

RESOLUTION NO. R-2016-20

**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

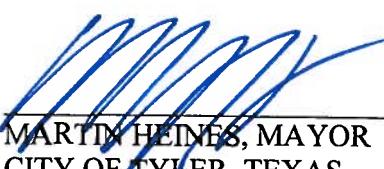
WHEREAS, it is to the benefit of all taxing entities involved that the property be returned to its respective tax rolls;

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. 20,389-B: 0.163 ACRE, MORE OR LESS, BEING THE WEST ONE-HALF OF LOT 21, BLOCK 3, (NCB 336, LT. 23) HERNDON'S ADDITION, AN ADDITION TO THE CITY OF TYLER, SMITH COUNTY, TEXAS, AS DESCRIBED IN DEED DATED JANUARY 5, 1925, FROM J.H. HERNDON, EXECUTOR OF THE ESTATE OF W. S. HERNDON TO MAMIE WILLIAMS, IN VOLUME 174, PAGE 92, DEED RECORDS OF SMITH COUNTY, TEXAS (ACCT. 150000033600023000), ALSO KNOWN AS 315 HERNDON, 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.

PASSED AND APPROVED this 8th day of June, 2016.


MARTIN HEINES, MAYOR
CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY

EXHIBIT "A" TO RESOLUTION R-2016-20

Cause No. **20,389-B**

Date of Tax Sale **March 5, 2013**

Taxes Due: **\$1,787.77** **Tyler Independent School District**
\$446.06 **Smith County**
\$188.67 **Tyler Junior College**
\$842.86 **City of Tyler**

Adjudged Value **\$2,200.00**

Acct. No. **150000033600023000**

Present Bid **\$1,300.00**

Bidder **NEXTLOTS NOW, LLC**
P.O. Box 870
Lancaster, TX 75146

PROPERTY DESCRIPTION

BEING 0.163 ACRE, MORE OR LESS, BEING THE WEST ONE-HALF OF LOT 21, BLOCK 3, (NCB 336, LT. 23) HERNDON'S ADDITION, AN ADDITION TO THE CITY OF TYLER, SMITH COUNTY, TEXAS, AS DESCRIBED IN DEED DATED JANUARY 5, 1925, FROM J.H. HERNDON, EXECUTOR OF THE ESTATE OF W. S. HERNDON TO MAMIE WILLIAMS, IN VOLUME 174, PAGE 92, DEED RECORDS OF SMITH COUNTY, TEXAS (ACCT. 150000033600023000).

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

X

X KNOW ALL MEN BY THESE PRESENTS

COUNTY OF SMITH

X

That SMITH COUNTY, CITY OF TYLER, TRUSTEE and TYLER JUNIOR COLLEGE, acting through the presiding officer of its governing body hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$1,200.00 cash in hand paid by

**NEXTLOTS NOW LLC
P.O. Box 870
Lancaster, Texas 75146**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Suit No. 20,389-B, Smith County vs. Mamie Williams, et al in the district court of said county, said property being located in Smith County, Texas, and described as follows:

0.163 acre, more or less, being the west one-half of Lot 21, Block 3, Herndon's Addition, an addition to the City of Tyler, Smith County, Texas, as described in deed dated January 5, 1925, from J. H. Herndon, Executor of the Estate of W. S. Herndon to Mamie Williams, in Volume 174, Page 92, Deed Records of Smith County, Texas (Acct. 150000033600023000)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF CITY OF TYLER has caused these presents to be executed this
14th day of June, 2016.

CITY OF TYLER

By: _____

Martin Heines
Mayor

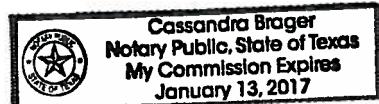
STATE OF TEXAS

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COUNTY OF SMITH

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This instrument was acknowledged before me on this 14th day of June, 2016,
by Martin Heines, Mayor of the **CITY OF TYLER**.



Cassandra Brager
Printed Name: CASSANDRA BRAGER
Notary Public, State of Texas
My Commission Expires: _____