

Memo

Date: February 4, 2009
To: Mr. Michael Brown, County Judge
From: Diana Farris, Property Manager
Subject: Agenda Item for February 10, 2009
Contact: Diana Farris, Purchasing Department, 657-4212
Caption: Consent Item
Execute a Resolution authorizing sale of Tax Lot(s):
5, Block 23, Miles Addition
Suit No. B-03-0103-T

Summary: The subject property was auctioned in March 2005, with no offers received. Subsequently, the property was struck off to the City as Trustee for itself and the other taxing entities.

The size of the lot is 50' x 100' and is located on E 8th St (near 25 E 8th St).
(See attached map)

The City has received an offer from Gerrard R Brown, a single person, in the amount of \$615.00 for the purchase of the property. This offer will satisfy all the court costs and a small portion of the taxes.

History: Listed below is a breakdown of amounts owed.

Taxes:	\$	531.00
Sheriff Fees	\$	13.00
District Clerk	\$	15.00
Attorney Fees	\$	00.00
Administration	\$	<u>350.00</u>
	\$	909.00

Financial Impact: Property reinstated back onto tax roll.

Other Information/Recommendation: It is recommended that the offer be accepted.

Attachments: Resolution

Publication: The subject property was auctioned in October 2006, with no offers received.

City of San Angelo: The City Council has approved the sale of the property. This matter is now being forwarded to you for approval on your next agenda.

**Please return the signed Resolution to:
Attention: Diana Farris, Property Manager,
Purchasing Department, City of San Angelo
P.O. Box 1751, San Angelo, Texas 76902**

RESOLUTION AUTHORIZING TAX RESALE
OF THE COUNTY COMMISSIONERS OF
TOM GREEN COUNTY

Date: *February 10, 2009*

Buyer: Gerrard R Brown
11520 Church Canyon Dr.
Austin, TX 78754

Property: Lot 5, Block 23, Miles Addition, Tom Green County, Texas, as described in "Parcel Four" in deed recorded in Volume 834, Page 121, Official Public Records of Tom Green County, Texas.

Purchase Price: Buyer will purchase the Property for the sum of Six Hundred Fifteen and NO/100 Dollars (\$ 615.00)

Judgment The Judgment for the foreclosure of a tax lien against the Property entered on August 11, 2004 in Suit No. B-03-0103-T by the 119th District Court of Tom Green County, Texas.

Sheriff's Deed: Sheriff's Tax Deed dated March 15, 2005, filed of record on March 21, 2005, and recorded on Volume 1186, Pages 278 - 280 of the Official Public Records of Real Property, Tom Green County, Texas.

WHEREAS, the City of San Angelo, a Texas home rule municipal corporation, acquired full legal title to the Property — both for its own benefit and as Trustee for all other taxing authorities entitled to receive proceeds from the sale of the Property under the terms of the Judgment — by the Sheriff's Tax Deed.

WHEREAS, Tom Green County, a political subdivision of the State of Texas, is one of the taxing authorities entitled to receive proceeds from the sale of the Property under the terms of the Judgment.

WHEREAS, the City of San Angelo now desires to sell the Property to Buyer, and Buyer desires to purchase the Property from the City of San Angelo, in a private sale for the Purchase Price, an amount that is less than the lesser of (1) the market value specified in the Tax Warrant or (2) the total amount of the Judgment.

WHEREAS, Texas Tax Code §34.05(i) requires that Tom Green County consent to any sale of the Property upon such terms; and

WHEREAS, Tom Green County desires to consent to the sale of the Property to Buyer as proposed by the City of San Angelo and Tom Green County makes this Certificate of Resolution

for the purpose of evidencing Tom Green County's resolution to consent to the sale of the Property to Buyer for the Purchase Price;

NOW, THEREFORE, the Commissioners of Tom Green County convened on February 10, 2009, for its regularly-scheduled meeting, following proper notice and agenda posting as required by law. At such meeting, the commissioners fully discussed and considered the sale of the Property to Buyer. Following a full evaluation of the matter and review of the proposed sale, upon motion duly made, seconded and unanimously carried, it was:

RESOLVED, that Tom Green County Commissioners authorizes the City of San Angelo to sell the Property to Buyer for the Purchase Price, in accordance with §34.05(i) of the Texas Tax Code;

and further,

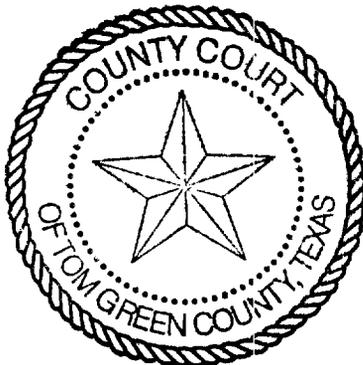
RESOLVED, that Judge Brown, Judge of Tom Green County, is hereby authorized and directed to execute any and all instruments on behalf of Tom Green County that may be appropriate or necessary to effectuate the sale of the Property to Buyer as contemplated herein.

Tom Green County, a political
Subdivision of the State of Texas

By: *J.A. Brown*
Judge Brown, Judge of Tom Green County

STATE OF TEXAS §
 §
COUNTY OF TOM GREEN §

This instrument was acknowledged before me on February 10, 2009,
by Michael P. Brown, County Judge of
Tom Green County, a political subdivision of the State of Texas, on behalf of Tom Green
County.



Elizabeth McGill
Notary Public, State of Texas

Elizabeth McGill
County Clerk
Tom Green County, Texas