

MEMORANDUM

LINEBARGER, GOGGAN, BLAIR  
& SAMPSON, LLP

TO: Commissioner's Court

FROM: Brandon Winn

DATE: August 5, 2016

RE: Resolution

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

Thank you.

FILED  
TERRI ROSS  
COUNTY CLERK  
2016 AUG 15 AM 10:40  
UPSHUR COUNTY, TX.  
BY BR  
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

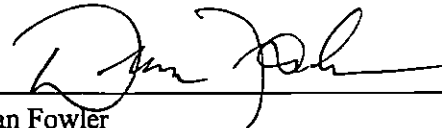
WHEREAS, by Sheriff's Sale conducted on 3rd day of May, 2016, the property described below was struck-off to Upshur County, Trustee, pursuant to a delinquent tax foreclosure decree of the 115th Judicial District Court, Upshur County, Texas, and

WHEREAS, the sum of \$13,837.42 has been tendered by Casey Hawkins and Alicia Hawkins 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 Casey Hawkins and Alicia Hawkins 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

**Lots 6, 7 and the East 1/2 of Lots 5 and 8, Block 3, V.D. Davenport Subdivision, Abstract 272, Upshur County, Texas, according to the Plat there of filed in Volume ,1 Page 158, Upshur County Plat Records. (Acct. #6761)**

PASSED AND APPROVED this 15 day of AUGUST, 2016.

  
\_\_\_\_\_  
Dean Fowler  
County Judge

ATTEST:

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

Those Voting Aye Were:  
PAULA GENTRY  
DON GROSS  
FRANK BENKA  
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, Trustee**, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of said governing body which is duly recorded in its official Minutes, hereinafter called grantor, for and in consideration of the sum of **\$13,837.42** cash in hand paid by

Casey Hawkins  
And Alicia Hawkins  
P.O. Box 65  
Ore City, TX 75683

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents does 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. 09-83TX, Ore City Independent School District, Et Al vs. Michael D. Moody, Et Al**, in the district court of said county, said property being located in Upshur County, Texas, and described as follows:

**Lots 6, 7 and the East 1/2 of Lots 5 and 8, Block 3, V.D. Davenport Subdivision, Abstract 272, Upshur County, Texas, according to the Plat there of filed in Volume 1 Page 158, Upshur County Plat Records. (Acct. #6761)**

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 grantor, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2016.

By: \_\_\_\_\_  
Dean Fowler  
County Judge  
Upshur County

STATE OF TEXAS X

COUNTY OF UPSHUR X

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

\_\_\_\_\_  
Notary Public, State of Texas

After recording return to:

Casey Hawkins  
Alicia Hawkins  
P.O. Box 65  
Ore City, TX 75683

FILED  
TERRY ROSS  
COUNTY CLERK  
2016 AUG 15 AM 10:40  
UPSHUR COUNTY, TX.  
BY \_\_\_\_\_  
DEPUTY