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AGENDA ITEM REQUEST FORM

Hays County Commissioners Court

Tuesdays at 9:00 AM

Request forms are due in Microsoft Word Format via email by 2:00 p.m. on Wednesday.

AGENDA ITEM

Discussion and possible action to approve resale of a tax property: Lot 1, Ybarra Subdivision.

ITEM TYPE

ACTION-MISCELLANEOUS

MEETING DATE

October 22, 2013

AMOUNT REQUIRED

N/A

LINE ITEM NUMBER

N/A

AUDITOR USE ONLY

AUDITOR COMMENTS:

PURCHASING GUIDELINES FOLLOWED: N/A

AUDITOR REVIEW: N/A

REQUESTED BY

SPONSOR

INGALSBE

CO-SPONSOR

N/A

SUMMARY

A Constable's sale conducted on February 4, 2003, of Lot 1, Ybarra Subdivision, recorded in volume 3, page 275, plat records of Hays County, Texas, was struck-off to San Marcos CISD, Trustee, pursuant to a delinquent tax foreclosure decree of the 274th Judicial District Court, Hays County, Texas.

Texas Property Tax Code, Section 34.05, grants to San Marcos CISD, Trustee, the discretion on whether and how to resell such property.

We have received a bid from Mr. Jason Benham in the amount of \$1,500.00, which will give us a 15% recovery of taxes due.

FILED:

10 22 13
HAYS COUNTY COMMISSIONERS' COURT

Resolution # 28430 VOL V PG 267

SUIT NO. 02-0969

Lot 1, Ybarra Subdivision, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in volume 3, page 275, Plat records of Hays County, Texas

HAYS COUNTY TAX ACCOUNT NO. R53205

Bidder
 Jason Benham
 490 Farhills Drive
 Spring Branch, Texas 78070

Bid Amount: \$1,500.00

Judgment Date	Judgment Amounts (November 7, 2002)	Assessed Value	Foreclosure Date	Costs of Suit and Foreclosure	Judgment Tax Recovered	% Judgment Recovery	Additional Tax Recovered (Post-Judgment)
11/07/02	SMCISD 1986-2001 \$4,626.75 CO. 1986-2001 \$1,598.16	\$15,750	02/04/2003	Sheriff's Levy Fee \$130.00 Publication Fee \$55.00 Court Costs \$196.00 Abstract Fee \$175.00	SMCISD \$708.00 CO. \$236.00	15%	SMCISD 02-03 \$430.81 CO. 02-03 \$146.73

RESOLUTION AUTHORIZING TAX RESALE

WHEREAS, by Constable's Sale conducted on February 4, 2003, the property described below was struck-off to San Marcos Consolidated Independent School District, Trustee, pursuant to a delinquent tax foreclosure decree of the 274th Judicial District Court, Hays County, Texas; and

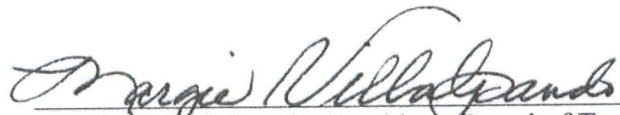
WHEREAS, the Texas Property Tax Code, Section 34.05, grants to San Marcos Consolidated Independent School District, Trustee, the discretion on whether and how to resell such property; and

WHEREAS, an offer to purchase the following property has been received from Jason Benham, 490 Farhills Drive, Spring Branch, Texas 78070, for the sum of \$1,500.00:

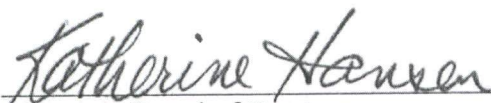
Tax Acct No.	Suit No.	Property Description
R53205	02-0969	Lot 1, Ybarra Subdivision, a subdivision in Hays County, Texas, according to the map or plat thereof recorded in Volume 3, Page 275, Plat Records of Hays County, Texas.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees for the San Marcos Consolidated Independent School District, through its President Margie T. Villalpando, that they are hereby authorized to execute a tax resale deed on behalf of this district conveying to Jason Benham for the sum of \$1,500.00, all of the right, title, and interest of San Marcos Consolidated Independent School District in the above described real property located in Hays County, Texas.

PASSED AND APPROVED this 16 day of September, 2013.


Margie T. Villalpando, President, Board of Trustees
San Marcos Consolidated Independent School District
Hays County, Texas

ATTEST:


Secretary, Board of Trustees,
San Marcos Consolidated Independent School District

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

X

X

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF HAYS

X

That **San Marcos Consolidated Independent School District, Trustee** and **Hays County**, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of One Thousand Five Hundred and 00/100 Dollars (\$1,500.00) cash in hand paid by

**JASON BENHAM
490 FARHILLS DRIVE
SPRING BRANCH, TX 78070**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under **Cause No. 02-0969, San Marcos Consolidated Independent School District vs. John R. Ybarra, et al**, in the district court of said county, said property being located in Hays County, Texas, and described as follows:

LOT 1, YBARRA SUBDIVISION, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 275, PLAT RECORDS OF HAYS COUNTY, TEXAS.

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF San Marcos Consolidated Independent School District, Trustee has caused these presents to be executed this 16 day of September, 2013.

San Marcos Consolidated Independent School District

BY: Margie T. Villalpando
Margie T. Villalpando
Board President

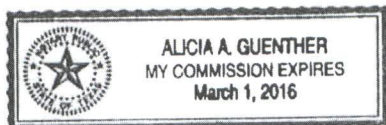
STATE OF TEXAS

X

COUNTY OF HAYS

X

This instrument was acknowledged before me on this 16th day of September, 2013, by Margie T. Villalpando, President of the Board of Trustees for San Marcos Consolidated Independent School District.



Alicia A. Guenther
Printed Name: Alicia A. Guenther
Notary Public, State of Texas
My Commission Expires: 2016

IN TESTIMONY WHEREOF Hays County has caused these presents to be executed this
_____ day of _____, 20_____.

Hays County

BY: _____

Bert Cobb, M.D.
Hays County Judge

STATE OF TEXAS

X

COUNTY OF HAYS

X

This instrument was acknowledged before me on this _____ day of
_____, 20_____, by Bert Cobb, M.D., County Judge, of Hays County.

Printed Name: _____
Notary Public, State of Texas
My Commission Expires: _____

After recording return to:

**JASON BENHAM
490 FARHILLS DRIVE
SPRING BRANCH, TX 78070**