

RESOLUTION 12-05

**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 Blk 81, Lt 8 – ML King Drive., Account # R70354 for FOUR HUNDRED SIXTY FIVE DOLLARS AND THREE CENTS (\$465.03) 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.

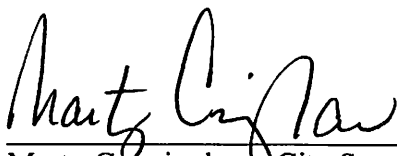
**NOW, THEREFORE, BE IT RESOLVED THAT BY THE CITY COUNCIL OF
THE CITY OF COMMERCE, TEXAS:**

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

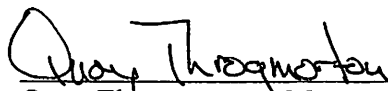
SECTION 2. this resolution shall be in full force and effect immediately upon its passage and approval.

PASSED AND APPROVED THIS THE 21st DAY OF FEBRUARY 2012.

ATTEST:


Marty Cunningham, City Secretary

CITY OF COMMERCE:


Quay Throgmorton, Mayor

**COUNTY OF HUNT
PROPERTY RESALE PROGRAM**

PROPERTY ACCOUNT #: 70354

DATE PROPERTY WAS STRUCK OFF TO ENTITIES: 11-04-08 CAUSE TAX 18,723
Sheriffs Deed filed 11-17-08 REDEMPTION PERIOD ENDS 06-17-09
PREVIOUS OWNERS NAME SAMMY RAY BROWN DATE: 04-01-11
HOMESTEAD EXEMPTION N AGRICULTURE EXEMPTION N
DEED ASSIGNED TO: COMMERCE ISD
OTHER TAXING JURISDICTION COUNTY OF HUNT, HUNT MEMORIAL HOSPITAL DISTRICT,
CITY OF COMMERCE

PHYSICAL LOCATION **BLK 81, LT 8 - ML KING DR.**

IN THE CITY OF: COMMERCE

TIMES ON RESALE: 1

IN THE PROXIMITY:

Properties are sold "AS IS" and MAY or MAY NOT have water, sewer or street access. Purchaser will be responsible for all infrastructures.

IMPROVEMENT VALUE: **\$0.00**
LAND VALUE: **\$5,040.00**
APPRAISED VALUE TOTAL: **\$5,040.00**

COURT COST: **\$122.60**
ADVERTISING FEES: **\$62.64**
ATTORNEY RESEARCH FEE: **\$0.00**
COUNTY RESEARCH FEE: **\$0.00**
SHERIFF/CONSTABLE DEED FEE: **\$48.00**
LIENS FILED: **\$0.00**
WARRANT FEE: **\$50.00**
JURISDICTION BID REQUEST: **\$1,008.00**

REDUCED: **840.98**

MINIMUM BID: **\$450.26**

PROPERTY LEGAL DESCRIPTION:

BEING LOT 8, BLOCK 81, ORIGINAL TOWN OF COMMERCE, AS DESCRIBED IN DEED RECORDED IN VOLUME 425, PAGE 699, FILED DECEMBER 18, 1996 AND VOLUMR 1813, PAGE 254 IN HUNT COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF COMMERCE INDEPENDENT SCHOOL DISTRICT UNDER ACCOUNT NUMBER R70354.

HIGHT BIDDER:	DIAMOND C ENTERPRISES, LLC
ADDRESS:	5250 HWY 78, SUITE 750-326
CITY:	SACHSE
STATE:	TX
AMOUNT OF BID:	\$465.03

R70354, BLK 81, LT 8 - ML KING DR.

DEED

THE STATE OF TEXAS	S	
	S	KNOW ALL PERSONS BY THESE PRESENTS
COUNTY OF HUNT	S	

That the Commerce Independent School District for and in consideration of the sum of **FOUR HUNDRED SIXTY FIVE DOLLARS AND THREE CENTS** (\$ 465.03), the receipt of which is hereby acknowledged, release, quitclaim and surrender to the GRANTEE such title or interest at the Commerce Independent School District "ISD", and the City of Commerce "CITY" the County of Hunt "COUNTY" and the Hunt Memorial Hospital District "HOSPITAL" may acquire , 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 **1813**, Page **254** of the Deed Records of Hunt County, Texas, and by these presents and in accordance with a Resolution, approved by the Board of Trustees of the Commerce Independent School District the County, Hospital, and the CITY 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

R70354, BLK 81, LT 8 - ML KING DR.

BEING LOT 8, BLOCK 81, ORIGINAL TOWN OF COMMERCE, AS DESCRIBED IN DEED RECORDED IN VOLUME 425, PAGE 699, FILED DECEMBER 18, 1996 AND VOLUMR 1813, PAGE 254 IN HUNT COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF COMMERCE INDEPENDENT SCHOOL DISTRICT UNDER ACCOUNT NUMBER R70354.

ALSO BEING KNOWN AS:

BLK 81, LT 8 - ML KING DR.

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

R70354, BLK 81, LT 8 - ML KING DR.

EXHIBIT "A"

BEING LOT 8, BLOCK 81, ORIGINAL TOWN OF COMMERCE, AS DESCRIBED IN DEED RECORDED IN VOLUME 425, PAGE 699, FILED DECEMBER 18, 1996 AND VOLUMR 1813, PAGE 254 IN HUNT COUNTY, TEXAS AND BEING FURTHER IDENTIFIED ON THE TAX ROLLS AND RECORDS OF COMMERCE INDEPENDENT SCHOOL DISTRICT UNDER ACCOUNT NUMBER R70354.

also known as R70354, BLK 81, LT 8 - ML KING DR.

R70354, BLK 81, LT 8 - ML KING DR.

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 22 day of February, 2012.

City of Commerce

by Quay Throgmorton
Mayor

THE STATE OF TEXAS
COUNTY OF HUNT

before me, the undersigned authority, personally appeared Quay Throgmorton
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 23rd day of February, 2012.

Becky Pahl
Notary Public in and for State of Texas
My Commission expires on 5-16-2015