

T - _____

PUBLIC COMMENTS ARE LIMITED TO THREE (3) MINUTES

☐ NEUTRALLY

Public hearing and audit concerning MEAS
(subject matter)

PHONE: (281) -761-4074

Address: _____

Resolution # Public VOL V PG 203

Good Morning Judge and Commissioners,

My name is Will Taff. I am speaking with you today in my capacity as an officer with the Hays Constitutional Republicans.

I am here to talk about MERS, the Mortgage Electronic Registration System, and specifically about the significant risks to Hays County Property Records and Property Owners. Some of you are already aware of this issue and some of you even find yourselves directly affected by it.

Williamson County, Texas, just 50 miles to the North of us, recently performed an audit of their county property records and their findings include the following:

1. Williamson County has likely been denied millions of dollars in filing fees, causing higher than necessary taxation on the citizens of Williamson County.
2. Up to 90% of the records reviewed in this audit may be significantly corrupted through acts of forgery, fraud and omissions, and
3. Mandatory notices of acceleration and posting for foreclosure, as required by Texas statutes, were frequently not filed with the Clerk's office.

The Hays Constitutional Republicans have unanimously passed a resolution on this matter.

We call on the Commissioners Court to:

1. Schedule a Public Hearing to receive expert testimony and evidence concerning risks posed to property owners and taxpayers across the State of Texas, and across the nation.
2. Include in the 2014 County Budget sufficient money to perform a full and complete audit of Hays County Property Records by an experienced property record auditor who is familiar with the MERS issue.

We understand that amount to be less than \$50,000.

After Court you will all see in your email inbox a copy of the Williamson County Audit and a copy of this Resolution passed unanimously by the Hays Constitutional Republicans.

At this time, I would like to offer this statement and our Resolution into the official record with the County Clerk. We'll also email the Williamson County audit to Mrs. Gonzalez to be included in the official record.

I thank you all for your time, and for your willingness to protect the property rights of The People of Hays County.



From the Hays Constitutional Republicans to the Hays County Commissioners Court

A Resolution in Support of Accurate and Lawful Property Records on Behalf of the Property Owners and Citizens of Hays County

Whereas Property records, for centuries, have been maintained as an official record of ownership of real property in order to:

1. Authoritatively establish the chain of title of the ownership of land and improvements, and
2. Establish that government entities know who to tax, and
3. Assure that buyers and sellers of land are confident that all sales of land are clear of encumbrances, and
4. Assure the very large sums of money paid for land are paid to the persons with the power to convey the land, and

Whereas The property records of the State of Texas are secured at the county level, and in Hays County they are recorded with the County Clerk, as required by the Texas Property Code and the Texas Local Government Code, and

Whereas As a result of court cases taking place around the country, as well as independent audits of property records in counties around the country, there is a growing body of evidence that indicates that:

- a) County property records have been and are currently being corrupted across this nation due to the actions of a corporation known as MERS (Mortgage Electronic Registration Systems), and its members/subscribers which include a complex web of banks, servicers and agents (herein together referred to simply as "MERS and its agents"), and
- b) There is suspected evidence of widespread and systemic fraud, forgery and critical omissions in the filings of the county land records, and
- c) Contrary to Texas law, the mortgage note is being split from the Deed of Trust, causing myriad legal issues of the character of the bifurcated notes, which often creates "chain of title" issues that present personal financial risks for homeowners/borrowers whether they wish to keep or sell their homes, and

Whereas The Williamson County, Texas, Commissioners Court recently concluded a third-party audit of 1,576 property records encompassing a two-year period, in which the audit results indicated that:

- a) Williamson County has likely been denied millions of dollars in filing fees, causing higher than necessary taxation on the citizens of Williamson County, and

- b) Up to 90% of the records reviewed in this audit may be significantly corrupted through acts of forgery, fraud and omissions, and
- c) Mandatory notices of acceleration and posting for foreclosure as required by Texas statutes were frequently not filed with the Clerk's office, and

Whereas The Hays County Commissioners Court, as duly elected officials of this political subdivision of the State of Texas, have a duty to protect the Property Rights of Hays County citizens,

Therefore, Be it Resolved That the Hays Constitutional Republicans urges the Hays County Commissioners Court to schedule a Public Hearing to receive evidence and testimony as to the impact of the property records on the Rights of the people of Hays County, and

Be it further Resolved That the Hays Constitutional Republicans urges the Hays County Commissioners Court to direct the County Clerk to solicit an experienced and well-qualified property record audit firm to conduct an audit of Hays County property records, and

This Resolution was passed unanimously by:

**The General Assembly of the
Hays Constitutional Republicans**

President: Griffin Spell

Vice-President: Charles Walts

Treasurer: Larry Diegelman

Secretary: Will Taff

This Resolution was passed unanimously by:

**The Local Affairs Committee of the
Hays Constitutional Republicans**

Committee Chair: Sam Brannon