

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.

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.

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

Distribution: City Attorney's Office - Sarah Hasib

APPROVED BY
CITY COUNCIL

JUN 10 2009


City Secretary

EXHIBIT A
TAX-FORECLOSED (TF) AND SEIZURE WARRANT (SW) PROPERTY RESALES
JUNE 10, 2009 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	9242 Beckleyview West 105' Lot 12, Block 7587-D, Beckleyview Addition	TF	VAC	1,2,3	4-5/6-09	2	\$4,000	\$8,500	Jose L. Tello
2	2500 Britton Lot 1, Block 31/4230, Broadmoor Addition	TF	VAC	1,2,3	4-5/6-09	1	\$3,500	\$3,604	JS Funding, Ltd.
3	3846 Castle Hills Lot 26, Block 11/6866, Highland Hills Addn. No. 2	TF	IMP	1,2,3	4-5/6-09	2	\$17,400	\$18,100	John D. McNeely
4	7515 Chaucer 2.6859 Acres, Lot 2, Block 6929-2, Canterbury Village Addition	TF	VAC	1,2,3	4-5/6-09	1	\$45,000	\$45,501	Kari LaPrade
5	1224 Claude Lot 14, Block D/3364, Betterton's Subdivision	TF	IMP	1,2,3	4-5/6-09	2	\$8,000	\$10,009	Robert L. Hampton
6	917 Dale Lot 13, Block 80/3061, W. L. Diamond's MRDC 1-160	TF	VAC	1,2,3	4-5/6-09	4	\$11,600	\$17,359	Louetta's Place, LLC
7	2815 S. Denley Lot 15, Block E/3892, Brightside Addition	TF	IMP	1,2,3	4-5/6-09	7	\$2,400	\$5,005.05	Minnie Henderson and Roy Covington, Sr.
8	4007 S. Denley Lot 15-B, Block 26/4322, Bellevue Addition	TF	VAC	1,2,3	4-5/6-09	2	\$1,000	\$1,804	JS Funding, Ltd.
9	3415 Detonte Lot 2, Block 2630-B, Dolphin Heights Addition	TF	VAC	1,2,3	4-5/6-09	1	\$2,900	\$3,612	JS Funding, Ltd.

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10	746 Ella Lot 7, Block H/6256, Home Gardens Addition No. 3	SW	VAC	1,2,3	4-5/6-09	1	\$6,500	\$10,500	Juan Estrada
11	1711 Elmwood Lot 2 (50x170), Block 21/4776, Elmwood Addition No. 4	TF	VAC	1,2,3	4-5/6-09	1	\$9,000	\$10,659	Joseph D. Whitney
12	10835 Ferguson 1.24 Acres, Ferguson 247 FR Shiloh, Block 13/7498, Linda Heights Addition	TF	VAC	1,2,3	4-5/6-09	1	\$81,000	\$93,150	Richard E. Royle
13	3930 Fernwood Southeast 50' Lot 6, Block 26/ 4322, Bellevue Addition	TF	VAC	1,2,3	4-5/6-09	1	\$2,000	\$2,026	JS Funding, Ltd.
14	9309 Fireside Lot 38, Block 7820, Unrecorded Plat of Kissell Homes Annex Addition	TF	VAC	1,2,3	4-5/6-09	3	\$2,500	\$4,102	JS Funding, Ltd.
15	3750 Golden Hills Lot 11, Block 14/6866, Highland Hills Addition Second Installment	TF	IMP	1,2,3	4-5/6-09	5	\$6,500	\$9,001.99	Parache' Enterprises, Inc.
16	2502 Hatcher 48x137 Tract of Land, Block C/1956	TF	IMP	1,2,3	4-5/6-09	2	\$5,000	\$6,500	Janeth N. Davila
17	3825 Holmes Part of Lot 3, Block A/1675, Mechanic's Addition	TF	IMP	1,2,3	4-5/6-09	1	\$2,000	\$3,200	Darvell Hall

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18	4807 Huey Tract 27, 38x108.67x99x34.97x 50x73.7', Block 4458, Camp's Second Avenue Addition	TF	VAC	1,2,3	4-5/6-09	1	\$1,000	\$1,000	Sherri R. Lowe
19	1147 East Kiest Lot 9, Block 17/5999, Trinity Heights Annex	TF	IMP	1,2,3	4-5/6-09	1	\$7,250	\$7,850	Rene Rey
20	12611 Kleberg Lot 2, Block 5/8801, Garden Heights Addition No. 2	TF	VAC	1,2,3	4-5/6-09	1	\$4,000	\$4,306	JS Funding, Ltd.
21	4301 Landrum Lot 43, Block 6083-3, City View Addition	TF	VAC	1,2,3	4-5/6-09	2	\$1,000	\$1,200	Miguel A. Rojas
22	2224 Larson Lot 7B (0.459 Acre), Block A/6557 Bigvand Addition	TF	VAC	1,2,3	4-5/6-09	2	\$59,900	\$67,777	Jack G. Stevens
23	2415 W. Ledbetter Tract 10.1, 2.5538 Acres, Block 6040, Part of Thomas Longley Survey, Abstract 779	TF	VAC	1,2,3	4-5/6-09	1	\$17,000	\$18,506	JS Funding, Ltd.
24	2525 Lowery Lots 12 and 13, Block 3/2545, Lincoln Manor No. 2	TF	IMP	1,2,3	4-5/6-09	5	\$2,800	\$5,251.51	Choya Alexander and Andranique Forshee
25	1903 S. Marsalis Lot 1, Block 14/3636, Trinity Heights Addition	TF	VAC	1,2,3	2-1/2-09	1	\$8,500	\$9,595	Celestino Guzman

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26	1709 Peabody Lots 8 and 9, Block 8/1150, Edgewood Place	TF	VAC	1,2,3	4-5/6-09	1	\$62,700	\$66,051	Don Cooper
27	2524 Peabody Lots 13 and 14, Block 25/1306, South Park Addition	TF	VAC	1,2,3	4-5/6-09	2	\$1,500	\$1,711	Jason and Olga Carroll
28	3622 Penelope Lot 11, Block D/1825, Harris and Brown Subdivision	TF	IMP	1,2,3	4-5/6-09	1	\$1,400	\$1,876	Linda Hunter-Mooney
29	708 Riverwood Lot 2, Block A/7967, Riverwood I Addition	TF	VAC	1,2,3	4-5/6-09	2	\$1,500	\$2,308	JS Funding, Ltd.

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