

Memo

Date: September 17, 2009
To: Mr. Michael Brown, County Judge
From: Diana Farris, Property Manager
Subject: Agenda Item for August 25, 2009
Contact: Diana Farris, Property Manager, Purchasing Department, 657-4212
Caption: Consent Item
Execute a Resolution authorizing sale of Tax Lot(s):
Lot 9 1/2, Sheppard's Addition
Suit #B-05-0065-T

Summary: The subject property was auctioned in March 2008, 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 each lot(s) is 58' x 190' and is located at 1301 Coke Street (See attached map)

The City has received an offer from Erika & Tomas Tellez, a married couple, in the amount of \$1,500.00 for the purchase of the property. This offer will satisfy the court costs and a portion of the taxes.

History: Listed below is a breakdown of amounts owed.

Taxes:	\$ 1,514.00
Sheriff Fees	\$ 100.00
District Clerk	\$ 466.00
Attorney Fees	\$ 275.00
Administration	<u>\$ 350.00</u>
	\$ 2,705.00

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 March 2008, 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: 9-1-09

Buyer: Erika & Tomas Tellez, a married couple
11 S Florence
San Angelo, TX 76903

Property: Lot 9 ½, Sheppard's Addition, an addition to the City of San Angelo, Tom Green County, Texas, as described in Volume 406, Page 405, Deed Records of Tom Green County, Texas.

Purchase Price: Buyer will purchase the Property for the sum of One Thousand Five Hundred and NO/100 Dollars (\$ 1,500.00)

Judgment The Judgment for the foreclosure of a tax lien against the Property entered on August 8, 2007 in Suit No. B-05-0065-T by the 119th District Court of Tom Green County, Texas.

Sheriff's Deed: Sheriff's Tax Deed dated March 31, 2008, filed of record on April 7, 2008, and recorded on Instrument #649604 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 9-1, 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. M. Brown*
Judge Brown, Judge of Tom Green County

STATE OF TEXAS §
 §
COUNTY OF TOM GREEN §

This instrument was acknowledged before me on 9-1, 2009,
by Michael D. 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