

November 10, 2008

WHEREAS, the City of Dallas, the State of Texas, ("State"), the County of Dallas, ("County"), and/or the Dallas Independent School District, ("DISD"), acquired a Sheriff's Deed to the properties, ("Properties"), at a sheriff's tax sale, ("the First Sale"), authorized by a District Court of Dallas County, Texas, by a Judicial Foreclosure ("the Judgment") in a tax foreclosure sale or a Seizure Warrant, ("Warrant") and the subsequent Sheriff's Deeds were filed in the Real Property Records of Dallas County, Texas, all as described on "Exhibit A", attached hereto and made a part hereof; and

WHEREAS, in accordance with Attorney General Opinion No. JM-1232, the City of Dallas, pursuant to the provisions of Section 34.05(a) of the Property Tax Code, may sell the Properties at any time, ("the Second Sale"), subject to any right of redemption existing at the time of the Second Sale; and

WHEREAS, pursuant to the provisions of Chapter 34, Section 34.05 of the Property Tax Code, a taxing unit is authorized to resell the Properties; and

WHEREAS, by accepting its pro rata proceeds from the Second Sale, the State concurs in the transfer of Properties in which it has an interest; and

WHEREAS, the City Manager, acting on behalf of the County, when granted consent pursuant to a County Commissioner's Court Order, and DISD, when granted consent pursuant to a School Board Resolution, has the authority to execute a quitclaim deed to the Properties quitclaiming to the purchasers the right, title, and interest acquired or held by each taxing unit that was a party to the judgment foreclosing tax liens on the Properties or the warrant authorizing Seizure of the Properties; and

WHEREAS, the Properties were advertised in the Dallas Morning News on the dates as indicated on Exhibit A; and

WHEREAS, the City Council has previously approved the resale of other properties where funds were not received and have not been disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County; and

WHEREAS, the distribution of the proceeds of the resale will be in accordance with Chapter 34, Section 34.06 of the Property Tax Code; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That upon receipt of the monetary consideration from the bidder for each parcel from the list of Properties, as specified in Exhibit A, and upon consent by the County and DISD, the City Manager is hereby authorized to execute Quitclaim Deeds, subject to the right of redemption, if any, and to the terms, conditions and release of the taxing entities therein, to be attested by the City Secretary upon approval as to form by the City Attorney.

November 10, 2008

SECTION 2. That the consideration received shall be distributed pursuant to Chapter 34, Section 34.06 of the Property Tax Code and applied to payment of the judgment, court costs, interest, and cost of sale owed to the taxing entities by the delinquent taxpayer or the amount of delinquent taxes, penalties, the amount secured by any municipal health or safety liens on the Property included in the Warrant application, court costs, interest and cost of seizure and sale owed by the delinquent taxpayer to any of the taxing entities shall be distributed in the manner described in Section 34.03 of the Property Tax Code.

SECTION 3. That the purchasers shall be responsible for the pro rata property taxes assessed from the date of closing for the remaining part of the then current calendar year. These Properties shall be placed back on the tax rolls effective as of the date of execution of the deed.

SECTION 4. That to the extent authorized by law the liens securing the taxes referenced in Section 2 above are hereby released.

SECTION 5. That any and all proceeds for the resale of the properties listed on Exhibit A and for the properties previously approved for resale by the City Council where funds were not received and have not been disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County be deposited to General Fund 0001, Department DEV, Balance Sheet Account 0519.

SECTION 6. That upon receipt of the consideration, the City Controller is authorized to disburse proceeds of the resale of the properties listed on Exhibit A, in accordance with Chapter 34, Section 34.06 of the Property Tax Code, which calculations for disbursement shall be provided by the Director of Development Services, to the City of Dallas Land Based Receivables, the Dallas County District Clerk and the Dallas County Tax Office from the account specified in Section 5 above.

SECTION 7. That upon receipt of the consideration, the City Controller is authorized to disburse proceeds pursuant to Chapter 34, Section 34.06 of the Property Tax Code, which calculations for disbursement shall be provided by the Director of Development Services, for properties previously approved for resale by the City Council where funds have not been disbursed prior to the April 1, 2001 Tax Collection Consolidation with Dallas County from the account specified in Section 5 above.


SECTION 8. That any procedures required by Section 2-24 of the Dallas City Code that are not required by state laws are hereby waived with respect to this conveyance.

COUNCIL CHAMBER

November 10, 2008

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and is accordingly so resolved.

APPROVED AS TO FORM:
THOMAS P. PERKINS, Jr., City Attorney

BY 
Assistant City Attorney

APPROVED BY
CITY COUNCIL

NOV 10 2008

Distribution: City Attorney's Office - Sarah Hasib


City Secretary

EXHIBIT A
TAX-FORECLOSED (TF) AND SEIZURE WARRANT (SW) PROPERTY RESALES
NOVEMBER 10, 2008 AGENDA

ITEM #	STREET ADDRESS LEGAL DESCRIPTION	TF/ SW	VAC/ IMP	OWNED BY TAXING ENTITIES *	DMN DATES ADVERTISED	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
1	4230 2ND Avenue Part of Lots 10 and 11, Block 1/1834, Smallwoods Subdivision	TF	VAC	1,2,3	9-7/8-08	3	\$2,550	\$3,551	Two C - Three C, Inc.
2	2747 Almain Lot 9, Block 6/7614, Alta Mesa Park Estates	TF	VAC	1,2,3	9-7/8-08	4	\$2,600	\$2,750	Paul Caudle
3	11123 Aledo Lot 29, Block 1/5372, Casa View Heights First Installment	TF	VAC	1,2,3	9-7/8-08	1	\$5,100	\$5,201	Two C - Three C, Inc.
4	818 Beckley Tract 16, Block 3432, Phillipson Hancock and Miller Addition	TF	VAC	1,2,3	9-7/8-08	9	\$1,000	\$13,770	Dexter Samuel
5	118 Burrell Lot 1A, Part of Lot 1, Block 2/6634; Beckley Heights Addition	TF	IMP	1,2,3	9-7/8-08	3	\$14,900	\$20,000	Jose Romero
6	6500 C. F. Hawn Frwy Lot 48, Block 6241, John Beeman Survey, Abstract No. 98	TF	VAC	1,2,3	9-7/8-08	2	\$6,650	\$11,100	Reynoldo Sanchez
7	4118 Colonial Parts of Lots 3 and 4, Block F/1606, Colonial Annex Addition	TF	IMP	1,2,3	9-7/8-08	2	\$7,050	\$9,051	Wendy Whittaker

*1=CITY, 2=DISD, 3=COUNTY, 4=STATE All properties are located in the City of Dallas, Dallas County, Texas
 * All Sheriff's Deeds are recorded in the Dallas County Deed Records

EXHIBIT A
TAX-FORECLOSED (TF) AND SEIZURE WARRANT (SW) PROPERTY RESALES
NOVEMBER 10, 2008 AGENDA

ITEM #	STREET ADDRESS LEGAL DESCRIPTION	TF/ SW	VAC/ IMP	OWNED BY TAXING ENTITIES *	DMN DATES ADVERTISED	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
8	3915 Copeland Lot 9, Block 4/1837, Sunnyside Addition	TF	IMP	1,2,3	9-7/8-08	1	\$5,450	\$5,875	IVD Financial, L.P.
9	3835 Crepe Myrtle Lot 16, Block C/6041, Brettonwoods	TF	VAC	1,2,3	9-7/8-08	3	\$4,850	\$5,875	Paris Brewer
10	3802 Diamond Lot 28, Block F/1732, Swarthout Resubdivision	TF	IMP	1,2,3	9-7/8-08	1	\$8,700	\$8,800	Janice Burks
11	9231 Donnybrook Lot 7, Block 10/6315, Bruton Terrace Addition	TF	IMP	1,2,3	9-7/8-08	3	\$24,550	\$31,500	Knighthvest Properties, LLC
12	551 Elkhart Lot 17, Block X/6256, Home Gardens Addition	TF	VAC	1,2,3	9-7/8-08	2	\$3,250	\$3,973	David Kane
13	3210 Goldspier Lot 5, Block C/4446, Rose Garden Addition	TF	IMP	1,2,3	6-8/9-08	1	\$10,000	\$10,581	Martin Wiggins and Rita V. White
14	1910 Grand Avenue Lot 1, Block 1/1123, Edgewood Place Addn	TF	VAC	1,2,3	6-8/9-08	2	\$13,300	\$13,310	Martin Wiggins and Rita V. White
15	2418 Grand Avenue Lot 5, Block 2/1281 Edgewood Addition	TF	VAC	1,2,3	4-6/7-08	2	\$1,000	\$2,200	Bernard Shaw
16	3107 Hatcher Lot 8, Block E/1775, Lagow Heights Addition	TF	IMP	1,2,3	9-7/8-08	6	\$3,170	\$5,200	Wayne Cobb

EXHIBIT A
TAX-FORECLOSED (TF) AND SEIZURE WARRANT (SW) PROPERTY RESALES
NOVEMBER 10, 2008 AGENDA

ITEM #	STREET ADDRESS LEGAL DESCRIPTION	TF/ SW	VAC/ IMP	OWNED BY TAXING ENTITIES *	DMN DATES ADVERTISED	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
17	1021 Jim Miller Lot 1, Block 2/6247, Humphrey & Farrell Addition	SW	VAC	1,2,3	9-7/8-08	2	\$2,100	\$5,119	David Kane
18	1038 Kings Highway Lot 8, Block 8/3462, Oak Cliff Annex Addition	TF	VAC	1,2,3	9-7/8-08	2	\$25,000	\$35,999	Paris Brewer
19	2634 Kingston Lot 9, Block 6/3807, Sunset Addition	TF	IMP	1,2,3	9-7/8-08	5	\$24,300	\$35,300	Jose Valencia T. and Hermelinda Valencia
20	4219 W. Ledbetter Part of Lots 7 and 8, Block 6958, Homestead Hills Unrecorded Addn	TF	VAC	1,2,3	9-7/8-08	1	\$20,300	\$20,511	Brandon Johnson
21	2352 Little Pocket Remaining .166 AC, Lot 2, Block 2A/7045, Pockett Road Addition Number 1	TF	VAC	1,2,3	9-7/8-08	1	\$3,600	\$3,650	Eaton Road, Ltd. and Morgan Park, Ltd.
22	746 Neomi Lot 7 and N 25' Lot 8, Block F/6256, Home Gardens Addition	TF	IMP	1,2,3	9-7/8-08	3	\$5,200	\$7,200	Manuel Gonzalez
23	4625 Owenwood Lot 22, Block B/2621, Silver City Addition 2 nd Section	TF	VAC	1,2,3	9-7/8-08	1	\$1,000	\$1,007	JS Funding, Ltd.

EXHIBIT A
TAX-FORECLOSED (TF) AND SEIZURE WARRANT (SW) PROPERTY RESALES
NOVEMBER 10, 2008 AGENDA

ITEM #	STREET ADDRESS LEGAL DESCRIPTION	TF/ SW	VAC/ IMP	OWNED BY TAXING ENTITIES *	DMN DATES ADVERTISED	# BIDS	MINIMUM BID	HIGHEST BID AMOUNT	HIGHEST BIDDER
24	2120 Skylark Lot 29, Block M/6078 Deerpath Village No. 6	TF	IMP	1,2,3	9-7/8-08	1	\$9,100	\$9,175	Rubicel Quintero
25	5121 Southwick Lot 6, Block 5/6857, Corrigan Gardens Addition	TF	IMP	1,2,3	9-7/8-08	3	\$4,780	\$8,011	Wayne Cobb
26	4703 Spring Lot 3, Block D/2402, W. H. Jones Subdivision	TF	IMP	1,2,3	9-7/8-08	1	\$10,280	\$13,000	True Vine Missionary Baptist Church
27	1439 Strickland Lot 23, Block 25/3586, Edgemont Addition	TF	IMP	1,2,3	9-7/8-08	3	\$5,460	\$8,200	Maria Martinez
28	3915 S. Tyler Part of Lots 15 and 16, Block 5984, Unrecorded Plat Kiest Park Estates	TF	VAC	1,2,3	9-7/8-08	1	\$24,300	\$25,000	Chris Pham
29	4730 Zealand Lot 7, Block F/7648, Central Avenue Addition No. 3	TF	VAC	1,2,3	9-7/8-08	2	\$1,000	\$1,572	Joyce Washington
	TOTAL							\$326,481	

* 1=CITY, 2=DISD, 3=COUNTY, 4=STATE All properties are located in the City of Dallas, Dallas County, Texas
All Sheriff's Deeds are recorded in the Dallas County Deed Records