

AGENDA ITEM 43

Discuss and take appropriate action regarding Williamson County's partial interest in 7.066 acres out of abstract 297 of P.A. Holder Survey, Round Rock, Texas.

Moved: **Commissioner Limmer**

Seconded: **Commissioner Boatright**

Motion: To convey Williamson County's partial interest in 7.066 acres out of abstract 297 of P.A. Holder Survey, Round Rock, Texas to the City of Round Rock to be used as parkland.

Vote: **3 – 0. Commissioners Hays and Heiligenstein were absent from the dais.**

< Attachment >

MCCREARY, VESELKA, BRAGG & ALLEN, P.C.
ATTORNEYS AT LAW
710 S. MAIN ST., SUITE B-3
GEORGETOWN, TEXAS 78626-5701

June 12, 2002

The Honorable John Doerfler
County Judge, Williamson County

Re: **Tax Account #R55848**, 7.066 Acres out of Abstract 297 of the P. A. Holder Survey, Round Rock, Williamson County, Texas

Dear Judge Doerfler:

I was contacted by Cathleen Riedel, an attorney with the Sheets and Crossfield law firm, who represents The City of Round Rock. Ms. Riedel stated that The City of Round Rock was interested in acquiring title to a 7 acre tract of land at the end of Greenlawn Boulevard. The County holds title to this 7 acre tract as Trustee for itself, Round Rock Independent School District, and The City of Round Rock by virtue of a Constable's Deed from a tax sale (a copy of the Constable's Deed and maps of the area are attached). Ms. Riedel says that The City of Round Rock wants to use the land for a park.

I filed suit on behalf of Williamson County to collect delinquent taxes due on this property for the years 1986 through 1999. The Round Rock Independent School District and City of Round Rock intervened in this case. At the date of Judgment in April, 2000, there was due on this property the following amounts:

Williamson County:
City of Round Rock:
Round Rock ISD:

\$7,645.33 - approved 6-25-02 John C. Doerfler
\$11,627.74
\$34,866.01

The value of the property according to the Appraisal District at the date of judgment was \$52,995.00. The assessed name on the tax roll was NPC INC-SAN ANTONIO INC.

The property was offered for sale on August 1, 2000. No one bid on the property at the tax sale and the property was bid in trust to the County.

The County can sell its interest in this property to The City of Round Rock for any amount which the Commissioners Court deems appropriate. If the County sold its interest for less than the amount of taxes due to the County, the unpaid balance would be cancelled and removed from the delinquent tax roll.

I told Ms. Riedel that she or the County would have to also address this matter with the Round Rock Independent School District. The County does not have authority to sell the School's interest for less than the tax amount due without the express permission of the School District.

I am bringing this matter to your attention at the request of Ms. Riedel in order that you and the Commissioners may consider what action, if any, should be taken. Please call on me if I may answer any questions or be of assistance to you.

Sincerely,

Harvey M. Allen

HMA/sjw

Enclosures

AUSTIN	ARLINGTON	DENTON	GEORGETOWN	LONGVIEW	SAN ANGELO	VICTORIA	WACO
5929 Balcones Dr. Suite 200 Austin, TX 78731 (512) 451-9000 FAX(512) 454-1881	1534 S. Treadway Blvd. Suite B Arlington, TX 76010 (817) 672-4870 FAX(817) 676-7877	300 E. McKinney St. Suite B Denton, TX 76201 (940) 383-3646 (940) 387-7475 FAX(940) 380-1311	710 S. Main St. Suite B-3 Georgetown, TX 78626 (512) 943-1645 FAX(512) 943-1619	140 E. Tyler St. Suite 280 Longview, TX 75601 (803) 767-6767 FAX(903) 763-7374	17 S. Chadbourne St. Suite 306 San Angelo, TX 76903 (815) 657-0198 FAX(915) 658-1421	P.O. BOX 2977 Victoria, TX 77902 (361) 573-3744 FAX(361) 572-3713	100 N. 6th St. Suite 704 Waco, TX 76701 (254) 766-7756 FAX(254) 766-0333

CONSTABLE'S DEED

THE STATE OF TEXAS

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KNOW ALL MEN BY THESE PRESENTS

COUNTY OF WILLIAMSON

THAT WHEREAS, by virtue of an Order of Sale issued by the Clerk of the District Court in and for Williamson County, dated June 23, 2000, on a certain judgment rendered in said Court on April 19, 2000, in a certain suit No. 99-054-T368, and styled The County of Williamson, Texas vs. The Gaston Development Company et al, (The Gaston Development Company, an inactive Texas corporation, Mellon Properties Company, successor by merger to The Garland Development Company, Nash Phillips, Clyde Copus, Unknown stockholders of The Gaston Development Company, a defunct Texas Corporation, Nash Phillips/Copus-San Antonio, Inc., a defunct corporation, Unknown stockholders of Nash Phillips/Copus-San Antonio, Inc., a defunct Texas corporation, Nash Phillips/Copus, Inc., a defunct Texas corporation and Unknown stockholders of Nash Phillips/Copus, Inc., a defunct Texas corporation, who were also named as Defendants), I, Bobby Gutierrez, Constable, Pct. 3, of said Court, did upon June 23, 2000, levy upon and advertise the said premises as described in said Order of Sale, by giving public notice of the time and place of said sale by an advertisement in the English Language, published once a week for three consecutive weeks preceding such sale, the first publication appearing not less than twenty days immediately preceding the day of sale, beginning on July 2, 2000, in the *WILLIAMSON COUNTY SUN*, a newspaper published in the County of Williamson, stating in said advertisement the authority by virtue of which said sale was to be made, the time of levy, the time and place of sale, a brief description of the property to be sold, the number of acres, the original survey, its locality in the County, and the name by which the land is generally known and by delivering a similar notice to each of the above named Defendants, and on the first Tuesday in August, 2000, within the hours prescribed by law, sold said hereinafter described land or lots at public vendue at the Courthouse door of said County, at which sale the premises hereinafter described were bid off to: The County of Williamson, Texas, Trustee, in trust, for the use and benefit of itself, The City of Round Rock and the Round Rock Independent School District, for the title to the hereinafter described property, there being no bid for as much as the adjudged fair value of the said property or the amount of the taxes, interest, penalties and costs.

NOW, THEREFORE, I, Bobby Gutierrez, Constable, Pct. 3, aforesaid, by virtue of the authority vested in me by law have BARGAINED, SOLD AND CONVEYED, and by these presents do BARGAIN, SELL AND CONVEY, unto the said THE COUNTY OF WILLIAMSON, TEXAS, TRUSTEE, in trust, for the use and benefit of itself, The City of Round Rock, Texas and Round Rock Independent School District, and their assigns, subject, however, to the provisions hereinafter set out, all the right, title and interest of the Defendants, in and to the following described land that said Defendants had in and to the said land at the date of said judgment, together with, all and singular, the rights, privileges, and appurtenances to the same belonging, the said lands being described as follows, to-wit:

CAUSE 99-054-T368
"IN TRUST" DEED
PAGE 1 OF 3

CAUSE 99-054-T368
"IN TRUST" DEED
PAGE 2 OF 3

a 7.066 acre tract, more or less, out of Abstract 297, P. A. Holder Survey, (Tax Account #R055848) Williamson County, Texas, being a part of a 231.37 acre tract described in Volume 710, Pages 700 through 707 of the Deed Records, Williamson County, Texas, and this 7.066 acre tract being more particularly described as follows:

BEGINNING at the Northeast corner of Lot 1, Block "S", Greenslopes At Lake Creek Subdivision, Section Nine, as shown on a plat recorded in Plat Cabinet F, Slide 115 of the Plat Records of Williamson County, Texas for the POINT OF BEGINNING of the hereinafter described 7.066 acre tract;

THENCE North along the West line of a 152.25 acre tract deeded to C. A. Forsman at Volume 128, Page 456 of the Deed Records, Williamson County, Texas to a point where the West line of the Forsman tract intersects the Southeastern most corner of a 6.591 acre tract deeded to Sue Hoover and William Kitts in Volume 1631, Pages 349 of the Deed Records of Williamson County, Texas, for the Northeast Corner of this 7.066 acre tract;

THENCE in a Westerly direction along the South line of the tract deeded to Sue Hoover and William Kitts in Volume 1631, Page 349 of the Deed Records, Williamson County, Texas, to a point where the South line of the Hoover and Kitts tract intersects the Northeast corner of a 5.27 acre tract deeded to Helen Walker in Volume 680, Page 182 of the Deed Records, Williamson County, Texas, for the Northwest corner of this 7.066 acre tract;

THENCE South along the East line of the 5.27 acre tract deeded to Helen Walker in Volume 680, Page 182 of the Deed Records, Williamson County, Texas, to a point where the East line of the Walker tract intersects the North line of Block "N" of the Greenslopes At Lake Creek Subdivision, Section 5-A, as shown on a plat recorded in Plat Cabinet D, Slide 259 of the Plat Records of Williamson County, Texas, for the Southwest Corner of this 7.066 acre tract;

THENCE East along the North line of Block "N" of the Greenslopes At Lake Creek Subdivision, Section 5-A, as shown on a plat recorded in Plat Cabinet D, Slide 259 of the Plat Records of Williamson County, Texas to a point at the intersection of the Northeast corner of Lot 1, Block "N", of the Green slopes at Lake Creek Subdivision, Section 5-A, with Greenlawn Blvd. as shown on a Plat recorded in Plat Cabinet F, Slide 115 of the Plat Records of Williamson County, Texas, for a corner of this 7.066 acre tract;

THENCE North along the West boundary line of said Greenlawn Blvd. as shown on a plat recorded in Plat Cabinet F, Slide 115 of the Plat records of Williamson County, Texas, to a point where the West line of Greenlawn Boulevard intersects the North most line of the Greenslopes At Lake Creek Subdivision, Section Nine, as shown in Plat Cabinet F, Slide 115 of the Plat Records of Williamson County, Texas, for a corner of this 7.066 acre tract;

THENCE East along the North most line of the Greenslopes At Lake Creek Subdivision, Section Nine, as shown in Plat Cabinet F, Slide 115 of the Plat Records of Williamson County, Texas, to the POINT OF BEGINNING, containing 7.066 acres of land, more or less.

CAUSE 99-054-T368
 "IN TRUST" DEED
 PAGE 3 OF 3

TO HAVE AND TO HOLD unto the said THE COUNTY OF WILLIAMSON, TEXAS, TRUSTEE, in trust, for the use and benefit of itself, The City of Round Rock, Texas and Round Rock Independent School District, subject, however, to the Defendants' right to redeem the same within the period of time and in the manner prescribed by law, and to such other and further conditions and stipulations as may be applicable under the provisions of Texas Property Tax Code, Chapter 34, as fully and absolute as I, as Constable, Pct. 3, aforesaid, can convey by virtue of said Judgment and Order of Sale.

WITNESS my hand this the 9 day of August, A.D., 2000.


 Constable, Pct. 3, Williamson County, Texas

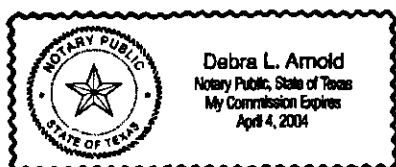
THE STATE OF TEXAS

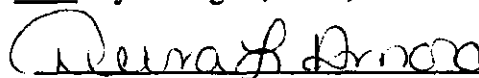
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COUNTY OF WILLIAMSON

Before me, the undersigned authority, on this day personally appeared Bobby Gutierrez, Constable, Pct. 3, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as Constable, Pct. 3, of Williamson County, Texas, for the purposes and consideration therein stated, and in the capacity therein set forth.

Given under my hand and seal of office, this 9th day of August, A.D., 2000.




 Notary Public, State of Texas
 My commission expires 4-4-2004

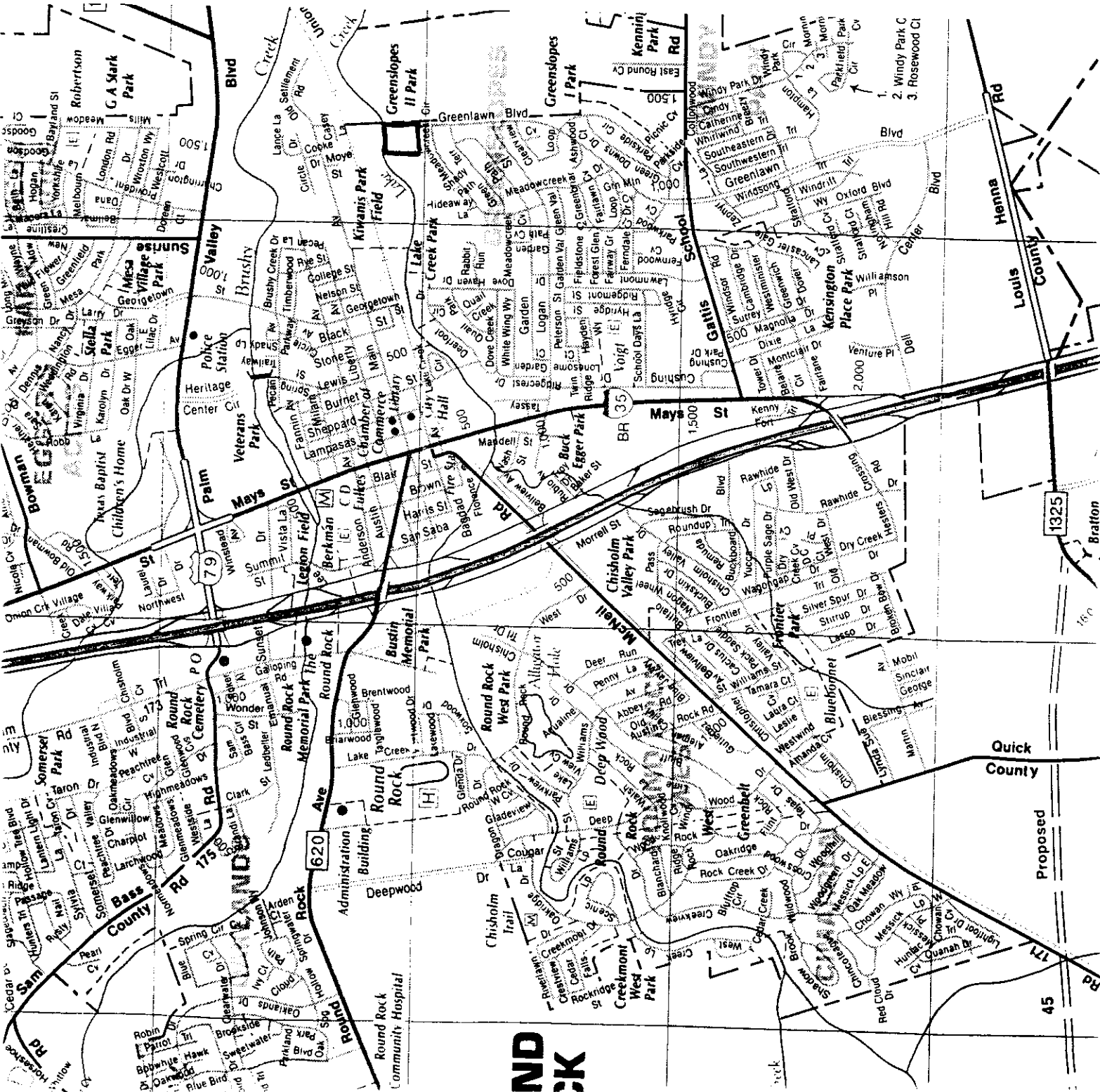
(2) After recording, return to:
 The County of Williamson, Texas
 C/O Deborah Hunt, Tax Assessor-Collector
 710 South Main, Suite 102, Georgetown, Texas 78626

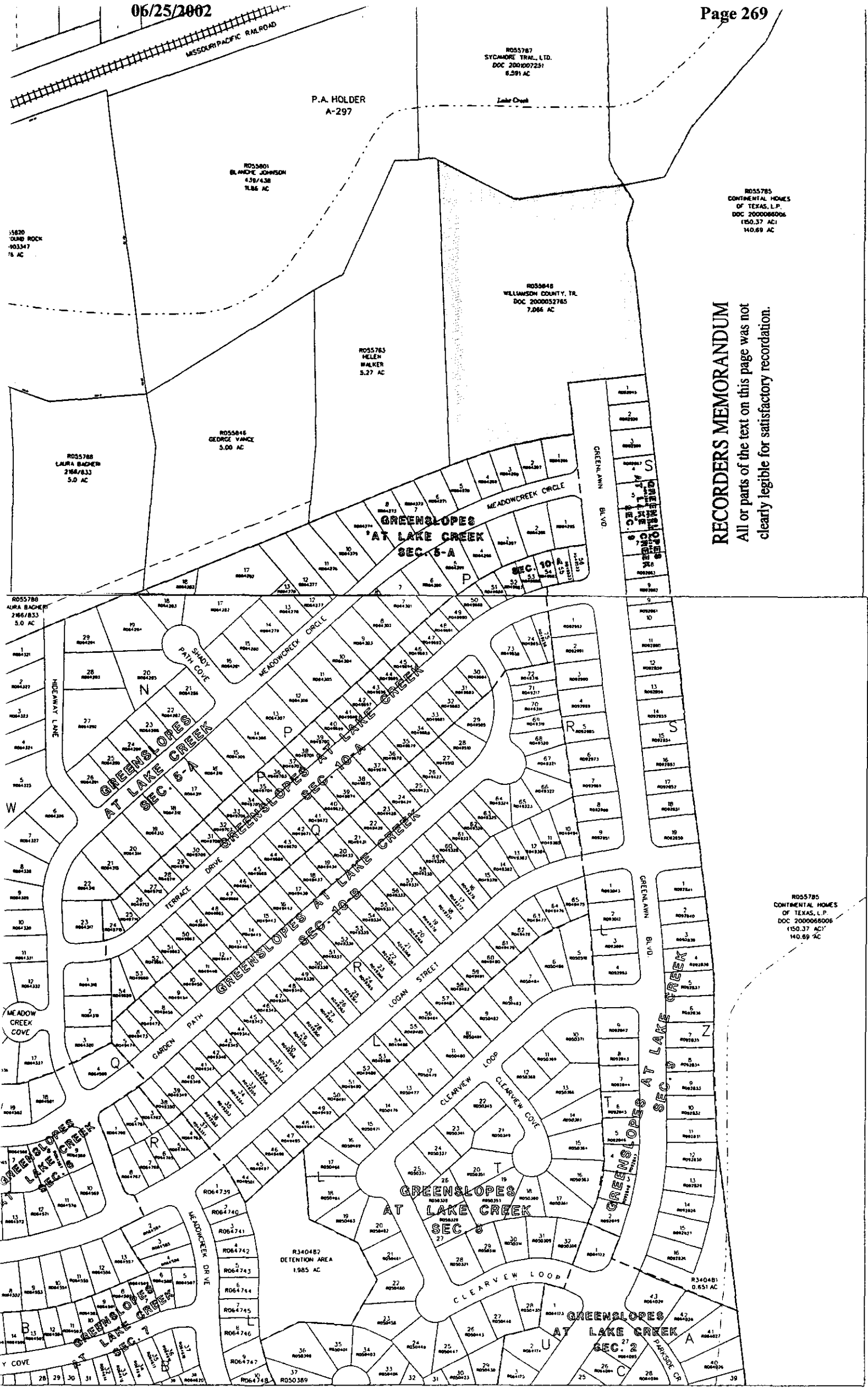
FILED AND RECORDED
 OFFICIAL PUBLIC RECORDS



08-10-2000 10:19 AM 2000052765
 MIKULENCAK \$13.00
 NANCY E. RISTER, COUNTY CLERK
 WILLIAMSON COUNTY, TEXAS

RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.





RECORDERS MEMORANDUM
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clearly legible for satisfactory recordation.

L246
074310

DELINQUENT TAX STATEMENT

06/12/2002
sueCounty of Williamson
710 South Main
Suite 102
Georgetown, TX 78626

/LAWFIL/L246002B

ACCT#: R055848
SITUS:GEO#: R-16-0297-0000-0077A
LEGAL: AW0297 HOLDER, P.A. SUR., ACRES
7.066WILLIAMSON COUNTY OF & ETAL
710 S MAIN ST STE 102
GEORGETOWN

TX 78626-5701

BK#
SUIT# L246 99-054-T368
JUDGMENT
RETURN EXEMPTION
COMMENT TAX SALE

YEAR DUE		BASE-TAX	PENALTY & INTEREST	SEC. 33.07 PENALTY	ATTORNEY FEES	TOTAL DUE 06/2002
1986	WmsnCnty	227.99	449.13	101.56		778.68
	YEAR TOTAL	227.99	449.13	101.56		778.68
1987	WmsnCnty	316.30	585.15	135.21		1,036.66
	YEAR TOTAL	316.30	585.15	135.21		1,036.66
1988	WmsnCnty	353.71	611.93	144.85		1,110.49
	YEAR TOTAL	353.71	611.93	144.85		1,110.49
1989	WmsnCnty	395.34	636.49	154.77		1,186.60
	YEAR TOTAL	395.34	636.49	154.77		1,186.60
1990	WmsnCnty	442.05	658.66	165.11		1,265.82
	YEAR TOTAL	442.05	658.66	165.11		1,265.82
1991	WmsnCnty	210.21	287.98	74.73		572.92
	YEAR TOTAL	210.21	287.98	74.73		572.92
1992	WmsnCnty	106.21	132.77	35.85		274.83
	YEAR TOTAL	106.21	132.77	35.85		274.83
1993	WmsnCnty	105.92	119.69	33.84		259.45
	YEAR TOTAL	105.92	119.69	33.84		259.45
1994	WmsnCnty	187.70	189.57	56.59		433.86
	YEAR TOTAL	187.70	189.57	56.59		433.86
1995	WmsnCnty	179.02	159.32	50.75		389.09
	YEAR TOTAL	179.02	159.32	50.75		389.09
1996	WmsnCnty	170.22	131.08	45.20		346.50
	YEAR TOTAL	170.22	131.08	45.20		346.50

L246
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06/12/2002
sueCounty of Williamson
710 South Main
Suite 102
Georgetown, TX 78626

/LAWFIL/L246002B

ACCT#: R055848
SITUS:GEO#: R-16-0297-0000-0077A
LEGAL: AW0297 HOLDER, P.A. SUR., ACRES
7.066WILLIAMSON COUNTY OF & ETAL
710 S MAIN ST STE 102
GEORGETOWN

TX 78626-5701

BK#
SUIT# L246 99-054-T368
JUDGMENT
RETURN EXEMPTION
COMMENT TAX SALE

YEAR DUE		BASE-TAX	PENALTY & INTEREST	SEC. 33.07 PENALTY	ATTORNEY FEES	TOTAL DUE 06/2002
1997	WmsnCnty	183.37	119.19	45.38		347.94
	YEAR TOTAL	183.37	119.19	45.38		347.94
1998	WmsnCnty	183.37	97.19	42.09		322.65
	YEAR TOTAL	183.37	97.19	42.09		322.65
1999	WmsnCnty	184.21	75.53	38.96		298.70
	YEAR TOTAL	184.21	75.53	38.96		298.70
2000	WmsnCnty	126.17	36.59	24.41		187.17
	YEAR TOTAL	126.17	36.59	24.41		187.17
TOTAL DUE 06/2002		3,371.79	4,290.27	1,149.30		8,811.36
TOTAL DUE 07/2002		3,371.79	4,323.99	1,154.35		8,850.13

← June
2002
Amount
Due
County

AGENDA ITEM 44

Consider drawing members for the Grievance Committee.

Moved: **Judge Doerfler**

Seconded: **Commissioner Boatright**

Motion: To contact Franki Locke of Georgetown to serve on the Salary Grievance Committee.

Vote: 4 – 0. **Commissioner Heiligenstein was absent from the dais.**

< Attachment >

Franki Locke

213 South Ridge Cir Georgetown

6/26/02

approved 6-25-02
John C. Doerfler