existing Drain ditch. It is difficult to ask for help but I plea you look into your hearts and have compassion for this elderly couple who have worked honest jobs and fulfilled their duties as law abiding citizens. CDBG has been kind enough to offer them assistance with their current home, but without this access easement they are unable to move forward.

RECOMMENDATION: Staff is seeking direction.

To whom it may concern,

I am writing this letter on behalf of Jose Atanacio Machuca (90) and Juana Machuca (60), my parents. Both of whom have lived at 408 Melba St. Mission Tx 78572 for the better part of the last 30 years. They are currently requesting Access to 24 feet on a property adjoining to their home owned by the city to use this property as an access to the street. It is fundamental this access be granted to improve their current living situation. You see this property was purchased about 30 yrs ago and the previous owner planned to subdivide but the plans were never registered and subsequently they never gained any sort of legal street access. The property is currently considered landlocked. We have exhausted all other measures by asking the neighbors for permission to cross through their property and have not been successful. Therefore, we come before the court requesting this access. In the event that the city ever decided to close off the property my parents would not have accessibility to basic human needs such as going out to get groceries, water, or even vacating the premises in the event of an emergency. My father is 90 years old and is currently struggling with the onset of dementia. My mother is a disabled woman with severe asthma and diabetes. Their entire lives they have struggled and made ends meet with little to no government assistance. My family has been proud of the small things they have accomplished. Owning their own home and maintaining it as best possible until now. It is difficult to ask for help but I plead you look into your hearts and have compassion for this elderly couple who have worked honest jobs and fulfilled their duties as law abiding citizens. CDBG has been kind enough to offer them assistance with their current home, but without this access they are unable to move forward. I have attached photos of the residence at 408 Melba Carter St. for your reference regarding their current living situation.

Sincerely,

San Juanita Machuca

408 Melba Carter









