

RESOLUTION NO. R-2016-40

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 CAUSE NO 24,364-C: BEING LOTS 11 AND 12, IN BLOCK 736, OF THE CITY OF TYLER, PART OF THE COUNTRY CLUB ADDITION, AS DESCRIBED IN TYLER, PART OF THE COUNTRY CLUB ADDITION, AS DESCRIBED IN FINAL JUDGMENT IN CAUSE # 71-549, RECORDED IN VOLUME 1406, PAGE 112, FILED FEBRUARY 25, 1972, WARRANTY DEED RECORDED IN DOCUMENT # 12995, FILED AUGUST 7, 1995, PROBATE RECORDS OF THE ESTATE OF MORRIS DORBANDT UNDER CAUSE # 17,123-P, AFFIDAVIT OF HEIRSHIP RECORDED IN VOLUME 2422, PAGE 862, FILED JUNE 28, 1985 AND LAST WILL AND TESTAMENT OF CLOTA DORBANDT RECORDED IN VOLUME 482, PAGE 535, ON INSTRUMENT FILED SEPTEMBER 8, 1988, DEED RECORDS OF SMITH COUNTY, TEXAS (150000073600011000) 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.

PASSED AND APPROVED this 14th day of December, 2016.



MARTIN HEINES, MAYOR
CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

Cassandra Brager
CASSANDRA BRAGER, CITY CLERK



Deborah G. Pullum
DEBORAH G. PULLUM,
CITY ATTORNEY

EXHIBIT "A" TO RESOLUTION NO. R-2016-40

Cause No. 24,364-C

Date of Tax Sale September 2, 2014

Taxes Due: \$1,517.70 Tyler ISD
\$ 280.78 Smith County
\$ 144.82 Tyler Junior College
\$ 378.29 City of Tyler

Adjudged Value \$1,780.00

Acct. No. 150000073600011000

Present Bid \$1,000.00

Bidder Irais Garcia Lopez
11864 Highway 64E
Tyler, Texas 75707

PROPERTY DESCRIPTION

Being Lots 11 and 12, in Block 736, of the City of Tyler, Part of the Country Club Addition, as described in Tyler, Part of the Country Club Addition, as described in final judgment in Cause # 71-549, recorded in Volume 1406, Page 112, filed February 25, 1972, Warranty Deed recorded in Document # 12995, filed August 7, 1995, Probate Records of the Estate of Morris Dorbandt under cause # 17,123-P, Affidavit of Heirship recorded in Volume 2422, Page 862, Filed June 28, 1985 and last will and testament of Clota Dorbandt recorded in Volume 482, Page 535, on Instrument Filed September 8, 1988, Deed Records of Smith County, Texas (150000073600011000).

COPY

THE STATE OF TEXAS

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RESALE DEED

COUNTY OF SMITH

§

KNOW ALL MEN BY THESE PRESENTS that TYLER INDEPENDENT SCHOOL DISTRICT, SMITH COUNTY, CITY OF TYLER AND TYLER JUNIOR COLLEGE each acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of the sum of ONE THOUSAND, AND 00/100 (\$1,000.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid by Irals Garcia Lopez ("GRANTEE") the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by these presents do convey and quitclaim unto said grantee all right, title and interest of the TYLER INDEPENDENT SCHOOL DISTRICT, SMITH COUNTY, CITY OF TYLER AND TYLER JUNIOR COLLEGE, in the property herein conveyed, acquired by tax foreclosure sale heretofore held in Cause No. 24,264-C styled State of Texas, Tyler Independent School District vs. Clota Dorbandt Estate said property being described as:

BEING LOTS 11 AND 12, IN BLOCK 736, OF THE CITY OF TYLER, PART OF THE COUNTRY CLUB ADDITION, AS DESCRIBED IN FINAL JUDGMENT IN CAUSE # 71-549, RECORDED IN VOLUME 1406, PAGE 112, FILED FEBRUARY 25, 1972, WARRANTY DEED RECORDED IN DOCUMENT # 12995, FILED AUGUST 7, 1995, PROBATE RECORDS OF THE ESTATE OF MORRIS DORBANDT UNDER CAUSE # 17,123-P, AFFIDAVIT OF HEIRSHIP RECORDED IN VOLUME 2422, PAGE 862, FILED JUNE 28, 1985 AND LAST WILL AND TESTAMENT OF CLOTA DORBANDT RECORDED IN VOLUME 482, PAGE 535, ON INSTRUMENT FILED SEPTEMBER 8, 1988, DEED RECORDS OF SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF TYLER INDEPENDENT UNDER ACCOUNT NUMBER 150000073600011000

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said Irals Garcia Lopez, their heirs and assigns forever, so that neither TYLER INDEPENDENT SCHOOL DISTRICT, SMITH COUNTY, CITY OF TYLER AND TYLER JUNIOR COLLEGE, and any person claiming under it shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Post judgment taxes and taxes for the current year are assumed by Grantee.

COPY

IN TESTIMONY WHEREOF CITY OF TYLER has caused these presents to be executed this 10th day of January, 2017.

CITY OF TYLER

BY: [Signature]
Martin Heines
Mayor

STATE OF TEXAS §
COUNTY OF SMITH §

This instrument was acknowledged before me on this 10th day of January 2017, by Martin Heines, Mayor of the CITY OF TYLER.



[Signature]
Printed Name: Patricia Peralta
Notary Public, State of Texas
My Commission Expires: 7/27/19