

MEMORANDUM

To: Members of the City Commission

From: Lisa Agnor, City Manager

Date: October 2, 2015

Subject: Approval of a Resolution regarding sale of property to Marshall Independent School District and to authorize the City Manager to execute the deed and all documents necessary to convey the City of Marshall's interest in this property

Attached is information involving property that the Marshall Independent School District is interested in acquiring, and is currently bid in trust to the taxing entities.

This property was offered in a tax sale in November 2014 for a bid of \$9,590.00. This was the adjudged value at the time of the sale. No bid was made on the property so it was then bid in trust to the taxing entities. This property was scheduled for resale in August, 2015; however, MISD expressed interest in the property prior to the resale.

The attached Resolution must be approved by th City Commission to complete the conveyance of the property to MISD. A similar Resolution was recently approved by the Harrison County Commissioners Court.

RESOLUTION NO. _____

Cause No. 12-0240-T, Harrison Central Appraisal District v. Bessie L. Summers Tress, et al, 71st Judicial District Court

WHEREAS, the City of Marshall, Texas and the Harrison Central Appraisal District, Trustee, have become the owner of certain real property (see attached Exhibit 'A') by virtue of the fact that a sufficient bid was not received at a sale conducted by the Sheriff pursuant to an order of the 71st Judicial District in Cause #12-0240-T in March, 2013.

WHEREAS, the Marshall Independent School District would like to acquire title to this property.

WHEREAS, the City of Marshall, Texas and the County of Harrison, Texas taxing entities involved in the above referenced cause must consent to the sale of the hereinabove described real property.

NOW THEREFORE BE IT RESOLVED BY THE

City of Marshall, Texas

That the City Manager be and is hereby directed and authorized to execute the deed and any and all documents necessary to convey the hereinabove described real property (see attached Exhibit 'A') to the Marshall Independent School District for and in consideration of the Ten Dollars (\$10) and other good and valuable consideration, said money to be distributed pursuant to Chapter 34 of the Texas Property Tax Code.

Resolved this the ____ day of _____, 2015

Chairman of the City Commission
City of Marshall, Texas

Those Voting Aye Were:

Those Voting Nay Were:

QUIT CLAIM DEED

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.

DATE OF SALE: _____, 2015

GRANTOR/TAXING UNIT(S): City of Marshall, Trustee and County of Harrison, Texas, Trustee

GRANTEE: Marshall Independent School District

GRANTEE'S MAILING ADDRESS: 1305 E. Pinecrest Drive, Marshall, Texas 75670

PROPERTY: 0.836 Acres, more or less, out of the T. Iden Survey, Abstract 354, being Part of Outlot 208, Southeast, City of Marshall, Harrison County, Texas (Volume 1119, Page 474, Harrison County, Texas) Account No. R000031915

CONSIDERATION: \$10.00 and other good and valuable consideration

TAX FORECLOSURE LAWSUIT: Cause No. 12-0240-T, Harrison Central Appraisal District v. Bessie L. Summers Tress et al, 71st Judicial District Court

The PROPERTY was acquired by the GRANTORS at a Sheriff's Sale held pursuant to a Judgment Decree of the 71st District Court in the TAX FORECLOSURE LAWSUIT that ordered foreclosure and sale of the PROPERTY for nonpayment of delinquent property taxes, penalties, interest and costs due GRANTORS.

The GRANTORS, 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, for and in consideration of the amount set out above, and subject to the reservations from and exceptions to conveyance, and other good and valuable consideration paid by the GRANTEE, the receipt and sufficiency of which are acknowledged by grantors, quitclaims to the grantee all of the right, title and interest, of grantors in the property acquired by the tax foreclosure sale held under the tax foreclosure lawsuit referenced above.

TO HAVE AND TO HOLD all of its right, title and interest in and to the PROPERTY unto the said GRANTEE, the GRANTEE'S successors and assigns forever without warranty of any kind, so that neither the GRANTORS, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the property, premises or appurtenances, or any part thereof.

GRANTORS excludes and excepts any warranties, express or implied, regarding the PROPERTY, including, without limitation, any warranties arising by common law or Section 5.023 of the Texas Property Tax Code or its successor.

GRANTOR has not made, and does not make any representations, warranties or covenants of any kind or character whatsoever, whether express or implied, with respect to the quality or condition of the PROPERTY, the suitability of the property for any and all activities and uses which GRANTEE may conduct thereon, compliance by the PROPERTY with any laws, rules, ordinances or regulations of any applicable governmental authority or habitability, merchantability or fitness for a particular purpose, and specifically, GRANTOR does not make any representations regarding hazardous waste, as defined by the Texas Solid Waste Disposal Act and the regulations adopted thereunder, or the U.S. Environmental Protection Agency regulations, or the disposal of any hazardous or toxic substances in or on the property.

IN TESTIMONY WHEREOF The City of Marshall, Trustee has caused these presents to be executed this the ____ day of _____, 2015.

CITY OF MARSHALL, TRUSTEE

By _____
City Manager, City of Marshall

THE STATE OF TEXAS

COUNTY OF HARRISON

Before me, the undersigned authority, on this day personally appeared _____, City Manager, City of Marshall, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same in the official capacity indicated and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this the ____ day of _____, A.D., 2015.

Notary Public, State of Texas
My commission expires

EXHIBIT 'A'

Cause #: 12-0240-T

Previous Owner: Bessie L. Summers

Bidder's Name: Marshall Independent School District

Bidders Address: PO Box 818, Marshall, Texas 75671

Date of Sale: November 4, 2014

Judgment Value: \$9,590.00

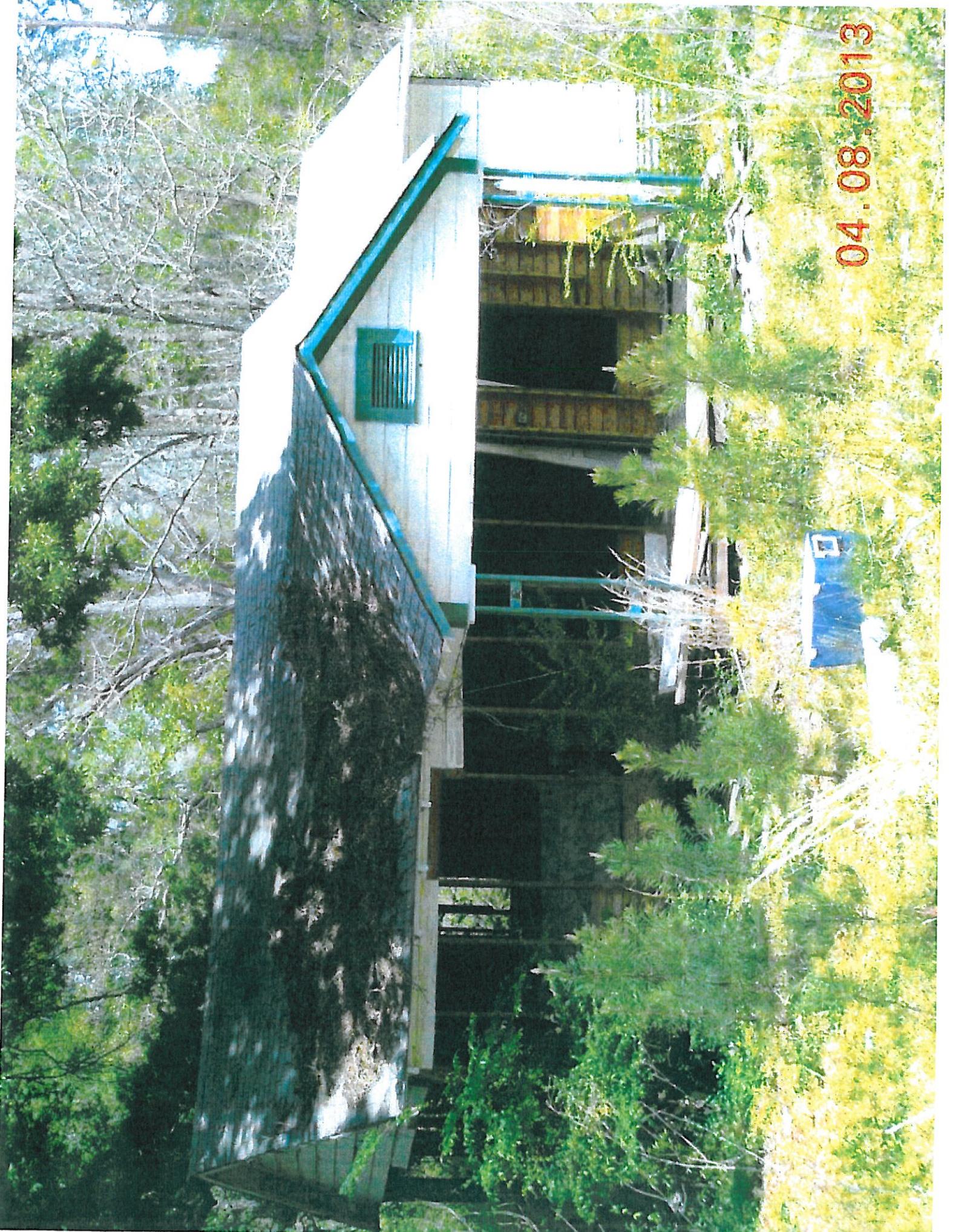
PROPERTY DESCRIPTION

0.836 Acres, more or less, out of the T. Iden Survey, Abstract 354, being Part of Outlot 208, Southeast, City of Marshall, Harrison County, Texas (Volume 1119, Page 474, Harrison County, Texas) R000031915

JUDGMENT INFORMATION

Taxing Entity	Tax Years	Amount Due
The County of Harrison, Texas	2005-2013	\$1,235.31
The City of Marshall	2000-2013	\$2,770.19
Marshall Independent School District	2003-2013	\$6,143.53

JUDGMENT TOTAL: \$10,149.03



04.08.2013



12.11.2013

North

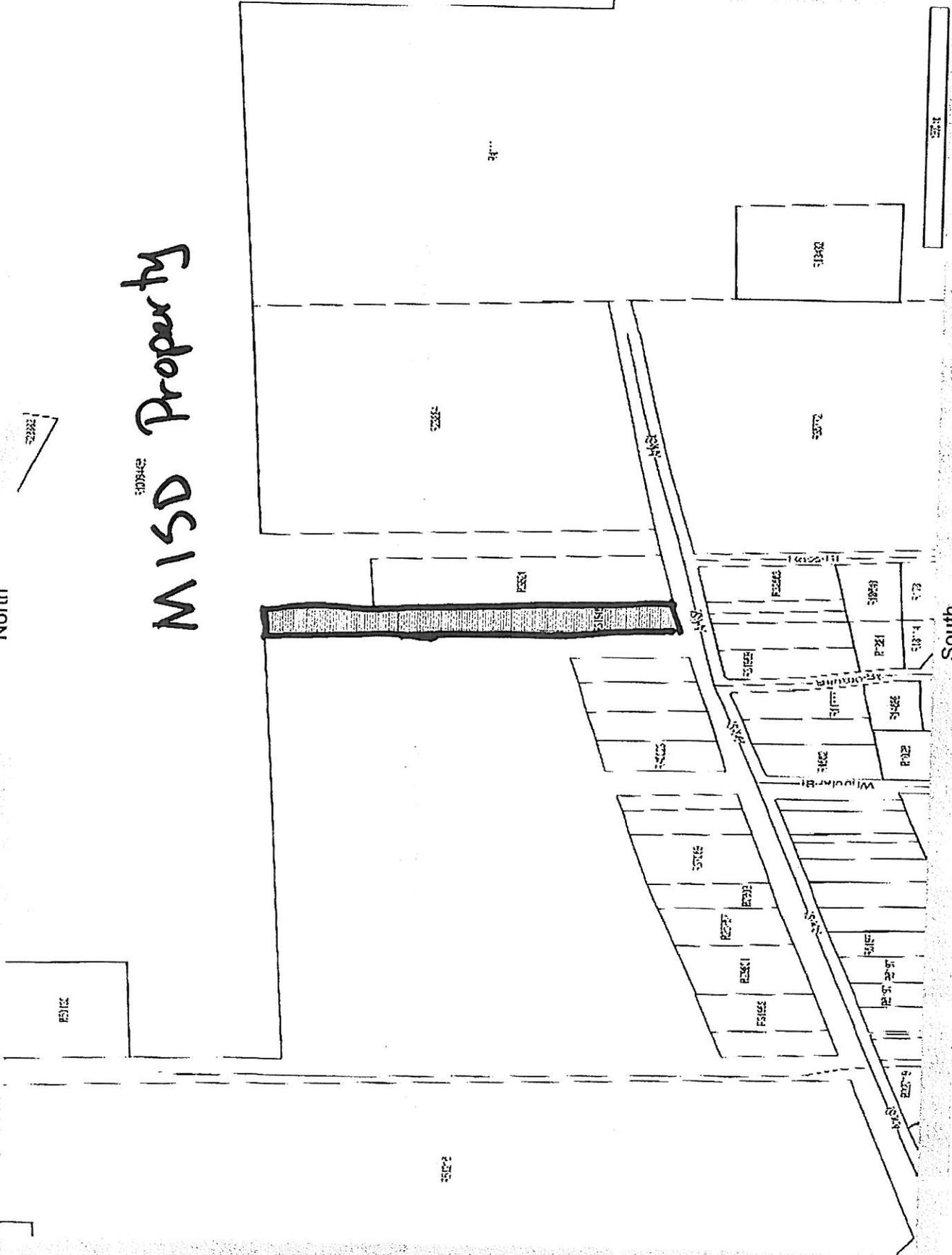


MISD Property

East

South

West



North

MISD Property

East

72824

72824

Ark St.

50.0'

South

West

