

RESOLUTION NO. R-2019-40

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AGREEING TO THE SALE OF CERTAIN PROPERTY 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. 19,289-A; Being 0.24 acre, more or less, being part of Lot 8, Block 3, New City Block 148, Wimberly, Douglas, Phillips Addition, City of Tyler, as described in deed dated August 5, 1980 from Mrs. T. M. (Dena) Hall to F. T. Smith, Jr., et ux, recorded in Volume 1816, Page 466, Deed Records of Smith County, Texas (1-50000-0148-00-008010) 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 24th day of July, 2019.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:



CASSANDRA BRAGER, CITY CLERK





DEBORAH G. PULLUM,
CITY ATTORNEY

EXHIBIT "A" TO RESOLUTION R-2019-40

Cause No. 19,289-A

Date of Tax Sale September 6, 2005

**Taxes Due: \$ 410.77 Tyler ISD
\$ 72.13 Smith County
\$ 37.03 TJC
\$ 80.35 City of Tyler**

Adjudged Value \$2,500.00

Acct. No. 1-50000-0148-00-008010

Present Bid \$ 875.00

**Bidder Susana Gann & Lucia Delgado
2900 Old Henderson Hwy
Tyler, Texas 75702**

PROPERTY DESCRIPTION

Being 0.24 acre, more or less, being part of Lot 8, Block 3, New City Block 148, Wimberly, Douglas, Phillips Addition, City of Tyler, as described in deed dated August 5, 1980 from Mrs. T. M. (Dena) Hall to F. T. Smith, Jr., et ux, recorded in Volume 1816, Page 466, Deed Records of Smith County, Texas.

THE STATE OF TEXAS

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RESALE DEED

COUNTY OF SMITH

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KNOW ALL MEN BY THESE PRESENTS that SMITH COUNTY, TYLER INDEPENDENT SCHOOL DISTRICT, CITY OF TYLER AND TYLER JUNIOR COLLEGE each acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of the sum of EIGHT HUNDRED SEVENTY FIVE DOLLARS AND 00/100 (\$875.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid by Susana Gann and Lucia Delgado("GRANTEE") the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by these presents do convey and quitclaim unto said grantee all right, title and interest of the SMITH COUNTY, TYLER INDEPENDENT SCHOOL DISTRICT, CITY OF TYLER AND TYLER JUNIOR COLLEGE, in the property herein conveyed, acquired by tax foreclosure sale heretofore held in Cause No. 19,289-A styled State of Texas, Smith County vs. Frank Thomas Smith, Jr., Et Al.

BEING 0.24 ACRE, MORE OR LESS, LOT 8-A, BEING PART OF LOT 8, BLOCK 3, NEW CITY BLOCK 148, WIMBERLY, DOUGLAS, PHILLIPS ADDITION, CITY OF TYLER, SMITH COUNTY, TEXAS AS DESCRIBED IN DEED DATED AUGUST 5, 1980 FROM MRS. T.M. (DENA) HALL TO F.T. SMITH, JR., ET UX, RECORDED IN VOLUME 1816, PAGE 466, DEED RECORDS OF SMITH COUNTY, TEXAS, (ACCT. #150000014800008010, TYLER INDEPENDENT SCHOOL DISTRICT, CITY OF TYLER, TYLER JUNIOR COLLEGE AND SMITH COUNTY)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said Susana Gann and Lucia Delgado, their heirs and assigns forever, so that neither SMITH COUNTY, TYLER INDEPENDENT SCHOOL DISTRICT, CITY OF TYLER AND TYLER JUNIOR COLLEGE, and any person claiming under it shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

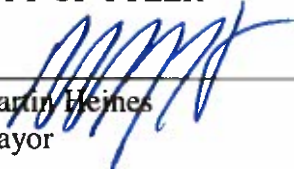
Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Post judgment taxes and taxes for the current year are assumed by Grantee.

IN TESTIMONY WHEREOF CITY OF TYLER has caused these presents to be

executed this 28TH day of AUGUST, 2019.

CITY OF TYLER

By: 
Martin Heines
Mayor

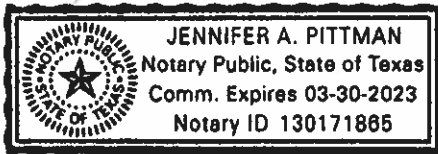
STATE OF TEXAS

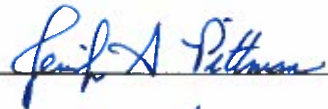
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COUNTY OF SMITH

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This instrument was acknowledged before me on this 28TH day of AUGUST, 2019, by Martin Heines, Mayor of the **CITY OF TYLER**.




Printed Name: JENNIFER A. PITTMAN
Notary Public, State of Texas
My Commission Expires: 03-30-2023