

RESOLUTION NO. R-2012-9

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED WITHIN TYLER CITY LIMITS AND OWNED BY TAXING ENTITIES INCLUDING THE CITY OF TYLER AS THE RESULT OF A TAX SALE: AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the taxing entities, including the City of Tyler, Smith County, Texas, have become the owners of certain real property by virtue of the foreclosure sale conducted by the Sheriff pursuant to an order of the District Court as set out in the attachments described below: and

WHEREAS, all taxing entities involved in the below-referenced causes must consent to the sale of the described real property; and

WHEREAS, it is to the benefit of all taxing entities involved that the property be returned to its respective tax rolls;

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

PART 1: That the Mayor be and is hereby directed and authorized to execute the deed and any and all documents necessary to convey the real property referred to in a District Court Order in **BEING LOT 25, BLOCK 324D, PART OF THE B. F. PHILLIPS SURVEY, AS DESCRIBED IN DEED FROM B. F. PHILLIPS TO CLEMIE STARKS ETUX WILLIE MAE STARKS, RECORDED IN VOLUME 463, PAGE 104, ON INSTRUMENT FILED FEBRUARY 28, 1943, SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY, TEXAS (ACCT. 150000032404025000, TYLER ISD, SMITH CO., CITY OF TYLER & TYLER JUNIOR COLLEGE) AND LOCATED AT 518 S. CONFEDERATE**, to the buyer for and in consideration of the cash bid; all as described in the attached Exhibit "A", said monies to be distributed pursuant to Section 34.05 of the Texas Property Tax Code.

PART 2. That this resolution shall take effect immediately upon adoption.

ADOPTED this 7th day of March, 2012.



BARBARA BASS, MAYOR
CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


GARY C. LANDERS, CITY ATTORNEY



EXHIBIT "A" TO RESOLUTION R-2012-9

Cause No. 22,288-C

Date of Tax Sale August 2, 2011

Taxes Due: \$ 5,981.33 Tyler ISD
\$1148.33 Smith County
\$555.69 Tyler Junior College
\$957.08 City of Tyler

Adjudged Value \$24,939.00

Acct. No. 150000032404025000

Present Bid \$8,001.00

Bidder Mike Collins
110 N. College, #1504
Tyler, TX 75702

PROPERTY DESCRIPTION

BEING LOT 25, BLOCK 324D, PART OF THE B. F. PHILLIPS SURVEY, AS DESCRIBED IN DEED FROM B. F. PHILLIPS TO CLEMIE STARKS ETUX WILLIE MAE STARKS, RECORDED IN VOLUME 463, PAGE 104, ON INSTRUMENT FILED FEBRUARY 28, 1943, SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY, TEXAS (ACCT. 150000032404025000, TYLER ISD, SMITH CO., CITY OF TYLER & TYLER JUNIOR COLLEGE)

COPY

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

X

X

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF SMITH

X

That **Smith County, Trustee**, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of said governing body which is duly recorded in its official Minutes, hereinafter called grantor, for and in consideration of the sum of **\$8,001.00** cash in hand paid by

**MIKE COLLINS
110 N. COLLEGE, #1504
TYLER, TEXAS 75702**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents does quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under **Cause No. 22,288-C, Tyler Independent School District vs. Clemie Starks**, in the district court of said county, said property being located in Smith County, Texas, and described as follows:

BEING LOT 25, BLOCK 324D, PART OF THE B. F. PHILLIPS SURVEY, AS DESCRIBED IN DEED FROM B. F. PHILLIPS TO CLEMIE STARKS ETUX WILLIE MAE STARKS, RECORDED IN VOLUME 463, PAGE 104, ON INSTRUMENT FILED FEBRUARY 28, 1943, SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY, TEXAS (ACCT. 150000032404025000, TYLER ISD, SMITH CO., CITY OF TYLER & TYLER JUNIOR COLLEGE)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantor, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Conveyance of the property herein is made "as is" and grantors make no warranty or representation as to the property's condition, suitability for any use, and property's location.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to any existing right of redemption remaining in the former owner of the property under the provisions of law and also subject to any recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF City of Tyler has caused these presents to be executed this 9th day of March, 2012.

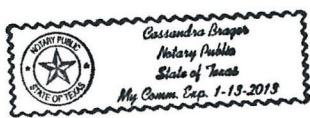
City of Tyler

BY: Barbara Bass
Barbara Bass
Mayor of the City of Tyler

STATE OF TEXAS X

COUNTY OF SMITH X

This instrument was acknowledged before me on this 9th day of March, 2012, by Barbara Bass, Mayor of the City of Tyler, Texas.



Cassandra Braeger
Notary Public, State of Texas
Commission Expires: _____