

# Memo

**Date:** December 1, 2015  
**To:** Stephen C. Floyd, County Judge  
**From:** Cindy S Preas, Real Estate Manager, City of San Angelo  
**Subject:** Agenda Item for your next Commissioner's Meeting  
**Caption:** Consent Item  
**Caption:** Consent Item

Consideration of adopting a Resolution authorizing the sale and conveying all rights, title, and interests in the following Tax Lot(s):

1. Lot 10A, Block 27, Miles Addition; 820 N. Oakes; Joe Pena Chavarria and Azalia C. Chavarria (\$2,750.00)

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

**History:** The attached Property Analysis reflects amounts of delinquent taxes, accrued penalties, interest, attorney fees and costs for delinquent years of, together with additional penalties and interest at the rates prescribed by Chapter 33, Tex. Property.

**Financial Impact:** Upon approval: (1) The City will retain a \$500 Administration Fee per parcel, (2) The balance will be distributed in compliance with the Sheriff's Return, and (3) Property will be reinstated back onto tax roll.

**Other Information/Recommendation:** The subject parcel is an unimproved property. No outstanding account balances exist for the above Prospective Buyers and it is recommended the above offer be accepted.

**Attachments:** Resolution and Property Analysis

**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

# PROPERTY ANALYSIS

## For Tax Resale Property

**Legal Description:** Lot 10A, Block 27, Miles Addition, City of San Angelo, Tom Green County, Texas, as described in a deed recorded in Volume 1196, Page 644, Official Public Records of Real Property, Tom Green County, Texas.

**Improved/Unimproved:** Unimproved  
**Tax Suit Number:** B-11-0186-TAX  
**Location:** 820 N. Oakes  
**City of San Angelo, et al., vs.** Eli Ornelas and Lisa Ornelas  
**Tax ID Number:** 18-34200-0027-007-00  
**Judgment Date:** January 27, 2014  
**Date of Sheriff's Sale:** October 7, 2014  
**Sheriff's Deed Recorded:** October 20, 2014

**Years Held in Trust** **13 Mo**  
**Urban Redevelopment Program?** **NO**

**Adjudge Value:** \$ 3,500.00  
**Amount of Offer:** \$ 2,750.00

	Amounts Due		Priority Allocations	% of Remainder	Pro Rata Allocations	Amounts Distributed
	Fees	Judgment				
Administration Fee	\$500.00		\$500.00	0.00%		\$500.00
Maintenance Fee	\$90.00		\$90.00	0.00%		\$90.00
District Clerk	\$175.00		\$175.00	0.00%		\$175.00
Sheriff's Fee	\$100.00		\$100.00	0.00%		\$100.00
Attorney Fee	\$407.00		\$407.00	0.00%		\$407.00
Municipal Liens		\$1,385.38		49.16%	\$726.61	\$726.61
Taxes	\$ -	\$1,432.62		50.84%	\$751.39	\$751.39
<b>Total</b>	<b>\$1,272.00</b>	<b>\$2,818.00</b>	<b>\$1,272.00</b>	<b>100.00%</b>	<b>\$1,478.00</b>	<b>\$2,750.00</b>
<b>Actual Total Amt Due</b>		<b>\$4,090.00</b>				
<b>Amount Remaining</b>			<b>\$ 1,478.00</b>			

**Offer will satisfy all court costs and a portion towards the taxes, according to the Judgment.**

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

**Date:**

*December 8, 2015*

**Buyer:**

Joe Pena Chavarria and Azalia C. Chavarria  
229 Allen Street  
San Angelo, Tom Green County, Texas 76903

**Property:**

Lot 10A, Block 27, Miles Addition, Tom Green County, Texas, as described in a deed recorded in Volume 1196, Page 644, Official Public Records of Real Property, Tom Green County, Texas.  
Acct. #18-34200-0027-007-00

**Purchase Price:**

Buyer will purchase the Property for the sum of Two Thousand Seven Hundred Fifty Dollars (\$2,750.00).

**Judgment:**

Judgment for the foreclosure of a tax lien against the Property entered on January 27, 2014 in Suit No. CB-11-0186-TAX, by the 119<sup>th</sup> District Court of Tom Green County, Texas.

**Sheriff's Deed:**

Grantor 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 Sheriff's Deed dated October 20, 2014, and recorded in Instrument Number 201413914, Official Public Records, 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; and

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; and

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; and

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 December 8<sup>th</sup>, 2015, 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:

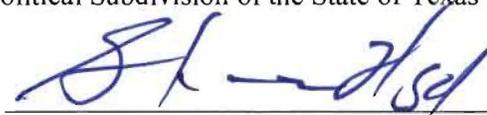
RESOLVED, that Tom Green County Commissioners authorizes the City of San Angelo to sell the Property to Buyer for the Purchase Price, in accordance with §34.05(i) of the Texas Tax Code;

and further,

RESOLVED, that Stephen C. Floyd, County 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.

Attest:  
  
Elizabeth McGill, County Clerk  
Tom Green County, Texas

**TOM GREEN COUNTY**  
A Political Subdivision of the State of Texas

By:   
Stephen C. Floyd, County Judge  
Tom Green County, Texas

STATE OF TEXAS                   §  
   §  
COUNTY OF TOM GREEN       §

This instrument was subscribed and acknowledged before me on December 8, 2015, by **STEPHEN C. FLOYD**, County Judge, of **TOM GREEN COUNTY**, a political subdivision of the State of Texas, on behalf of Tom Green County.



  
Notary Public, State of Texas

