

RESOLUTION 2009-41

Whereas, Cause No. T-5729C, County of Comal vs. James E. Gerace et al, filed in the District Court of Comal County, Texas to collect delinquent taxes on the following described property, to wit:

Lot 7, Block 103, Western Skies Section, Cypress Lake Gardens Subdivision, Comal County, Texas being that property more particularly described in Volume 171, Page 711 of the Deed Records, Comal County, Texas

Whereas, the District Court of Comal, Texas granted Judgment on March 4, 2009, in favor of the taxing jurisdictions of Comal County as follows:

County of Comal	\$2,675.53
Total Due	\$2,675.53

Market Value	\$1,930.00
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(According to the Comal County Appraisal District)

Whereas, said parcel of land was offered for sale on August 4, 2009, by the Sheriff of Comal County at public auction pursuant to judgment of the District Court of Comal County, Texas, for foreclosure of the tax liens securing payment of delinquent property taxes and accrued penalty and interest; and

Whereas, said parcel of land did not receive a sufficient bid as set by law and was struck off to the County of Comal, Trustee, in trust for itself, pursuant to Section 34.01 (c) Property Tax Code; and

Whereas, the taxing units involved desire to resell said parcel of land in an expeditious manner pursuant to Section 34.05 Property Tax Code.

Wherefore, Be It Resolved that the Commissioner's Court for the **COUNTY OF COMAL** does hereby authorize the Trustee to solicit from the public bids on said parcel of land or to request that the Sheriff of Comal County sell these properties pursuant to Section 34.05 Property Tax Code, and we do hereby consent to the sale of said parcel of land to the highest bidder even if the bid tendered is less than the market value of the land specified in the judgment of foreclosure or the total amount of the judgment against the property. We authorize the presiding officer of this body to execute any deeds necessary to convey the parcel of land upon sale.

This resolution is adopted on this the 3rd day of September, 2009 by the Commissioner's Court for the COUNTY OF COMAL.

Danny Scheel
Danny Scheel, County Judge

Donna Eccleston
Donna Eccleston, Commissioner Pct 1

Jay Millikin
Jay Millikin, Commissioner Pct 2

Gregory Parker
Gregory Parker, Commissioner Pct 3

Jan Kennedy
Jan Kennedy, Commissioner Pct 4

Joy Streater
Cynthia Jozua Deputy
Joy Streater, County Clerk



PLACEMENT OF CONCERN ON COMMISSIONERS' COURT AGENDA

IN ORDER TO ENSURE THAT AN ITEM IS LISTED ON THE AGENDA AS REQUIRED BY THE OPEN MEETINGS ACT, THE FOLLOWING PROCEDURES SHALL BE FOLLOWED:

The person (petitioner) requesting placement of his/her concern on the agenda will complete this form and present it to the Commissioner having primary interest or whose Precinct may be involved/affected no later than noon (12:00 p.m.) of the fourth working day (usually Friday) prior to the date of the Commissioners' Court meeting when the item is to be considered. Items not acted upon/disapproved by a Commissioner may be submitted to the County Judge for further consideration. All related information that is used by Commissioners' Court shall be attached to form at the time of initial submission. Unsigned and/or undated requests cannot be considered.

From: (Petitioner)

Cathy C. Talcott, Tax Assessor-Collector

To: (Commissioner/County Judge)

Judge Danny Scheel

PETITIONER WOULD LIKE THE FOLLOWING ITEM LISTED ON THE (CHECK APPROPRIATE BOX)

- WORKSHOP AGENDA** (When consensus or direction is needed; and/or information is to be presented)
Note wording for agenda:

- ACTION AGENDA** (When formal approval/authorization is needed.) Note wording for agenda:

10 ~~To~~ Discuss and approve resolution ^{#2009-41} authorizing sale of certain properties for less than ^{the} amount of delinquent taxes owed.

Approved S/O

Date is needed: Thursday September 3, 2009

NOTE: Contract, lease, and/or policy has been reviewed by the Criminal District Attorney's office and comments dated _____ are attached. Affected Department Heads were notified on _____.

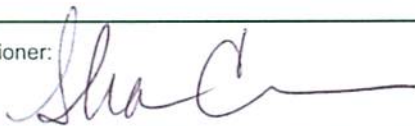
IF REQUESTED ACTION INVOLVES ANY NEED FOR IMMEDIATE OR FUTURE FUNDING, COMPLETE THE FOLLOWING:

- Funds are already budgeted, but a line item transfer is necessary. A budget amendment request has been signed by the County Auditor and is attached. Note amount and specify department and line item.

- Funds are not budgeted. A budget amendment request has been signed by the County Auditor and is attached. Specify amount and any authority (order, policy, and statute) that may apply regarding your request.

Signature of Petitioner:

Cathy C. Talcott



Date:

August 28, 2009

Signature of County Judge/Commissioner:



Date:

8/28/09