

RESOLUTION NO. R-2012-22

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AGREEING TO THE SALE OF CERTAIN PROPERTIES LOCATED AT 2705 WALTON ROAD 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 CAUSE NO. 22,322-A, LOT 5 & 6, WEST WALTON ADDITION, AN ADDITION TO SMITH COUNTY, TEXAS, AS DESCRIBED IN VOLUME 533, PAGE 222, DEED RECORDS OF SMITH COUNTY, TEXAS (ACCT. #18133200000005000, CITY OF TYLER, SMITH CO., TYLER JR. COLLEGE & TYLER ISD) 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 8<sup>th</sup> day of August, 2012.

  
\_\_\_\_\_  
BARBARA BASS, MAYOR  
CITY OF TYLER, TEXAS

**ATTEST:**

**APPROVED:**

  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK  
TEXAS



  
\_\_\_\_\_  
GARY C. LANDERS, CITY ATTORNEY

**EXHIBIT "A" TO RESOLUTION R-2012-22**

**Cause No.** 22, 322-A

**Date of Tax Sale** November 2, 2010

**Taxes Due:** \$196.75 Tyler Independent School District  
\$64.85 Smith County  
\$33.23 Tyler Junior College  
\$69.93 City of Tyler

**Adjudged Value** \$3,000.00

**Acct. No.** 181332000000005000

**Present Bid** \$1,500.00

**Bidder** Orelia Emanuel  
2402 Madison Street  
Tyler, Texas 75701

**PROPERTY DESCRIPTION**

**LOT 5 & 6, WEST WALTON ADDITION, AN ADDITION TO SMITH COUNTY, TEXAS, AS DESCRIBED IN VOLUME 533, PAGE 222, DEED RECORDS OF SMITH COUNTY, TEXAS (ACCT. #181332000000005000, CITY OF TYLER, SMITH CO., TYLER JR. COLLEGE & TYLER ISD)**

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 CITY OF TYLER, SMITH COUNTY and TYLER JUNIOR COLLEGE, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of cash in hand paid by

**ORELIA EMANUEL  
2402 MADISON STREET  
TYLER, TEXAS 75701**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents do 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 **Suit No. 22,322-A, City of Tyler, Et al vs. Lula Freeman**, in the district court of said county, said property being located in Smith County, Texas, and described as follows:

**LOT 5 & 6, WEST WALTON ADDITION, AN ADDITION TO SMITH COUNTY, TEXAS, AS DESCRIBED IN VOLUME 533, PAGE 222, DEED RECORDS OF SMITH COUNTY, TEXAS (ACCT. #18133200000005000, CITY OF TYLER, SMITH CO., TYLER JR. COLLEGE & TYLER ISD)**

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 grantors, 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 year the tax lien(s) arose.

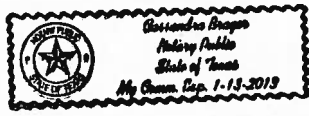
IN TESTIMONY WHEREOF City of Tyler, Trustee has caused these presents to be executed this 13th day of August, 2012.

City of Tyler

BY: Barbara Bass  
Barbara Bass, Mayor of CC 8-8-12  
City of Tyler

STATE OF TEXAS X  
COUNTY OF SMITH X

This instrument was acknowledged before me on this 13th day of August, 2012, by Barbara Bass, Mayor, of the City of Tyler.



Cassandra Brager  
Printed Name: CASSANDRA BRAGER  
Notary Public, State of Texas  
My Commission Expires: 1-13-2013