

**RESOLUTION NO. R-2010-4**

**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. 21,634-B: BEING LOT 4, BLOCK 665A, PART OF THE EMMA MOSELEY SURVEY, AS DESCRIBED IN SPECIAL WARRANTY DEED, FROM LAKIRKUS MUSE TO CLARENCE HARKEY, RECORDED IN VOLUME 2726, PAGE 831, ON INSTRUMENT FILED SEPTEMBER 25, 1987, SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 1-50000-0665-01-004000 AND LOCATED AT 1304 CONNALLY**, 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.

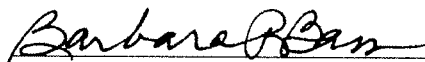
**PART 2:** That the Mayor be and is hereby directed and authorized to execute the deed and any and all documents necessary to convey the real property referred to in a District Court Order in **CAUSE NO 21,634-B.: BEING LOT 5, BLOCK 665A, PART OF THE EMMA MOSELEY SURVEY, AS DESCRIBED IN SPECIAL WARRANTY DEED, FROM LAKIRKUS MUSE TO CLARENCE HARKEY, RECORDED IN VOLUME 2726, PAGE 831, ON INSTRUMENT FILED SEPTEMBER 25, 1987, SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 1-50000-0665-01-005000 AND LOCATED AT 1308 CONNALLY**, 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. 20,748-A: LOTS 15D AND 15G, BLOCK 852, PART OF THE M.F. TURNER SURVEY, AS DESCRIBED IN DEED RECORDED IN VOLUME 4185, PAGE 311, ON**

**INSTRUMENT FILED FEBRUARY 2, 1998, SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000085200015040 AND LOCATED AT 915 TURNER, 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.**

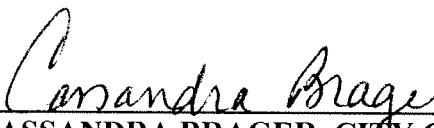
**PART 4:** That this resolution shall take effect immediately upon adoption.

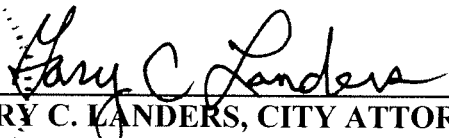
**ADOPTED** this 24<sup>th</sup> day of February, 2010.

  
\_\_\_\_\_  
**BARBARA BASS, MAYOR  
CITY OF TYLER, TEXAS**

**ATTEST:**

**APPROVED:**

  
\_\_\_\_\_  
**CASSANDRA BRAGER, CITY CLERK**

  
\_\_\_\_\_  
**GARY C. LANDERS, CITY ATTORNEY**




EXHIBIT "A" TO RESOLUTION R-2010-4

<b>Cause No.</b>	<b>21,634-B</b>
<b>Date of Tax Sale</b>	<b>September 2, 2008</b>
<b>Taxes Due:</b>	<b>\$356.84 (Smith County)</b> <b>\$181.13 (Tyler Junior College)</b> <b>\$2,017.53 (TISD)</b> <b>\$523.56 (City of Tyler)</b>
<b>Adjudged Value</b>	<b>\$6,100.00</b>
<b>Acct. No.</b>	<b>1-50000-0665-01-004000</b>
<b>Present Bid</b>	<b>\$2,800.00</b>
<b>Bidder</b>	<b>Dennis H. Walker</b> <b>8938 Highway 110 N</b> <b>Tyler, TX 75704</b>

***PROPERTY DESCRIPTION***

**BEING LOT 4, BLOCK 665A, PART OF THE EMMA MOSELEY SURVEY, AS DESCRIBED IN SPECIAL WARRANTY DEED, FROM LAKIRKUS MUSE TO CLARENCE HARKEY, RECORDED IN VOLUME 2726, PAGE 831, ON INSTRUMENT FILED SEPTEMBER 25, 1987, SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 1-50000-0665-01-004000, 1304 CONNALLY.**

**EXHIBIT "B" TO RESOLUTION R-2010-4**

<b>Cause No.</b>	<b>21,634-B</b>
<b>Date of Tax Sale</b>	<b>September 2, 2008</b>
<b>Taxes Due:</b>	<b>\$356.84 (Smith County)</b> <b>\$181.13 (Tyler Junior College)</b> <b>\$2,017.53 (TISD)</b> <b>\$523.56 (City of Tyler)</b>
<b>Adjudged Value</b>	<b>\$6,100.00</b>
<b>Acct. No.</b>	<b>1-50000-0665-01-005000</b>
<b>Present Bid</b>	<b>\$2,800.00</b>
<b>Bidder</b>	<b>Dennis H. Walker</b> <b>8938 Highway 110 N</b> <b>Tyler, TX 75704</b>

***PROPERTY DESCRIPTION***

**BEING LOT 5, BLOCK 665A, PART OF THE EMMA MOSELEY SURVEY, AS DESCRIBED IN SPECIAL WARRANTY DEED, FROM LAKIRKUS MUSE TO CLARENCE HARKEY, RECORDED IN VOLUME 2726, PAGE 831, ON INSTRUMENT FILED SEPTEMBER 25, 1987, SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 1-50000-0665-01-005000, 1308 CONNALLY.**

EXHIBIT "C" TO RESOLUTION R-2010-4

Cause No. 20,748-A

Date of Tax Sale November 1, 2005

Taxes Due: \$ 46.23 (Smith County)  
\$ 23.84 (Tyler Junior College)  
\$261.83 (TISD)  
\$ 65.34 (City of Tyler)

Adjudged Value \$1,000.00

Acct. No. 1-50000-0852-00-015040

Present Bid \$1,000.00

Bidder Dennis H. Walker  
8938 Highway 110 N  
Tyler, TX 75704

**PROPERTY DESCRIPTION**

LOTS 15D AND 15G, BLOCK 852, PART OF THE M.F. TURNER SURVEY, AS DESCRIBED IN DEED RECORDED IN VOLUME 4185, PAGE 311, ON INSTRUMENT FILED FEBRUARY 2, 1998, SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000085200015040 AND LOCATED AT 915 TURNER.