

RESOLUTION NO. R-2019-58

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

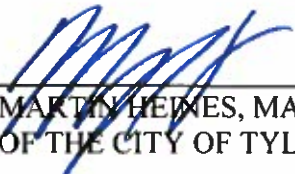
WHEREAS, it is to the benefit of all taxing entities involved that the property be returned to its respective tax rolls;

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. 25,218-B: **All that certain tract of land situated in the J. A. Haynie Survey, Abstract 457, Smith County, Texas, described as 0.322 acre, more or less, in deed dated April 5, 1948, from J.B. Arnold, etal, to Robert Kemp, etux, in Volume 650, Page 295, Deed Records of Smith County, Texas; SAVE & EXCEPT however, that certain 0.010 acre tract described in Volume 1886, Page 80, Deed Records of Smith County, Texas; leaving herein a residue of 0.3120 acre, more or less. (10000045700067000) 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 23rd day of October, 2019.




MARTIN HERMES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK


APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY

EXHIBIT "A" TO RESOLUTION R-2019-58

Cause No. **25,218-B**

Date of Tax Sale **May 2, 2017**

Taxes Due: **\$3,253.63 Tyler ISD**
 \$ 626.40 Smith County
 \$ 323.67 TJC
 \$ 675.08 City of Tyler

Adjudged Value **\$4,878.78**

Acct. No. **100000045700067000**

Present Bid **\$2,000.00**

Bidder **RSB LAND MARK PROPERTIES**
 502 WOODLAND HILLS DR.
 TYLER, TEXAS 75701

PROPERTY DESCRIPTION

All that certain tract of land situated in the J. A. Haynie Survey, Abstract 457, Smith County, Texas, described as 0.322 acre, more or less, in deed dated April 5, 1948, from J.B. Arnold, etal, to Robert Kemp, etux, in Volume 650, Page 295, Deed Records of Smith County, Texas; SAVE & EXCEPT however, that certain 0.010 acre tract described in Volume 1886, Page 80, Deed Records of Smith County, Texas; leaving herein a residue of 0.3120 acre, more or less (100000045700067000)

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

§

§ **KNOW ALL MEN BY THESE PRESENTS**

COUNTY OF SMITH

§

That **City of Tyler, 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 **\$2,000.00** cash in hand paid by

**RSB LAND MARK PROPERTIES
502 WOODLAND HILLS DRIVE
TYLER, TEXAS 75701**

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 **Suit No. 25,218-B, City Of Tyler, Et Al vs. Robert Kemp, Et Al**, in the district court of said county, said property being located in Smith County, Texas, and described as follows:

All that certain tract of land situated in the J. A. Haynie Survey, Abstract 457, Smith County, Texas, described as 0.322 acre, more or less, in deed dated April 5, 1948, from J.B. Arnold, etal, to Robert Kemp, etux, in Volume 650, Page 295, Deed Records of Smith County, Texas; SAVE & EXCEPT however, that certain 0.010 acre tract described in Volume 1886, Page 80, Deed Records of Smith County, Texas; leaving herein a residue of 0.3120 acre, more or less. (100000045700067000)

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.

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 12TH day of DECEMBER, 2019.

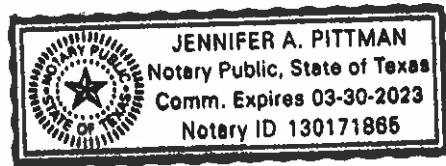
CITY OF TYLER

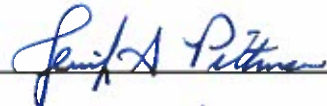
By: 
Martin Heines
Mayor

STATE OF TEXAS §

COUNTY OF SMITH §

This instrument was acknowledged before me on this 12TH day of DECEMBER, 2019, by Martin Heines, Mayor of the **CITY OF TYLER**.




Printed Name: JENNIFER A. PITTMAN
Notary Public, State of Texas
My Commission Expires: 03-30-2023