

**RESOLUTION NO. R-2011-9**

**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, 632-C: BEING LOT 8A, BLOCK 999R, 0.217, MORE OR LESS, PART OF THE CITY OF TYLER SURVEY, LOCATED AT 1010 CHARLESTON, AS DESCRIBED IN SUBSTITUTE TRUSTEE'S DEED RECORDED IN VOLUME 2969, PAGE 678, ON INSTRUMENT FILED DECEMBER 20, 1989, SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 15000099918008010 AND LOCATED AT 1010 CHARLESTON** 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.

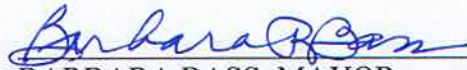
**PART 2.** That the Mayor be and is hereby directed and authorized to execute the deed and any and all documents necessary to convey the real property referred to in a District Court Order in **CAUSE NO. 21,949-B: 0.87 ACRES, MORE OR LESS, LOT 34, BLOCK 773, PART OF THE F.D. BODENHEIMER SURVEY, ABSTRACT 96, LOCATED AT 1231 W. 34<sup>TH</sup> STREET, TYLER, TEXAS AS DESCRIBED IN WARRANTY DEED FROM ASIA WILSON AND WIFE, DESLENE WILSON, RECORDED IN VOLUME 2871, PAGE 540, ON INSTRUMENT FILED DECEMBER 22, 1988, DEED RECORDS OF SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 10000009600003020 AND LOCATED AT 1231 W. 34<sup>TH</sup> STREET** 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. 21,832-B: BEING 0.938 ACRE, MORE OR LESS, PART OF THE J. HOPE SURVEY, ABSTRACT NUMBER 443, LOCATED ON SOUTH TOWN DRIVE, AS**

DESCRIBED IN WARRANTY DEED FROM MERIGAL PYRON TO BILLY D. PYRON, RECORDED IN VOLUME 2698, PAGE 585, ON INSTRUMENT FILED JULY 1, 1987, SMITH COUNTY TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 100000044300005000 AND LOCATED AT 501 W. SOUTH TOWN DRIVE 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 23rd day of February, 2011.

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

ATTEST:

APPROVED:

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

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



**EXHIBIT "A" TO RESOLUTION R-2011-9  
PAGE 1 OF 2**

<b>Cause No.</b>	<b>21,632-C</b>
<b>Date of Tax Sale</b>	<b>March 3, 2009</b>
<b>Taxes Due:</b>	<b>\$ 353.69 (Smith County)</b> <b>\$ 183.62 (Tyler Junior College)</b> <b>\$1,978.02 (TISD)</b> <b>\$ 605.63 (City of Tyler)</b>
<b>Adjudged Value</b>	<b>\$4,500.00</b>
<b>Acct. No.</b>	<b>1-50000-0999-18-008010</b>
<b>Present Bid</b>	<b>\$2,051.00</b>
<b>Bidder</b>	<b>Piney Woods Patent Group, LLC</b> <b>% Mike Collins</b> <b>P.O. Box 155</b> <b>Tyler, TX 75710</b>

***PROPERTY DESCRIPTION***

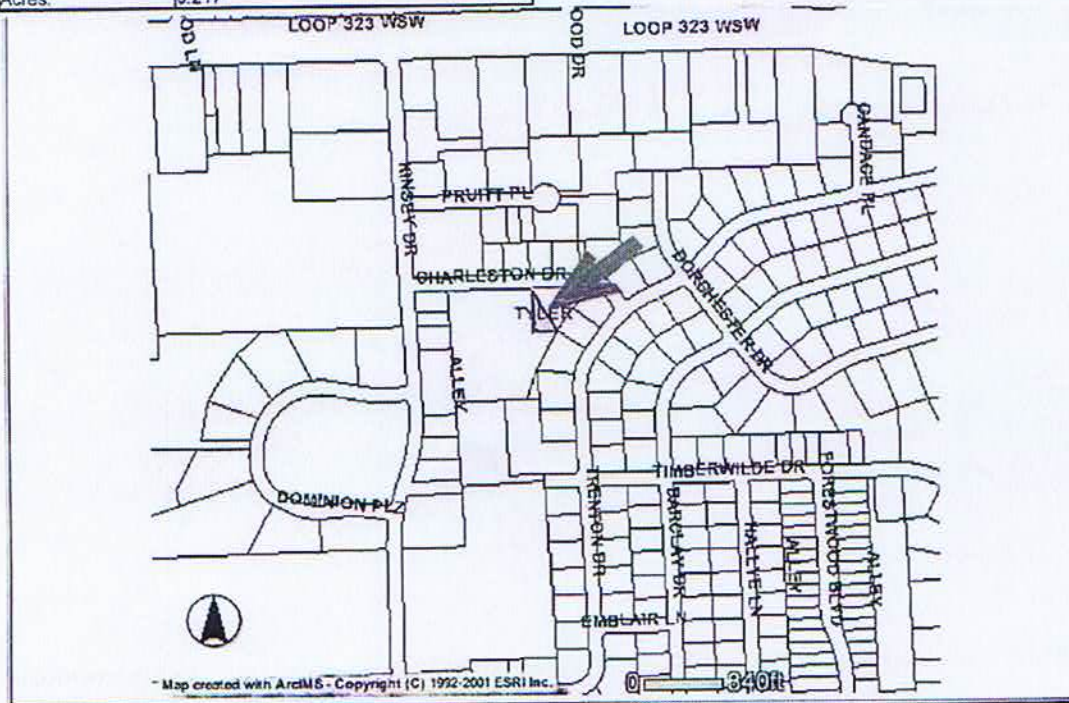
**BEING LOT 8A, BLOCK 999R, 0.217, MORE OR LESS, PART OF THE CITY OF TYLER SURVEY, LOCATED AT 1010 CHARLESTON, AS DESCRIBED IN SUBSTITUTE TRUSTEE'S DEED RECORDED IN VOLUME 2969, PAGE 678, ON INSTRUMENT FILED DECEMBER 20, 1989, SMITH COUNTY, TEXAS, AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 150000099918008010.**

**EXHIBIT "A" TO RESOLUTION NO. R-2011-9**

**PAGE 2 OF 2**

Smith County Appraisal District - Account Detail 2010

Ownership Data		Dwelling Information	
Account:	150000099918008010	Year Built:	0
PIN#:	070728	Square Feet:	0
Owner:	SMITH COUNTY TRUSTEE	Stories:	0
Address:	PO BOX 2011	Ext. Wall:	BRICK VENEER
City/ST/Zip:	TYLER, TX 75711-2011	Bath Full:	0
	2010 Certified Values	WBFP:	0
Land Value:	\$4500.00	ATTENTION: Effective September 1, 2005, in accordance with S.B. No. 541, we will no longer display photos, sketches, or floor plans of residential properties.	
Ag Value:	\$0	Dwelling Area Square Feet	
Bldg Value:	\$0.00	Area. 1	0
Total Value:	\$4500.00	For Actual Tax Levy contact Gary Barber Tax Assessor/Collector at (903)590-2920. Tax amounts shown are Estimates Prepared by the Smith County Appraisal District	
2010 Exemptions		Jurisdictions/2010	
Frozen Values / Years			Est Taxes
<b>HOMESTEAD EXEMPTION FORM</b>		CITY OF TYLER	\$0.00
Deed Information		SMITH COUNTY	\$0.00
Book:		TYLER ISD	\$0.00
Page:		TYLER JR. COLLEGE	\$0.00
Recd. Date:	3/20/2009		
Recd. Info:	SD 12558		
Legal Information			
Location:	1010 CHARLESTON		
Map#:	C158B		
Grid#:	I-19.1		
Abst/Sub#:	190999		
Subd/Survey:	CITY OF TYLER		
Lot/Tract:	BLOCK 999-R LOT 8-A		
Block:	999-R		
Unit/Section:			
Acres:	0.217		





	<p><b>Smith County Appraisal District</b></p> <p>THIS MAP WAS PREPARED BY THE SMITH COUNTY APPRAISAL DISTRICT FOR ITS USE ONLY, AND MAY BE REVISED WITHOUT NOTIFICATION TO ANY USER. NO WARRANTY, GUARANTEE, OR REPRESENTATION IS MADE BY THE SMITH COUNTY APPRAISAL DISTRICT AS TO THE ABSOLUTE CORRECTNESS OR SUFFICIENCY OF ANY REPRESENTATION CONTAINED IN THIS MAP, AND THE SMITH COUNTY APPRAISAL DISTRICT ASSUMES NO RESPONSIBILITY IN CONNECTION THEREWITH.</p>	
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EXHIBIT "B" TO RESOLUTION R-2011-9  
PAGE 1 OF 2

Cause No.	21,949-B
Date of Tax Sale	June 1, 2010
Taxes Due:	\$4,756.53 (Smith County) \$8,665.44 (TISD)
Adjudged Value	\$15,432.00
Acct. No.	1-00000-0096-003020
Present Bid	\$11,625.00
Bidder	Ruth Cornelio 121 S. Clayton Tyler, TX 75702

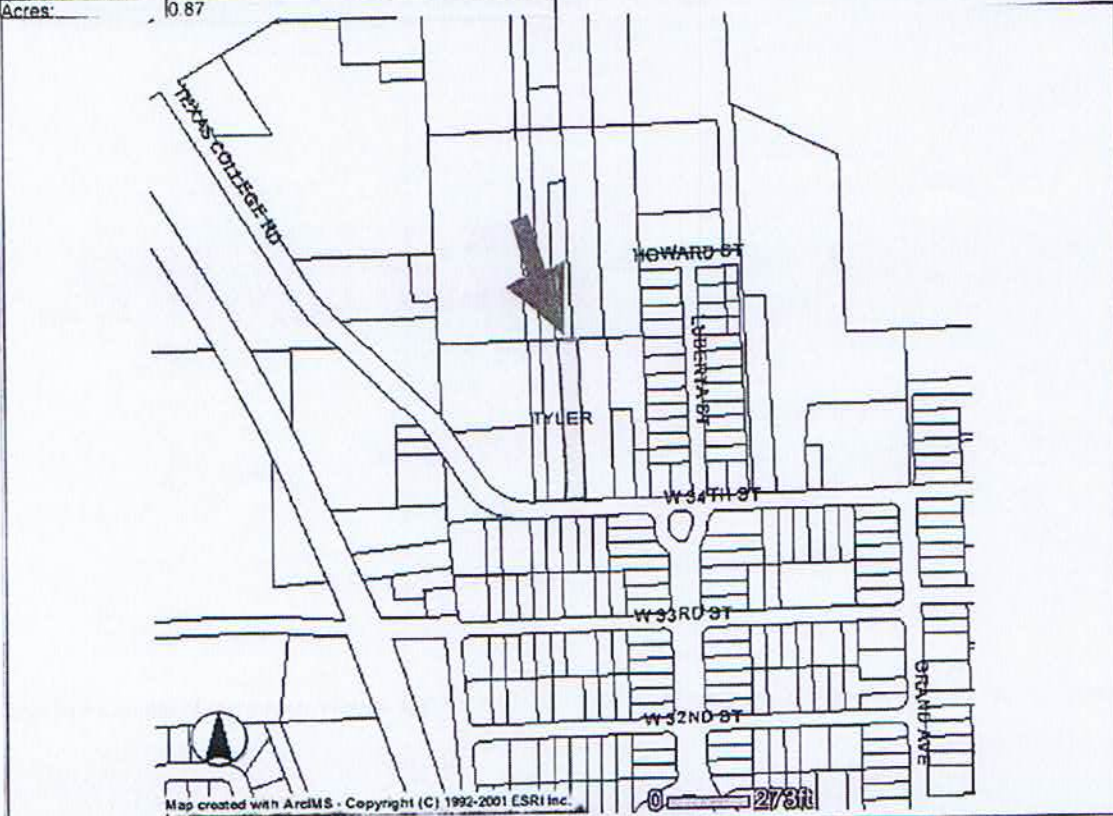
**PROPERTY DESCRIPTION**



0.87 ACRES, MORE OR LESS, LOT 34, BLOCK 773, PART OF THE F.D. BODENHEIMER SURVEY, ABSTRACT 96, LOCATED AT 1231 W. 34<sup>TH</sup> STREET, TYLER, TEXAS AS DESCRIBED IN WARRANTY DEED FROM ASIA WILSON AND WIFE, DESLENE WILSON, RECORDED IN VOLUME 2871, PAGE 540, ON INSTRUMENT FILED DECEMBER 22, 1988, DEED RECORDS OF SMITH COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLL AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 100000009600003020

**EXHIBIT "B" TO RESOLUTION R-2011-9  
PAGE 2 OF 2**

Smith County Appraisal District - Account Detail 2010

Ownership Data		Dwelling Information	
Account:	100000009600003020	Year Built:	1938
PIN#:	042283	Square Feet:	978
Owner:	SMITH COUNTY TRUSTEE	Stories:	1
Address:	PO BOX 2011	Ext. Wall:	WOOD FRAME
City/ST/Zip:	TYLER, TX 75710 -	Bath Full:	1
	2010 Certified Values	WBFP:	0
Land Value:	\$1390.00	ATTENTION: Effective September 1, 2005, in accordance with S.B. No. 541, we will no longer display photos, sketches, or floor plans of residential properties.	
Ag Value:	\$0	Dwelling Area Square Feet	
Bldg Value:	\$14042.00	Area_1	978
Total Value:	\$15432.00	For Actual Tax Levy contact Gary Barber Tax Assessor/Collector at (903)590-2920. Tax amounts shown are Estimates Prepared by the Smith County Appraisal District	
	2010 Exemptions	Jurisdictions/2010	
	Frozen Values / Years	Est Taxes	
HOMESTEAD EXEMPTION FORM		CITY OF TYLER	\$15.21
Deed Information		SMITH COUNTY	\$22.94
Book:		TYLER ISD	\$100.50
Page:		TYLER JR. COLLEGE	\$13.31
Recd. Date:	6/23/2010		
Recd. Info:	SD 30450		
Legal Information			
Location:	1231 W 34TH		
Map#:	C112		
Grid#:	H-15.2		
Abst/Sub#:	0096		
Subd/Survey:	ABST A0096 F D BODENHEIMER		
Lot/Tract:			
Block:	07730		
Unit/Section:			
Acres:	0.87		



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**EXHIBIT "C" TO RESOLUTION R-2011-9  
PAGE 1 OF 2**

<b>Cause No.</b>	<b>21,832-B</b>
<b>Date of Tax Sale</b>	<b>April 7, 2009</b>
<b>Taxes Due:</b>	<b>\$8,502.06 (Smith County)</b> <b>\$13,905.58 (TISD)</b>
<b>Adjudged Value</b>	<b>\$20,300.00</b>
<b>Acct. No.</b>	<b>100000044300005000</b>
<b>Present Bid</b>	<b>\$10,175.00</b>
<b>Bidder</b>	<b>Mike Collins</b> <b>P.O. Box 155</b> <b>Tyler, TX 75710</b>

***PROPERTY DESCRIPTION***

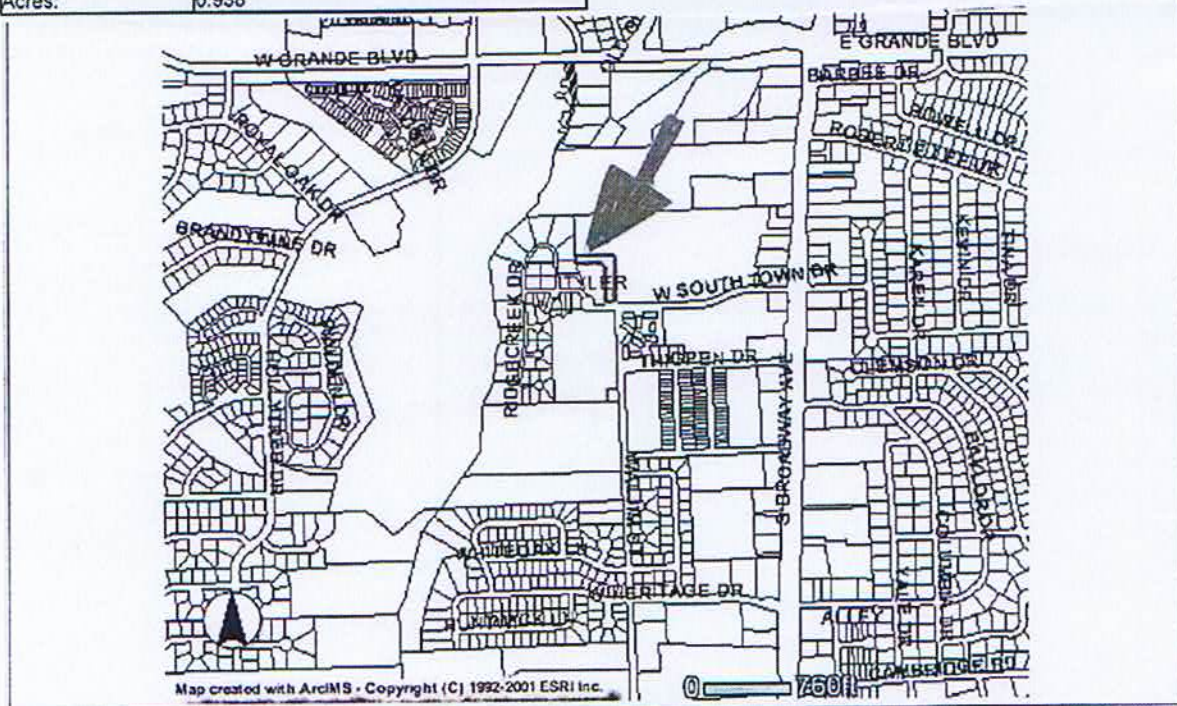
**BEING 0.938 ACRE, MORE OR LESS, PART OF THE J. HOPE SURVEY, ABSTRACT NUMBER 443, LOCATED ON SOUTH TOWN DRIVE, AS DESCRIBED IN WARRANTY DEED FROM MERIGAL PYRON TO BILLY D. PYRON, RECORDED IN VOLUME 2698, PAGE 585, ON INSTRUMENT FILED JULY 1, 1987, SMITH COUNTY TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 100000044300005000**



**EXHIBIT "C" TO RESOLUTION R-2011-9  
PAGE 2 OF 2**

Smith County Appraisal District - Account Detail 2010

Ownership Data	
Account:	100000044300005000
PIN#:	044273
Owner:	SMITH COUNTY TRUSTEE
Address:	PO BOX 2011
City/ST/Zip:	TYLER, TX 75710 -2011
2010 Certified Values	
Land Value:	\$20289.00
Ag Value:	\$0
Bldg Value:	\$0.00
Total Value:	\$20289.00
2010 Exemptions	
Frozen Values / Years	
HOMESTEAD EXEMPTION FORM	
Deed Information	
Book:	
Page:	
Recd. Date:	5/4/2009
Recd. Info:	D 20633
Legal Information	
Location:	501 W SOUTH TOWN DR
Map#:	C227
Grid#:	I-20.3
Abst/Sub#:	0443
Subd/Survey:	ABST A0443 J HOPE
Lot/Tract:	TRACT 5
Block:	
Unit/Section:	
Acres:	0.938

Dwelling Information	
Year Built:	0
Square Feet:	0
Stories:	0
Ext. Wall:	WOOD FRAME
Bath Full:	0
WBFP:	0
ATTENTION: Effective September 1, 2005, in accordance with S.B. No. 541, we will no longer display photos, sketches, or floor plans of residential properties.	
Dwelling Area Square Feet	
Area. 1	0
For Actual Tax Levy contact Gary Barber Tax Assessor/Collector at (903)590-2920. Tax amounts shown are Estimates Prepared by the Smith County Appraisal District	
Jurisdictions/2010	
CITY OF TYLER	\$0.01
SMITH COUNTY	\$0.01
TYLER ISD	\$0.01
TYLER JR. COLLEGE	\$0.01



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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, Trustee, Tyler Independent School District, City of Tyler, 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 \$10,175.00 cash in hand paid by

MIKE COLLINS  
P.O. BOX 155  
TYLER, TX 75710

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 Cause No. 21,832-B, Tyler Independent School District vs. Billy Pyron, et al, in the district court of said county, said property being located in Smith County, Texas, and described as follows:

BEING 0.938 ACRE, MORE OR LESS, PART OF THE J. HOPE SURVEY, ABSTRACT NUMBER 443, LOCATED ON SOUTH TOWN DRIVE, AS DESCRIBED IN WARRANTY DEED FROM MERIGAL PYRON TO BILLY D. PYRON, RECORDED IN VOLUME 2698, PAGE 585, ON INSTRUMENT FILED JULY 1, 1987, SMITH COUNTY TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF SMITH COUNTY UNDER ACCOUNT NUMBER 100000044300005000

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.

Conveyance of the property herein is made "as is" and grantors make no warranty or representation as to the property's condition, suitability for any use, and property's location.

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 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

City of Tyler

BY: Barbara Bass  
MB Barbara Bass cc 2-23-11  
Mayor of the City of Tyler

STATE OF TEXAS X

COUNTY OF SMITH X

This instrument was acknowledged before me on this 2nd day of March, 2011, by Barbara Bass, Mayor of the City of Tyler, Texas.

Canandra Brager  
Notary Public, State of Texas  
Commission Expires: \_\_\_\_\_

