

RESOLUTION 11-56

**A RESOLUTION OF THE CITY OF COMMERCE AUTHORIZING THE MAYOR TO
SELL DELINQUENT PROPERTIES AND SETTING AN EFFECTIVE DATE.**

WHEREAS, the city of Commerce became, pursuant to a Sheriff's/Constable's Sale for delinquent taxes, the owner, in trust for the taxing entities, of a certain tract of land described in the attached Exhibit "A" and incorporated herein and/

WHEREAS, because the property described is not currently on the tax roll and will not be added to the tax roll until it is sold, it is desirable that the property be sold so that it may be added to the tax roll and so that the taxes may be assessed against the property in the future;

WHEREAS, an offer has been made to purchase the property, and the City of Commerce wishes to accept the offer DIAMOND C ENTERPRISES, LLC to purchase the property in the attached Exhibit "A", also known as 1110 Blackburn Street, Account #R49694, for THREE HUNDRED TEN DOLLARS AND THREE CENTS (310.03) and,

WHEREAS, the City Council of the City of Commerce believes a sale for this price is the best interest of the city; and

WHEREAS, the funds received pursuant to this sale shall be distributed according to the Texas Property Tax Code.

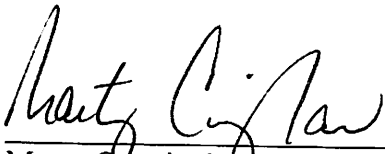
**NOW, THEREFORE, BE IT RESOLVED THAT BY THE CITY COUNCIL OF
THE CITY OF COMMERCE, TEXAS:**

SECTION 1. That the City Council of the City of Commerce hereby approves the sale for the terms as stated above and authorized the Mayor to sign the Quitclaim Deed on the behalf of the City of Commerce.

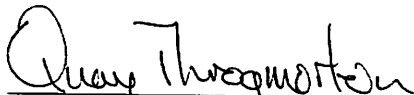
SECTION 2. This resolution shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED THIS THE 20TH DAY OF DECEMBER, 2011.

ATTEST:


Marty Cunningham, City Secretary

CITY OF COMMERCE:


Quay Throgmorton, Mayor

49694, 1110 BLACKBURN ST.

EXHIBIT "A"

KNIGHT JOHN ADDITION, BLOCK 2, LOT 15, 1/2 OF LOT 17 AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 557, PAGE 163 AND VOLUME 1731, PAGE 469 IN THE DEED RECORDS OF HUNT COUNTY, TEXAS = 49694

also known as R49694, 1110 BLACKBURN ST.

R49694, 1110 BLACKBURN ST.

TO HAVE AND TO HOLD all of our right title and interest in and to the above described property and premises, subject to the aforesaid, unto the said grantee, his/her heirs, successors, and assigns forever, so that the CITY, the COUNTY, HOSPITAL and the ISD, and our legal representatives, successors and assigns shall not have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

EXECUTED this _____ day of _____, 20_____.

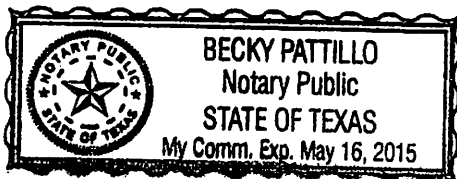
City of Commerce

by _____
Mayor

THE STATE OF TEXAS
COUNTY OF HUNT

before me, the undersigned authority, personally appeared May Thomsen,
MAYOR of the CITY OF COMMERCE, 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 purpose and in the capacity therein stated.

given under my hand and seal of office this the 22nd day of December, 2011.



Becky Pattillo
Notary Public in and for State of Texas

R49694 , 1110 BLACKBURN ST.

DEED

THE STATE OF TEXAS

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COUNTY OF HUNT

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KNOW ALL PERSONS BY THESE PRESENTS

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That the City of Commerce for and in consideration of the sum of **THREE HUNDRED TEN DOLLARS AND THREE CENTS** (310.03), the receipt of which is hereby acknowledged, do hereby release, quitclaim and surrender to the GRANTEE such title or interest as the Hunt County "County", the Hunt Memorial Hospital District "HOSPITAL", the City of Commerce "CITY", the Hunt County Education District "CED", the Commerce Independent School District "ISD", and the Commerce Water District "WATER DISTRICT" may have acquired , if any, by virtue of tax foreclosure proceedings, and by virtue of becoming purchaser of the tax title under a Sheriff's/Constable's sale, as shown by Sheriff's/Constable's Deed, recorded in Volume 1731, Page 469 of the Deed Records of Hunt County, Texas, and by these presents and in accordance with a Resolution, approved by the governing bodies of the City of Commerce, the County, Hospital, ISD do hereby release, quitclaim and surrender, subject to the terms, conditions, provisions and restrictions, herein set forth, unto **DIAMOND C ENTERPRISES LLC**, GRANTEE herein of **5250 HWY 78, SUITE 750-326, SACHSE, TX**, all our right, title and interest, if any, in and to the following described real property situated in Hunt County, Texas, to wit:

GRANTEE:

DIAMOND C ENTERPRISES LLC

5250 HWY 78, SUITE 750-326

SACHSE TX 75048

R49694, 1110 BLACKBURN ST.

KNIGHT JOHN ADDITION, BLOCK 2, LOT 15, 1/2 OF LOT 17 AND BEING MORE PARTICULARLY DESCRIBED IN THAT CERTAIN DEED OF RECORD IN VOLUME 557, PAGE 163 AND VOLUME 1731, PAGE 469 IN THE DEED RECORDS OF HUNT COUNTY, TEXAS = 49694

ALSO BEING KNOWN AS:

1110 BLACKBURN ST.

This Quitclaim is made subject to and GRANTEE acknowledges the right of redemption as provided in Section 34.05 of the Texas Property Tax Code.

IN ACCEPTING THE QUITCLAIM OF THIS PROPERTY, GRANTEE EXPRESSLY ACCEPTS THE PROPERTY IN "AS IS" CONDITION, WITH ALL ITS FAULTS, IF ANY. GRANTEE RELEASES ANY RIGHTS, AT LAW OR IN EQUITY, GRANTEE MAY HAVE AGAINST THE CITY, COUNTY, HOSPITAL, AND ISD, THEIR OFFICERS, AGENTS AND EMPLOYEES IN CONNECTION WITH THIS TRANSACTION. FURTHER, GRANTEE RELEASES THE CITY, COUNTY, HOSPITAL AND ISD, THEIR OFFICERS, AGENTS, AND EMPLOYEES, FROM ANY AND ALL CLAIMS AND CAUSES OF ACTION IN CONNECTION WITH THE BIDDING, TERMS, CONDITIONS, AND SALE OF THIS PROPERTY. THIS RELEASE ALSO IS BINDING ON GRANTEE'S SUCCESSORS, HEIRS, AND ASSIGNS. GRANTEE HAS HAD THE OPPORTUNITY TO INSPECT THE PROPERTY, AND GRANTEE IS NOT RELYING ON ANY REPRESENTATION OR DISCLOSURES BY THE CITY, COUNTY, HOSPITAL, AND ISD IN CONNECTION WITH THE PURCHASE OF THE PROPERTY. GRANTEE EXPRESSLY ASSUMES RESPONSIBILITY FOR ANY ENVIRONMENTAL PROBLEMS ON OR WITH THE PROPERTY.

GRANTEE:
DIAMOND C ENTERPRISES LLC
5250 HWY 78, SUITE 750-326
SACHSE TX 75048