

MEMORANDUM

LINEBARGER, GOGGAN, BLAIR  
& SAMPSON, LLP

TO: Commissioner's Court

FROM: Brandon Winn

DATE: July 6, 2016

RE: Resolution

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Please place the attached Resolution on the agenda for the July 15, 2016  
Commissioner's meeting.

Thank you.

FILED  
TERRI ROSS  
COUNTY CLERK  
2016 JUL 15 AM 9:47  
UPSHIRE COUNTY, TX.  
BY [Signature]  
DEPUTY

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.

**RESOLUTION AUTHORIZING TAX RESALE**

WHEREAS, by Sheriff's Sale conducted on 3rd day of May, 2016, the property described below was struck-off to Upshur County, Trustee, pursuant to a delinquent tax foreclosure decree of the 115th Judicial District Court, Upshur County, Texas, and

WHEREAS, the sum of \$2,928.88 has been tendered by Stanley R. Higginbotham of Upshur County for the purchase of said property pursuant to Section 34.05, Texas Tax Code Ann. (Vernon, 1982);

NOW, THEREFORE, BE IT RESOLVED by the Commissioners Court of Upshur County that its County Judge Dean Fowler, be and that they are hereby authorized to execute a tax resale deed on behalf of this district conveying to Stanley R. Higginbotham all of the right, title, and interest of Upshur County, and all other taxing units interested in the tax foreclosure judgment in the following described real property located in Upshur County, Texas

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SUIT NO. 06-1TX

UPSHUR COUNTY, ET AL

Vs.

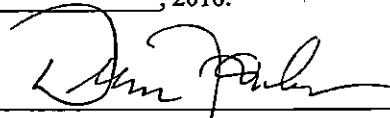
HAROLD COLLINS, ET AL

Tract No. 3: 1.124 acre, more or less, located in the Robert M. Watkins Survey, as described in a deed dated March 16, 1987, from Tommy A. Turner, etux to Stanley R. Collins, Volume 486, Page 504, Deed Records of Upshur County, Texas. (Acct. #68760)

To:

Stanley R. Higginbotham  
14020 Camp Joy Rd.  
Ore City, TX 75683

PASSED AND APPROVED this 15 day of July, 2016.

  
\_\_\_\_\_  
County Judge of the Upshur County

ATTEST:

  
\_\_\_\_\_  
Upshur County Clerk

Those Voting Aye Were:

PAULA GENTRY  
DON GROSS  
FRANK BERKA  
MIKE SPENCER

Those Voting Nay Were:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**TAX RESALE DEED**

**STATE OF TEXAS**

**X**

**X KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF UPSHUR**

**X**

That UPSHUR COUNTY, CITY OF ORE CITY, ORE CITY INDEPENDENT SCHOOL DISTRICT and UPSHUR COUNTY EMERGENCY SERVICES DISTRICT # 01, 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 **\$2,928.88** cash in hand paid by

Stanley R. Higginbotham  
14020 Camp Joy Road  
Ore City, TX 75683

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has 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 **Suit No. 06-1TX, Upshur County, Et Al vs. Harold Collins, Et Al**, in the district court of said county, said property being located in Upshur County, Texas, and described as follows:

**Tract No. 3: 1.124 acre, more or less, located in the Robert M. Watkins Survey, as described in a deed dated March 16, 1987, from Tommy A. Turner, etux to Stanley R. Collins, Volume 486, Page 504, Deed Records of Upshur County, Texas. (Acct. #68760)**

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.

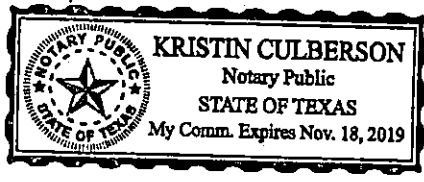
This deed is given expressly subject to any existing right of redemption remaining in the former owner of the property under the provisions of law and also subject to any recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF Upshur County has caused these presents to be executed this 15 day of July, 2016.

BY: *Dean Fowler*  
Dean Fowler  
County Judge  
Upshur County

STATE OF TEXAS X  
COUNTY OF UPSHUR X

This instrument was acknowledged before me on this 15 day of July, 2016, by Dean Fowler, County Judge, of Upshur County.



*Kristin Culberston*  
Notary Public, State of Texas

After recording return to:  
Stanley R. Higginbotham  
14020 Camp Joy Road  
Ore City, TX 75683

FILED  
TERRI ROSS  
COUNTY CLERK  
2016 JUL 15 AM 9:47  
UPSHUR COUNTY, TX.  
BY *TR*  
DEPUTY