

**RESOLUTION NO. R-2013-5**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AGREEING TO THE SALE OF CERTAIN PROPERTY LOCATED AT 2008 FOSTER 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, Trustee, 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.22,522-C: BEING LOT 1, BLOCK 835V, A PART OF THE J. A. HAYNIE SURVEY NO. 876, ABSTRACT NO. 457, AND BEING KNOWN AS PART OF LOT NO. 19, OF THE TOBE WALTON SUBDIVISION, LOCATED ON FOSTER, AS DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 1779, PAGE 539, ON INSTRUMENT FILED JANUARY 22, 1980, AND AFFIDAVIT OF HEIRSHIP RECORDED IN VOLUME 2792, PAGE 820, ON INSTRUMENT FILED APRIL 19, 1988, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY, TEXAS.

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 this resolution shall take effect immediately upon adoption.

**ADOPTED** this 27<sup>th</sup> day of February, 2013.

  
BARBARA BASS, MAYOR  
CITY OF TYLER, TEXAS

**ATTEST:**

  
CASSANDRA BRAGER, CITY CLERK

**APPROVED:**

  
GARY C. LANDERS, CITY ATTORNEY



**EXHIBIT "A" TO RESOLUTION R-2013-5**

<b>Cause No.</b>	<b>22,522-C</b>	
<b>Date of Tax Sale</b>	<b>April 3, 2012</b>	
<b>Taxes Due:</b>	<b>\$1,642.33</b>	<b>Tyler Independent School District</b>
	<b>\$738.43</b>	<b>Smith County</b>
<b>Adjudged Value</b>	<b>\$5,000.00</b>	
<b>Acct. No.</b>	<b>1-50000-0835-22-001000</b>	
<b>Present Bid</b>	<b>\$4,005.00</b>	
<b>Bidder</b>	<b>Luis H. Leandro</b>	
	<b>3303 Old Noonday Road</b>	
	<b>Tyler, TX 75701</b>	

***PROPERTY DESCRIPTION***

**BEING LOT 1, BLOCK 835V, A PART OF THE J. A. HAYNIE SURVEY NO. 876, ABSTRACT NO. 457, AND BEING KNOWN AS PART OF LOT NO. 19, OF THE TOBE WALTON SUBDIVISION, LOCATED ON FOSTER, AS DESCRIBED IN WARRANTY DEED RECORDED IN VOLUME 1779, PAGE 539, ON INSTRUMENT FILED JANUARY 22, 1980, AND AFFIDAVIT OF HEIRSHIP RECORDED IN VOLUME 2792, PAGE 820, ON INSTRUMENT FILED APRIL 19, 1988, DEED RECORDS OF SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY, TEXAS.**