



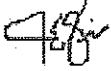
PLANNING DEPARTMENT

County Of Hidalgo

Raul E. Sestin, P.E., CFM
PLANNING ADMINISTRATOR

MEMORANDUM

To: Judge Juan D. Salinas III
County Commissioner's Court

From: Raul E. Sestin, P.E., Planning Administrator 

Date: August 26, 2009

Re: Colonia Trevino

On February 26, 1990, an injunction was filed in favor of Hidalgo County against Jose G. Trevino and his heirs which prohibits the transfer of title to the various landowners in Colonia Trevino. It is our understanding that said injunction was filed because Mr. Trevino failed to comply with Hidalgo County's Subdivision regulations at that time. However, since then the State has allowed property owners with similar hardships to apply for utility certificates which in essence would waive the subdivision regulations due to the failure of the developer to comply. The only difference in this case is that the property owners do not have title to their properties which is required in order to obtain said certificate with the County.

On February 10, 2009, our department met with representatives from the City of Alton and attorneys with Rio Grande Legal Aid regarding the conditions the County would be in agreement with in order to release the injunction filed with regard to the substandard development of Colonia Trevino. As a result of the meeting we have agreed in principle to the following.

1. All tracts in this Colonia shall have access to and shall acquire an individual water meter for residential usage.
2. All tracts shall acquire a connection to the sanitary sewer services of the City of Alton immediately upon availability.
3. The final judgment in this case shall include a stipulation that the access roads shown on the survey by L.L. Rodriguez shall be dedicated to Hidalgo County as public right-of-way.
4. Finally, the first two conditions shall run with the properties until said conditions are met and no permits shall be issued by Hidalgo County until all utility services are in place.

The residents of Colonia Trevino through Texas Rio Grande Legal Aid are requesting a waiver of penalties and interest based on their delinquent taxes in the amount of \$11,644.85. Attached please find a letter from Emily Rickers, Attorney from Texas Rio Grande Legal Aid addressed to Honorable Commissioner Joe M. Flores for your review and consideration.

This item is now before you.



LAW OFFICE OF
TEXAS RIOGRANDE LEGAL AID, INC.

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August 24, 2009

Hon. Joe M. Flores
Hidalgo County Commissioner, Precinct 3
724 N. Breyfogle Road
Mission, Texas 78572
Via fax to: 585-2375

Re: Colonia Treviño Taxes

Dear Commissioner Flores:

On behalf of the residents of Colonia Treviño, north of Alton, I am writing to express their appreciation for your assistance in resolving so many of the obstacles to clearing title to the lots in this subdivision. We have made significant progress in finalizing metes and bounds descriptions and a survey, designating areas for each lot to have access to streets, and working toward sewer lines connected to the City of Alton sewer system. You and your office have been instrumental in accomplishing those goals, and we appreciate your help and interest in the plight of the residents.

The last issue that needs to be resolved is settlement of the delinquent property taxes owed on a significant portion of the colonia. These taxes have been delinquent since approximately 1983, and residents have been unable to pay them because they are assessed in one account against about half of the lots in the colonia and the two streets. The total due, including penalties and interest, currently exceeds \$70,000.00.

We have explored several options for paying these taxes in full, and have even looked for private financing that residents could secure with liens on their homes, but there is no source of funding that we have found that will cover the entire tax amount. After extensive discussions with the attorneys for the taxing entities, we have concluded that there is only way to reduce the account total to a manageable amount, and that is to request that each taxing authority consider waiving the penalties and interest due on the account. We have already asked Mission Independent School District, and their board has agreed to the waiver. As the other major taxing entity, Hidalgo County would provide important leadership on this matter if it agreed to do the same.

Please consider placing this request on the agenda for the Commissioner's Court in the near future. If you have additional questions or if you would like me to provide a more detailed presentation for the Court or for your office, please do not hesitate to contact me at 393-6207.

Sincerely,

TEXAS RIOGRANDE LEGAL AID, INC.

Emily S. Rickers
Attorney, Colonias Team Manager