

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

AUG 25 2009


City Secretary

EXHIBIT A
TAX-FORECLOSED (TF) AND SEIZURE WARRANT (SW) PROPERTY RESALES
AUGUST 26, 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	110 8th Lot 13, 50'x116', Block 29/3149 Dallas Land and Loan Company's Second Section	TF	VAC	1,2,3	7-5/6-09	7	\$3,500	\$5,007	Obi E. Igbokwe
2	2734 52nd Lot 24, Block 44/5845	TF	VAC	1,2,3	7-5/6-09	1	\$10,500	\$13,100	The Pride of Mt. Pisgah #135
3	742 Bethpage Lot 8, Block K/6256, Home Gardens Addn., Unit No. 3	TF	VAC	1,2,3	7-5/6-09	1	\$1,500	\$1,751	JS Funding, Ltd.
4	700 S. Brighton Lot 14, Block 32/3448, Sunset Hill Addition	TF	VAC	1,2,3	7-5/6-09	2	\$10,000	\$14,000	Nemoria Kubis
5	5016 Colonial Lot 62, Block 2249, Ervay Place Addition	TF	VAC	1,2,3	7-5/6-09	1	\$5,000	\$5,016	Recycling Properties, L.P.
6	2140 Cool Mist Lots 10, 11, 12 and 13, Block M/8800, Garden Heights Addn.	TF	VAC	1,2,3	7-5/6-09	4	\$1,500	\$2,999	Lizandro Miguel Mendoza and Jose M. Mendoza
7	2918 East Side Lot 3, (0.1893 Acres), Block 3/1419, J. D. Alredge Revised Addition	TF	VAC	1,2,3	7-5/6-09	3	\$8,500	\$9,500	Jose Lomelo
8	3538 Espanola Lot 9, Block 12/6144, Walnut Hill Estate	TF	IMP	1,2,3	7-5/6-09	1	\$34,200	\$35,126	Rahmat Shojajari
9	218 Frances Lot 9, Block F/4147, Beverly Hills Annex	TF	VAC	1,2,3	7-5/6-09	3	\$5,000	\$7,551.50	Guadalupe A. Gonzalez

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10	1212 Georgia Lot 4, Block 38/3710, Trinity Heights Addition No. 3	TF	IMP	1,2,3	7-5/6-09	4	\$1,000	\$3,100	Dalila Cruz
11	3105 Indianola Lot 4, Block 1/6215, Kirkdale Addition	TF	VAC	1,2,3	7-5/6-09	1	\$7,500	\$10,605	Rojelio Flores
12	1038 Kings Lot 8, Block 8/3462, Oak Cliff Annex Addition	TF	VAC	1,2,3	7-5/6-09	3	\$25,000	\$26,250	Quinten Hitz
13	3420 Kristen Lot 1, Block 7/8616, Christian Heights Addition	TF	VAC	1,2,3	7-5/6-09	2	\$1,000	\$1,050	Dan Spike
14	9501 Lake June Part of Lot 1 (0.1377 Acres), 60x100, Block 3/6698, Cole Estates Addition	TF	VAC	1,2,3	7-5/6-09	2	\$5,000	\$5,777.77	Rodolfo Hernandez
15	3007 S. Lamar Tract 6, 65x100 of 0.15 Acres, Block 1145	TF	VAC	1,2,3	7-5/6-09	2	\$6,500	\$11,012	Recycling Properties, L.P.
16	1302 Lotus Lot 2, 33x90, 198 Feet From Moore, Block 3527	TF	VAC	1,2,3	7-5/6-09	1	\$3,500	\$3,601	Eliud Cobos Leon
17	208 Louisiana Lot 8, Block F/4028, San Jacinto Lawn Addition	TF	VAC	1,2,3	7-5/6-09	1	\$9,300	\$10,000	Nemoria Kubis

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18	150 Marks Parcel 1, Lot 38, Block 7885, Oakwood Park Addition	TF	VAC	1,2,3	7-5/6-09	3	\$4,000	\$8,000	Teodoro Castillo
19	2826 Metropolitan Lot 7, Block B/1969, Oakland Avenue Addition	TF	VAC	1,2,3	7-5/6-09	2	\$1,000	\$1,110	David Owen
20	10613 Newcombe Lot 14, Block 1/5374, Loveland	TF	IMP	1,2,3	7-5/6-09	1	\$27,600	\$28,125	Two C Three C, Inc.
21	3414 Nomias Lot 15, Block 3/7144, Westmore- land Park	TF	IMP	1,2,3	7-5/6-09	4	\$25,000	\$33,480	Grecia Nicole Ornelas
22	2834 Pennsylvania Lot 9, Block 16/1368, Winchester Place Revision	TF	VAC	1,2,3	7-5/6-09	1	\$5,000	\$5,000	Joseph Parisi
23	3104 Pennsylvania 70x61.5 Feet From Meadow and Pennsylvania, Block 1352	TF	IMP	1,2,3	7-5/6-09	4	\$5,000	\$10,300	Abel Lopez
24	3937 Ramona Lot 22 of Bishops Revised Plat of Lots 21 and 22, Block 10/4310	TF	IMP	1,2,3	7-5/6-09	4	\$7,500	\$9,100	John D. McNeely
25	339 Red Wing Lot 11, Block F/6627, Beckley State Addition	TF	VAC	1,2,3	7-5/6-09	2	\$7,000	\$15,100.01	Maria Del Rocio Montoya
26	3130 St. Augustine Tract 18, 1.3820 Acres, Block 8770, George W. Shaw Survey, Abstract 1387	TF	IMP	1,2,3	7-5/6-09	4	\$20,000	\$24,025	Two C Three C, Inc.

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27	6907 Tayloe Lot 10, Block 19/5818, Parkdale Heights Addition No. 4	TF	VAC	1,2,3	7-5/6-09	1	\$5,000	\$6,725	Rojelio Flores
28	3923 N. Westmoreland Lot 40, Block 23/7146, Westmore- land Park Addition	TF	VAC	1,2,3	7-5/6-09	1	\$7,300	\$7,807	Carlos Sanchez
29	727 N. Zang South 62 Feet Lot 7, Block D/3370, Zang's Crystal Hill Addn.	TF	VAC	1,2,3	7-5/6-09	2	\$18,000	\$19,150	Ralph Defronzo

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