

RESOLUTION AUTHORIZING TAX RESALE

WHEREAS, by Sheriff's Sale conducted on January 3, 2006, the property described below was struck-off to Sharyland Independent School District, Trustee, pursuant to a delinquent tax foreclosure decree of the 93rd District Court, Hidalgo County, Texas, and

WHEREAS, the sum of \$52,000.00 has been offered by the City of Mission for the purchase of said property pursuant to Section 3.05, Texas Tax Code Ann. (Vernon, 1982);

NOW, THEREFORE, BE IT RESOLVED by the Commissioner's Court of Hidalgo County, Texas, that, J. D. Salinas, its County Judge, be and he is hereby authorized to execute a tax resale deed on behalf of this district conveying to the City of Mission all of the right, title, and interest of Hidalgo County, Texas, following described real property located in Hidalgo County, Texas:

*A tract of land containing 2.00 acres (87,120 square feet), situated in the City of Mission, Hidalgo County, Texas, being part or portion of Lot 294, John H. Shary Subdivision, according to the plat thereof recorded in Volume 1, Page 17, Hidalgo County Map Records, said 2.00 acres (87,120 square feet) also being more particularly described by metes and bounds on Exhibit A page 1 and page 2, attached hereto.*

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
J. D. Salinas  
County Judge, Hidalgo County, Texas

ATTEST:

\_\_\_\_\_

METES AND BOUNDS DESCRIPTION  
2.00 AC. OUT OF LOT 294  
JOHN H. SHARY SUBDIVISION  
HIDALGO COUNTY, TEXAS

A tract of land containing 2.00 acres (87,120 square feet), situated in the City of Mission, Hidalgo County, Texas, being part or portion of LOT 294, JOHN H. SHARY SUBDIVISION, according to the plat thereof recorded in Volume 1, Page 17, Hidalgo County Map Records, said 2.00 acres (87,120 square feet) also being more particularly described as follows:

BEGINNING at a No. 4 rebar found on the West line of said Lot 294 for the Southwest corner of this tract, said rebar bears N 81° 41' 10" E a distance of 330.00 feet from the Southwest corner of said Lot 294;

1. THENCE, N 08° 41' 10" E along the West line of said Lot 294, a distance of 165.00 feet to a No. 4 rebar set for the Northwest corner of this tract;
2. THENCE, S 81° 18' 50" E a distance of 528.00 feet to a No. 4 rebar found for the Northeast corner of this tract;
3. THENCE, S 08° 41' 10" W, at a distance of 1.50 feet pass a cotton picker spindle set in line, at a distance of 183.50 feet pass a cotton picker spindle set in line, continuing a total distance of 185.00 feet to a No. 4 rebar set for the Southeast corner of this tract;
4. THENCE, N 81° 18' 50" W along the North line of Mangin Trailer Park Subdivision (Vol. 27, Pg. 35-B, H.C.M.R.), at a distance of 386.00 feet pass the Northwest corner of said Mangin Trailer Park Subdivision, continuing a total distance of 528.00 feet to the POINT OF BEGINNING, and containing 2.00 acres (87,120 square feet) of land, more or less.

I, FRED L. KURTH, REGISTERED PROFESSIONAL LAND SURVEYOR DO HEREBY AFFIRM THAT THIS METES AND BOUNDS DESCRIPTION REPRESENTS THE RESULTS OF A SURVEY MADE ON THE GROUND ON 12/06/86 UNDER MY DIRECTION AND SUPERVISION.

*Fred L. Kurth*  
FRED L. KURTH, R.P.L.S. #4750

12-12-86  
DATE:



Metes & Bounds



**ANALYSIS OF BID RECEIVED FOR TAX RESALE PROPERTY**

**Style of Case:**

Cause No. T-646-98-B; Sharyland I.S.D., Hidalgo Kenedy Co. Education District No. 10, South Texas Community College and Hidalgo County vs. Irma Barrera

**Legal Description:**

2.0 acres, more or less, of which the South 25.0 feet comprising .30 acres are reserved for road easement, out of the South 5.0 acres of the North 10.0 acres of the South 20.0 acres of Lot 294, John H. Shary Subdivision, Hidalgo County, Texas.(Account No. S2950-00-000-0294-38).

**Property Location:** Two Mile Line and Shary Road.

**Judgment Date:** February 9, 2005

**Date of Tax sale:** January 3, 2006

**Date of Sheriff's Tax Deed recording:** March 01, 2006

**Date Bid Received:** February 13, 2007

**Amount of Total Judgment:** \$34,035.98

**Costs of Judgment:** \$1,567.00

**Amount of Bid:** \$52,000.00

**Current Appraised Value:** \$63,342.00

**Value at time of Judgment:** \$63,342.00

<b>ENTITY NAME</b>	<b>JUDGMENT AMOUNT DUE EACH ENTITY</b>	<b>PERCENT TO BE RECEIVED</b>	<b>AMOUNT YOU WILL RECEIVE</b>
Hidalgo County	\$ 8,468.04	25%	\$12,608.25
Sharyland ISD	\$19,831.48	58%	\$29,251.14
South Texas College	\$ 932.48	3%	\$ 1,512.99
United Irrigation District	\$ 1,609.29	5%	\$ 2,521.65
City of Mission	\$ 3,194.69	9%	\$ 4,538.97

**ADDITIONAL COMMENTS:**

Prospective Buyer: City of Mission, 1201 E. 8th Street, Mission, Texas 78572

**TAX RESALE PROPERTY  
AMOUNTS DUE AND TO BE PAID TO ALL ENTITIES**

Acct. No. S2950-00-000-0294-38

	Amount due (May 07)	Amount to be paid	Percent Received
HIDALGO COUNTY ENTITIES	\$10,492.69	\$12,608.25	24.25%
SHARYLAND ISD	\$24,535.06	\$29,251.14	56.25%
SOUTH TEXAS COLLEGE	\$1,292.64	\$1,512.99	2.91%
UNITED IRRIGATION DISTRICT	\$1,841.84	\$2,521.65	4.85%
CITY OF MISSION	\$4,477.79	\$4,538.97	8.73%
<b>COST OF JUDGEMENT</b>	<b>\$1,567.00</b>	<b>\$1,567.00</b>	<b>3.01%</b>
<b>TOTALS</b>	<b>\$44,207.02</b>	<b>\$52,000.00</b>	<b>100.00%</b>

## TAX RESALE DEED

Date: February 13, 2007

**Grantor (including address):**

SHARYLAND INDEPENDENT SCHOOL DISTRICT, HIDALGO KENEDY COUNTY EDUCATION DISTRICT #10, SOUTH TEXAS COLLEGE, HIDALGO COUNTY AND CITY OF MISSION, being all the taxing entities interested in the tax foreclosure judgment against the property herein described and acquired by tax foreclosure sale heretofore held under T-646-98-B; *Sharyland Independent School District et al vs. Irma Barrera, in the 93rd District Court, Hidalgo County, Texas*, said entities acting through the presiding officer of its taxing entity, hereunto duly authorized by resolution and order of each respective taxing entity which is duly recorded in their official Minutes, hereinafter called grantors.

**Grantee (including address):**

City of Mission  
1201 E. 8th Street  
Mission, Texas, Hidalgo County, Texas 78572

**Consideration:** FIFTY TWO THOUSAND AND 00/100 (\$52,000.00) DOLLARS.

**Property (including any improvements):**

*A tract of land containing 2.00 acres (87,120 square feet), situated in the City of Mission, Hidalgo County, Texas, being part or portion of Lot 294, John H. Shary Subdivision, according to the plat thereof recorded in Volume 1, Page 17, Hidalgo County Map Records, said 2.00 acres (87,120 square feet) also being more particularly described by metes and bounds on Exhibit A page 1 and page 2, attached hereto.*

**Reservations From and Exceptions to Conveyance:**

1. Any existing right of redemption remaining, if any, in the former owner(s) of the property under the provisions of law.
2. Any and all liens on the Property that were not extinguished in the judgment foreclosing the tax lien.
3. In addition thereto, this conveyance is SUBJECT however to the further covenant, consideration, condition, and restriction as follows:
  - (a) The above-described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which discriminates against any person because of his race, color or national origin, regardless of whether such discrimination be effected by design or otherwise.
  - (b) The above-described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study, or instruction which creates, maintains, reinforces, renews, or encourages, or which tends to create, maintain, reinforce, renew, or encourage a dual school system.

These restrictions and conditions shall be binding upon the CITY OF MISSION, its successors and assigns, as the case may be, for a period of fifty (50) years from the date hereof; and in case of a violation of either or both of the above restrictions, the estate herein granted shall, without entry or suit, immediately revert to and vest in the Grantor herein and its successors, this instrument shall be null and void, and Grantor and its successors shall be entitled to immediate possession of such premises and the improvements thereon; and no act or omission upon the part of grantor herein and its successors shall be a waiver of the operation or enforcement of such condition.

The restriction set out in (a) above shall be construed to be for the benefit of any person prejudiced by its violation. The restriction specified in (b) above shall be construed to be for the benefit of any public school district or any person prejudiced by its violation.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance, conveys to Grantee, Grantee's heirs, successors and assigns forever, without express or implied warranty, all of the right, title and interest which the said Prestige Builders Inc., had in and to the Property. All warranties that might arise by common law as well as the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded as to the Property conveyed by this paragraph.

When the context requires, singular nouns and pronouns include the plural.

HIDALGO COUNTY

BY: \_\_\_\_\_  
J.D. SALINAS,  
COUNTY JUDGE, HIDALGO COUNTY, TEXAS

**ACKNOWLEDGMENT**

**STATE OF TEXAS  
COUNTY OF HIDALGO**

Before me, the undersigned authority, on this day personally appeared J.D. Salinas, County Judge for Hidalgo County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this \_\_\_\_ day of \_\_\_\_\_,  
2007.

\_\_\_\_\_  
Notary Public in and for the State Of Texas