

AGENDA ITEM #30

Consider approving resale of tax foreclosed property to City of Round Rock.

Moved: Judge Doerfler

Seconded: Commissioner Hays

Motion: To approve resale of tax foreclosed property to City of Round Rock .

Vote Motion carried 4 - 0

< Clerk copy here >

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December 6, 1999

John C Doerfler
Williamson County Judge
Williamson County Courthouse
710 Main Street - 2nd Floor
Georgetown, Texas 78627

Re: Resale of Tax Foreclosed Property

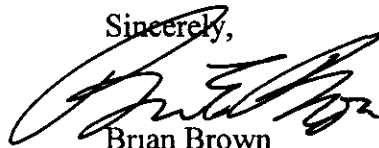
Dear Judge Doerfler

In June of this year, Williamson County and Round Rock Independent School District approved a \$15,000.00 offer made by sealed bid for property held in trust for delinquent taxes. The judgment amount due against the property is \$37,530.08. The City of Round Rock did not approve the offer because it wants to acquire the property for its own use. Consequently, the city has made an offer to purchase the property from the other taxing units for \$15,000.00.

Enclosed herewith is a Resolution Authorizing Tax Resale and a Tax Resale Deed for the subject property. If the Commissioner's Court agrees to the sale, then please execute the deed and have it returned to me for closing.

Please call me if you have any questions.

Sincerely,


Brian Brown
Attorney

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BEB/pjd

Enc

- Resolution
- Deed

RESOLUTION AUTHORIZING TAX RESALE

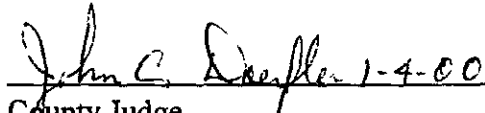
WHEREAS, by Sheriff's Sale conducted on August 4, 1998, the property described below was struck-off to Round Rock Independent School District, Trustee, pursuant to a delinquent tax foreclosure decree of the 26th District Court, Williamson County, Texas, and

WHEREAS, the sum of \$15,000 00 has been offered by the City of Round Rock of Williamson 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 Commissioner's Court of Williamson County that its County Judge be and is hereby authorized to execute a tax resale deed on behalf of this district conveying to the City of Round Rock all of the right, title, and interest of Williamson County in the following described real property located in Williamson County, Texas

**88,700.36 SQUARE FEET, OUT OF THE WILEY HARRIS SURVEY,
ABSTRACT 298, BEING MORE PARTICULARLY DESCRIBED IN
VOLUME 1019, PAGE 876, OFFICIAL RECORDS OF WILLIAMSON
COUNTY, TEXAS**

PASSED AND APPROVED this 4th day of January, 2000, _____



County Judge
Williamson County

ATTEST:



County Clerk

TAX RESALE DEED

STATE OF TEXAS

X

X

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

X

That **ROUND ROCK INDEPENDENT SCHOOL DISTRICT, TRUSTEE AND WILLIAMSON COUNTY** acting through the presiding officer of its governing bodies, hereunto duly authorized by resolution and order of each respective governing body and duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$15,000.00 cash in hand paid by

**CITY OF ROUND ROCK
221 EAST MAIN STREET
ROUND ROCK TEXAS 78664**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of the grantors, they being all of the taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Cause No 95-019-T26, in the district court of said county, said property being located in Williamson County, Texas, and described as follows:

88,700.36 square feet, out of the Wiley Harris Survey, Abstract No. 298, being more particularly described in Volume 1019, Page 876, Official Records of Williamson County, Texas

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.

SUBJECT however to the following covenants, conditions and restrictions:

(a) The above described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which discriminates against any person because of race, color or national origin, regardless of whether such discrimination be effected by design or otherwise

(b) The above described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which creates, maintains, reinforces, renews or encourages, or which tends to create, maintain, reinforce, renew or encourage a dual school system

These restrictions and conditions shall be binding upon grantee and grantee's successors, assigns, heirs and personal representatives for a period of fifty (50) years from the date hereof.

The foregoing restrictions and the other covenants hereafter set out are covenants running with the land, and each and every parcel thereof, and shall be fully binding upon any person, firm, partnership, corporation, trust, church, club, governmental body, or other organization entity whatever (whether private or governmental in nature), without limitation, hereafter acquiring any estate, title, interest or property in said land, whether by descent, devise, purchase or otherwise; and no act or omission upon the part of grantor herein, its successors and assigns, shall be a waiver of the operation or enforcement of such restrictions; but neither restriction shall be construed to be a condition subsequent or special limitation on the estate thereby conveyed.

It is further covenanted that third party beneficiaries of the restrictions set forth above shall be as follows:

- (1) As to the restrictions set out in (a) above, any person prejudiced by its violation;
- (2) As to the restriction set out in (b) above, any public school district or any person prejudiced by its violation; and
- (3) As to either or both of the restriction set out in (a) and (b) above, the United States of America, as plaintiff, and the America G.I Forum, the League of United Latin American Citizens (LULAC), and the National Association for the Advancement of Colored People (NAACP), as intervenors, in U.S. v. Texas, Civil Action No. 5281, Tyler Division, U S. District County, Eastern District of Texas, reported in U.S. v. Texas, 321 F. Supp. 1043 (E D. Tex. 1970), U.S. v. Texas, 330 F. Supp. 235 (E.D. Tex 1971), aff'd with modifications sub nom. U S. v. State of Texas and J.W. Edgar, et al, 447 F2d 441 (5 Cir. 1971), stay den sub nom Edgar v U.S., 404 U.S. 1206 (1971); cert den, 404 U.S. 1016 (1972).

It is further covenanted that in case of violation of either or both of the above restrictions, any of the third party beneficiaries above alluded to is authorized and empowered to prosecute proceedings at law or in equity against any person, firm, partnership, corporation, trust, church, club, governmental body or other organization or entity whatever (whether private or governmental in nature), without limitation:

- (A) To enforce either or both of such restrictions relating to the use of the above-described realty,
- (B) To abate or prevent violations of either or both of such restrictions; and
- (C) To recover damages for a breach of either or both of such restrictions.

It is further covenanted, that any third party beneficiary referred to above shall prosecute proceedings at law or in equity for the aforesaid purposes, such third party beneficiary may recover reasonable attorney's fees from the violator or violators of either or both of such restrictions, if the Court finds that the proceedings were necessary to bring about compliance therewith.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to 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 has caused these presents to be executed this 4th day of
January, ~~XXXXXX~~ 2000.

BY: John C. Doerfler 1-4-00
John Doerfler
County Judge
Williamson County, Texas

STATE OF TEXAS

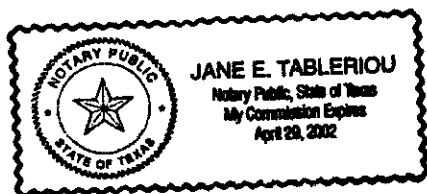
X

COUNTY OF

X

Before me, the undersigned authority, on this day personally appeared John Doerfler, County Judge, Williamson County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that executed the same for the purposes and consideration, therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 4th DAY OF
January, ~~XXXXXX~~ 2000



Jane E. Tableriou
Notary Public, State of Texas
Commission Expires: 4-29-02

IN TESTIMONY WHEREOF has caused these presents to be executed this _____ day of _____, 19____.

BY: _____
Gaye Arnold, President
Board of Trustees
Round Rock Independent School District

STATE OF TEXAS X

COUNTY OF WILLIAMSON X

Before me, the undersigned authority, on this day personally appeared Raymond Hartfield, President, Board of Trustees, Round Rock Independent School District, Williamson County, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that executed the same for the purposes and consideration, therein expressed and in the capacity therein stated

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE _____ DAY OF _____, 19____

Notary Public, State of Texas
Commission Expires: _____

AGENDA ITEM #31

Consider approving the reappointment of the Williamson County Emergency Service Dist. #3 commissioners.

No action was taken on this item which will be added to the agenda of January 11, 2000.

AGENDA ITEM #32

Consider making appointment to CARTS board

Moved: Commissioner Boatright

Seconded: Judge Doerfler

Motion: To approve re-appointment of Commissioner Frankie Limmer to Capital Area Rural Transportation System (CARTS) Board of Directors for two (2) year term effective March 1, 2000.

Vote: Motion carried 4 - 0

< Clerk copy here >



CAPITAL AREA RURAL TRANSPORTATION SYSTEM
2010 East Sixth Street, Austin, Texas 78702 / P O Box 6050, 78762
512 389 1011 / Fax 512 478 1110 / cartsHQ@aol.com

December 21, 1999

Honorable John Doerfler, County Judge
Williamson County
710 Main Street
County Courthouse, Suite #201
Georgetown, TX 78626

Re: Appointment to CARTS Board of Directors

Dear Judge Doerfler,

It is time once again for Williamson County to appoint a representative to the CARTS Board of Directors. Each County Commissioner's Court in CARTS nine-county region appoints one of its members to serve on the Board which is responsible for the governance of CARTS.

Williamson County has been ably represented by Frankie Limmer. We would welcome his re-appointment if the Court so desires.

*approved 1-4-00
John C. Doerfler*

The term of appointment is for two years to be effective on March 1, 2000. A letter from your office confirming the action of the Court on this appointment is sufficient for our records. We appreciate Williamson County's continued participation in the governance and overall support of CARTS mission of ensuring that transportation is available to the citizens of the capital area region, and that rural transportation issues are ably represented to policy makers.

If you have any questions, or need additional information please give me a call. Thank you for your assistance.

Sincerely,


Dave Marsh
Executive Director

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cc: CARTS Board of Directors