

RESOLUTION NO. R-2013-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AGREEING TO THE SALE OF CERTAIN PROPERTIES 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.22,484-A: TRACT NO. 3: BEING LOT 5A, NCB 118, PART OF THE W. C. SCOTT ADDITION TO THE CITY OF TYLER, ACCORDING TO THE PLAT THERE OF RECORD IN VOLUME 62, PAGE 20-21 AND BEING THE SAME PROPERTY DESCRIBED IN A CERTAIN 'LAPSED' CONTRACT FOR DEED FROM JAMES A. TURMAN AND NANCY JANE TURMAN AS JOINT MANAGING CONSERVATORS FOR KATHRYN ALLENE MCINTOSH AND SARAH ELIZABETH MACINTOSH TO RICHARD TURMAN AND BRAD GOULDTHORPE, RECORDED IN VOLUME 3257, PAGE 476, FILED JULY 27, 1992, AND ON ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR DEED FROM RICHARD TURMAN TO BRAD GOULDTHORPE RECORDED IN VOLUME 5429, PAGE 163, FILED SEPTEMBER 6, 2000, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000011800005010** 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 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.22,484-A: TRACT NO. 4: BEING LOT 4A, NCB 118, PART OF THE W. C. SCOTT ADDITION TO THE CITY OF TYLER, ACCORDING TO THE PLAT THERE OF RECORD IN VOLUME 62, PAGE 20-21 AND BEING THE SAME PROPERTY DESCRIBED IN A CERTAIN 'LAPSED' CONTRACT FOR DEED FROM JAMES A. TURMAN AND NANCY JANE TURMAN AS JOINT MANAGING CONSERVATORS FOR KATHRYN ALLENE MCINTOSH AND SARAH ELIZABETH MACINTOSH TO RICHARD TURMAN AND BRAD GOULDTHORPE, RECORDED IN VOLUME 3257, PAGE 476, FILED JULY 27, 1992, AND ON ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR DEED FROM RICHARD TURMAN TO BRAD**

GOULDTHORPE RECORDED IN VOLUME 5429, PAGE 163, FILED SEPTEMBER 6, 2000, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000011800004010.

to the buyer for and in consideration of the cash bid; all as described in the attached Exhibit "B", said monies to be distributed pursuant to Section 34.05 of the Texas Property Tax Code.

PART 3: 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.22,484-A: **TRACT NO. 5: BEING LOT 11, NCB 118, PART OF THE W. C. SCOTT ADDITION TO THE CITY OF TYLER, ACCORDING TO THE PLAT THERE OF RECORD IN VOLUME 62, PAGE 20-21 AND BEING THE SAME PROPERTY DESCRIBED IN A CERTAIN 'LAPSED' CONTRACT FOR DEED FROM JAMES A. TURMAN AND NANCY JANE TURMAN AS JOINT MANAGING CONSERVATORS FOR KATHRYN ALLENE MCINTOSH AND SARAH ELIZABETH MACINTOSH TO RICHARD TURMAN AND BRAD GOULDTHORPE, RECORDED IN VOLUME 3257, PAGE 476, FILED JULY 27, 1992, AND ON ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR DEED FROM RICHARD TURMAN TO BRAD GOULDTHORPE RECORDED IN VOLUME 5429, PAGE 163, FILED SEPTEMBER 6, 2000, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000011800011000** to the buyer for and in consideration of the cash bid; all as described in the attached Exhibit "C", said monies to be distributed pursuant to Section 34.05 of the Texas Property Tax Code.

PART 4: That this resolution shall take effect immediately upon adoption.

ADOPTED this 26th day of June, 2013.

Barbara P Bass
BARBARA BASS, MAYOR
CITY OF TYLER, TEXAS

ATTEST:

Cassandra Brager APPROVED:
CASSANDRA BRAGER, CITY CLERK Gary C Landers
GARY C. LANDERS,
CITY ATTORNEY



EXHIBIT "A" TO RESOLUTION R-2013-16

Cause No.

22,484-A

Date of Tax Sale

September 4, 2012

Taxes Due:

**\$4,180.94 Tyler Independent School District
\$2,228.35 Smith County**

Adjudged Value

\$6,647.00

Acct. No.

150000011800005010

Present Bid

\$4,985.25

Bidder

**Dennis H. Walker
8938 Highway 110 N
Tyler, TX 75701**

PROPERTY DESCRIPTION

TRACT NO. 3: BEING LOT 5A, NCB 118, PART OF THE W. C. SCOTT ADDITION TO THE CITY OF TYLER, ACCORDING TO THE PLAT THERE OF RECORD IN VOLUME 62, PAGE 20-21 AND BEING THE SAME PROPERTY DESCRIBED IN A CERTAIN 'LAPSED' CONTRACT FOR DEED FROM JAMES A. TURMAN AND NANCY JANE TURMAN AS JOINT MANAGING CONSERVATORS FOR KATHRYN ALLENE MCINTOSH AND SARAH ELIZABETH MACINTOSH TO RICHARD TURMAN AND BRAD GOULDTHORPE, RECORDED IN VOLUME 3257, PAGE 476, FILED JULY 27, 1992, AND ON ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR DEED FROM RICHARD TURMAN TO BRAD GOULDTHORPE RECORDED IN VOLUME 5429, PAGE 163, FILED SEPTEMBER 6, 2000, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000011800005010.

EXHIBIT "B" TO RESOLUTION R-2013-16

Cause No.

22,484-A

Date of Tax Sale

September 4, 2012

Taxes Due:

**\$1,011.56 Tyler Independent School District
\$532.14 Smith County**

Adjudged Value

\$1,716.00

Acct. No.

150000011800004010

Present Bid

\$1,287.00

Bidder

**Dennis H. Walker
8938 Highway 110 N
Tyler, TX 75701**

PROPERTY DESCRIPTION

TRACT NO. 4: BEING LOT 4A, NCB 118, PART OF THE W. C. SCOTT ADDITION TO THE CITY OF TYLER, ACCORDING TO THE PLAT THERE OF RECORD IN VOLUME 62, PAGE 20-21 AND BEING THE SAME PROPERTY DESCRIBED IN A CERTAIN 'LAPSED' CONTRACT FOR DEED FROM JAMES A. TURMAN AND NANCY JANE TURMAN AS JOINT MANAGING CONSERVATORS FOR KATHRYN ALLENE MCINTOSH AND SARAH ELIZABETH MACINTOSH TO RICHARD TURMAN AND BRAD GOULDTHORPE, RECORDED IN VOLUME 3257, PAGE 476, FILED JULY 27, 1992, AND ON ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR DEED FROM RICHARD TURMAN TO BRAD GOULDTHORPE RECORDED IN VOLUME 5429, PAGE 163, FILED SEPTEMBER 6, 2000, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000011800004010.

EXHIBIT "C" TO RESOLUTION R-2013-16

Cause No.

22,484-A

Date of Tax Sale

September 4, 2012

Taxes Due:

**\$499.11 Tyler Independent School District
\$255.32 Smith County**

Adjudged Value

\$920.00

Acct. No.

150000011800011000

Present Bid

\$690.00

Bidder

**Dennis H. Walker
8938 Highway 110 N
Tyler, TX 75701**

PROPERTY DESCRIPTION

TRACT NO. 5: BEING LOT 11, NCB 118, PART OF THE W. C. SCOTT ADDITION TO THE CITY OF TYLER, ACCORDING TO THE PLAT THERE OF RECORD IN VOLUME 62, PAGE 20-21 AND BEING THE SAME PROPERTY DESCRIBED IN A CERTAIN 'LAPSED' CONTRACT FOR DEED FROM JAMES A. TURMAN AND NANCY JANE TURMAN AS JOINT MANAGING CONSERVATORS FOR KATHRYN ALLENE MCINTOSH AND SARAH ELIZABETH MACINTOSH TO RICHARD TURMAN AND BRAD GOULDTHORPE, RECORDED IN VOLUME 3257, PAGE 476, FILED JULY 27, 1992, AND ON ASSIGNMENT AND ASSUMPTION OF CONTRACT FOR DEED FROM RICHARD TURMAN TO BRAD GOULDTHORPE RECORDED IN VOLUME 5429, PAGE 163, FILED SEPTEMBER 6, 2000, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000011800011000.