

4-6

Memo

Date: February 17, 2016
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. South 50 feet of East 40 feet of Lot 1, South 50 feet of Lots 2 and 3, South 35 feet of Lot 4, Block 3, Fair Park Addition; 4014 Coliseum Drive; Miguel Duran (\$1,800.00)

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

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

- Date:** *February 23, 2016*
- Buyer:** Miguel Duran
1110 Ashford Drive
San Angelo, Tom Green County, Texas 76901
- Property:** South 50 feet of East 40 feet of Lot 1, South 50 feet of Lots 2 and 3, South 35 feet of Lot 4, Block 3, Fair Park Addition, City of San Angelo, Tom Green County, Texas, as described in a deed recorded in Volume 774, Page 718, Official Public Records of Real Property, Tom Green County, Texas..
Account #09-22500-0003-002-00 and Account #09-22500-0003-005-00
- Purchase Price:** Buyer will purchase the Property for the sum of One Thousand Eight Hundred Dollars (\$1,800.00).
- Judgment:** Judgment for the foreclosure of a tax lien against the Property entered on August 25, 2014 in Suit No. B-13-0130-TAX, by the 119th 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 Tax Deed dated March 16, 2015, and recorded in Instrument 201503417, 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 February 23, 2016, 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
Elizabeth McGill, County Clerk
Tom Green County, Texas

TOM GREEN COUNTY
A Political Subdivision of the State of Texas

By: Stephen C. Floyd
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 February 23, 2016, by **STEPHEN C. FLOYD**, 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



PROPERTY ANALYSIS

For Tax Resale Property

Legal Description: South 50 feet of East 40 feet of Lot 1, South 50 feet of Lots 2 and 3, South 35 feet of Lot 4, Block 3, Fair Park Addition, City of San Angelo, Tom Green County, Texas, as described in a deed recorded in Volume 774, Page 718, Official Public Records of Real Property, Tom Green County, Texas.

Improved/Unimproved Improved

Tax Suit Number: B-13-0130-TAX

Location: 4014 Coliseum

City of San Angelo, et al., Karla and Daniel Cardenas, Trustee
vs.

Tax ID Number: 09-22500-0003-002-00 & 09-22500-0003-005-00

Judgment Date: August 25, 2014

Date of Sheriff's Sale: March 3, 2015

Sheriff's Deed Recorded: March 23, 2015

Years Held in Trust **11 mo.**

Adjudge Value: \$ 14,908.00 **Urban Redevelopment Program?** **NO**

Amount of Offer: \$ 1,800.00

Buyer: Miguel Duran

	Amounts Due		Priority	% of	Pro Rata	Amounts
	Fees	Judgment	Allocations	Remainder	Allocations	Distributed
Administration Fee	\$500.00		\$500.00	0.00%		\$500.00
Maintenance Fee	\$90.00		\$90.00	13.00%		\$90.00
District Clerk	\$679.00		\$679.00	13.00%		\$679.00
Sheriff's Fee	\$100.00		\$100.00	13.00%		\$100.00
Attorney Fee	\$395.00		\$395.00	13.00%		\$395.00
Municipal Liens Cust 5413		\$829.66		6.04%	\$2.17	\$2.17
Taxes	\$ -	\$12,904.34		93.96%	\$33.83	\$33.83
Total	\$1,764.00	\$13,734.00	\$1,764.00	100.00%	\$36.00	\$1,800.00
Actual Total Amt Due		\$15,498.00				
Amount Remaining			\$ 36.00			

Offer will satisfy a portion of the court costs and taxes, according to the Judgment.