

LAW OFFICES
GAY, MCCALL, ISAACKS, GORDON & ROBERTS, P.C.
A PROFESSIONAL CORPORATION

JOHN E. GAY
DAVID MCCALL +
LEWIS L. ISAACKS ♦+
WILLIAM J. ROBERTS +
SYDNA H. GORDON
J. BRANTLEY SAUNDERS +
JENNIFER T. PETTIT
J. DOUGLAS BURNSIDE
MARK A. WALSH
ROBERT T. DRY, III
BARBARA R. HUNT+

SUITE 310, LB 40
1919 S. SHILOH ROAD
GARLAND, TEXAS 75042
972-278-8282 • Fax 972-278-8222

♦ BOARD CERTIFIED -- CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

* BOARD CERTIFIED -- FAMILY LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

+ATTORNEY - MEDIATOR

March 30, 2010

Honorable Keith Self
Collin County Commissioner's Court
210 S. McDonald Street, Suite 626
McKinney, Texas 75069

Re: Offer from City of McKinney to purchase struck off property
CCAD Account No. R-0926-000-8550-1

Dear Judge Self:

The City of McKinney is offering to purchase a lot struck off to the taxing entities. Lot 855 of the McKinney Outlots was struck off on September 6, 2005 to the taxing units at a judicial foreclosure sale pursuant to the judgment in City of McKinney, et al v. Thomas Moak, et al., Cause No. 199-1983-01. No bids were received for the property at the sale. The most recent market value assigned this property by the Appraisal District is \$8,500.

Enclosed is the Central Appraisal District Plat with this lot highlighted. The lot does not have a street address. It is located next to 607 1/2 Throckmorton. According to the City, in addition to the fact the lot is undersized and not suitable for construction of a house, there are serious drainage problems which a capital improvement project will address. The City needs this property as part of the capital improvement project.

Pursuant to the Texas Property Tax Code, the property may be resold for the total amount of the judgment against the property. The taxes due if paid in March 2010, the court costs, and the costs of sale are \$6,319.84, as set forth below:

RECEIVED
COMMISSIONER'S COURT
2010 MAR 31 AM 10:38

<i>McKinney ISD</i>	<i>\$3,230.31</i>
<i>CCCD</i>	<i>\$183.56</i>
<i>Collin County</i>	<i>\$484.32</i>
<i>City of McKinney</i>	<i>\$1,189.10</i>
<i>Court costs</i>	<i>\$664.75</i>
<i>Constable's sale costs</i>	<i>\$395.35</i>
<i>Publication costs for sale</i>	<i>\$172.45</i>
<i>Total</i>	<i>\$6,319.84</i>

The City has offered to purchase the property for \$6,319.84.

The City has expended \$9,650.00 for the maintenance of the property, including cleaning, removing brush, and installing grade controls since the property was struck off on September 6, 2005. After payment of court costs and costs of sale in the amount of \$1,232.55, the City would be credited \$5,087.29 for post-sale maintenance expenses. When struck-off property is resold, Section 34.06 of the Property Tax Code provides for post-sale maintenance costs to be paid before the taxes awarded in the judgment are paid. Because the post-sale maintenance costs exceed the taxes, there will be no taxes paid as a result of this proposed resale. The taxes will be removed from the delinquent tax roll.

Enclosed for execution is a Special Warranty Deed our office prepared for this resale. If the County decides to accept this offer, please return the executed deed to me in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to call me.

Sincerely,



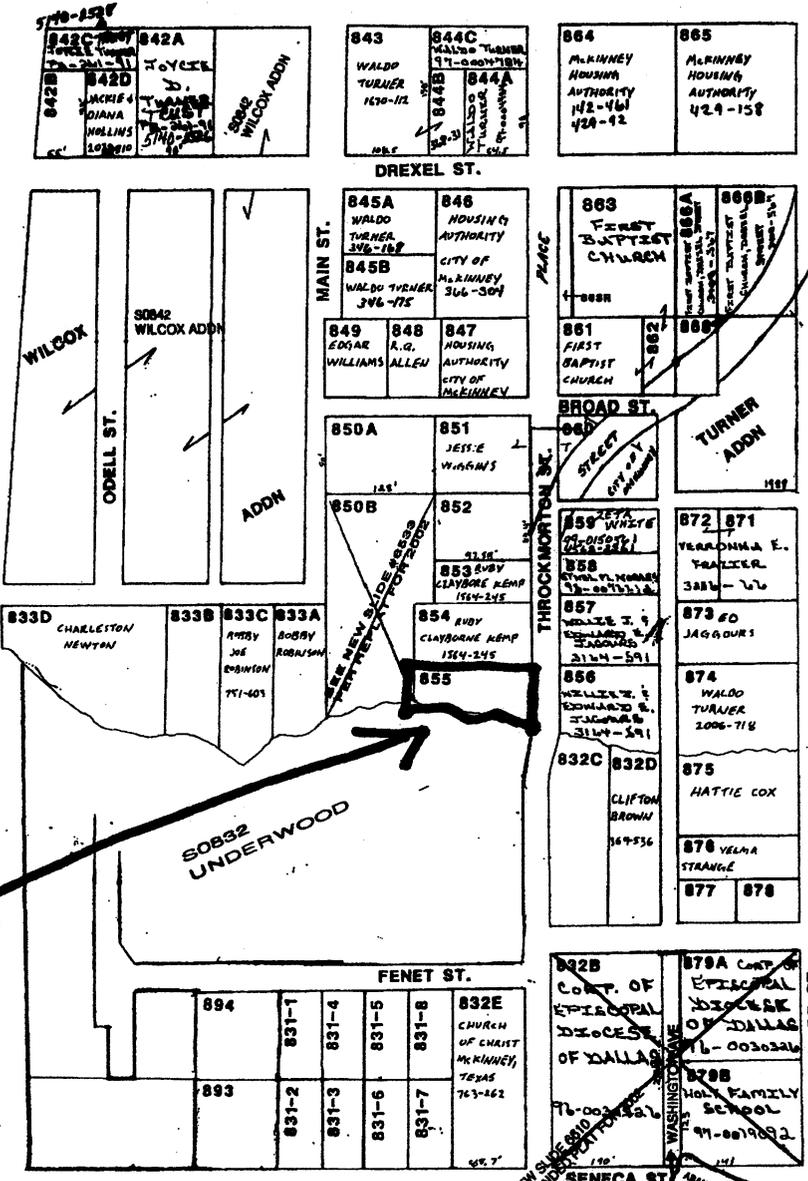
Sydna H. Gordon
Attorney at Law

Encl.

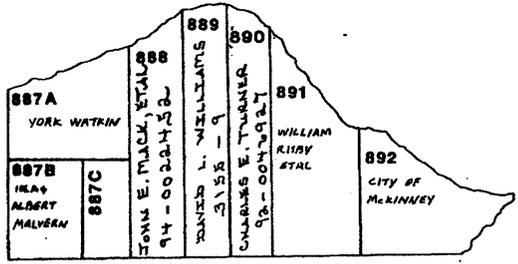
McKINNEY OUTLOTS 830-895

H. & T.C. R.R.

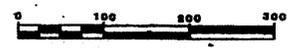
Outlots
Lot 855



- 831- JOSE M. HERNANDEZ, 97-0029581
- 832- MARY BEVELL COFFIELD, 97-0028229
- 834- SAMUEL LEE BAILEY, 97-0107412
- 835- SAMUEL LEE BAILEY, 97-0107412
- 836- JOHN W. OUEL
- 837- JOHN W. OUEL
- 838- SAMUEL LEE BAILEY, 97-0107412
- 839- MARSHALL L. RUSHKOFF, JR., 95-0022855
- 877- WALDO A. TURNER, 94-0039272
- 878- LEOA JOHNSON
- 888A- JAMES B WILLIAMS II 4182-2147
- 887C- JOHN E. MACK, ETAL, 94-0022452
- 880- CYNTHIA RAINELS MCKINNEY, 94-0025765
- 832- THELMA L. WARD STEVENSON, 94-0039077
- 910- FIRST BAPTIST CHURCH, DEXEL STREET, 94-0041558



CENTRAL APPRAISAL DISTRICT
COLLIN COUNTY



SCALE: 1"=100'

ACCT #0926

Disbursement Sheet

R-0926-000-8550-1

Lot 855, Mckinney Outlots, McKinney, Texas

Prior owner: Heirs and Unknown Heirs of Thomas Moak

Cause no. 199-1983-01

Judgment date: August 20, 2002

Sheriff's sale: August 6, 2005

Taxes awarded in the Judgment and taxes due if paid in March 2010:

	Judgment amount	Amount due in March 2010
MISD	\$ 1,610.13	\$3,230.31
CCD	\$106.20	\$183.56
County	\$264.31	\$484.32
City	\$752.90	\$1,189.10
Total	\$2,733.54	\$5,087.29

Court costs: \$664.75

Constable's fees for sale: \$395.35

Costs paid by Gay & McCall: \$172.45 (Publication fees for sheriff's sale, \$144.45, and fee for filing Constable's Deed in Collin County Deed Records, \$28.00)

Resale price: \$6,319.84 (Court costs, costs of sale, and taxes due if paid in March 2010.)

Disbursements:

1. Collin County District Clerk	\$664.75	(Court costs.)
2. Constable Elkins	\$395.35	(Costs of sale.)
3. Gay, McCall, Isaacks, Gordon & Roberts	\$172.45	(Publication fees.)
4. City of McKinney	<u>\$5,087.29</u>	(Maintenance costs.)
Total	\$6,319.84	

The cause number should be on all checks: 199-1983-01.

SPECIAL WARRANTY DEED

Date: May 21, 2010

Grantor: MCKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, and COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

Grantor's Mailing Address (including county):

#1 Duvall Street
McKinney, Texas 75069
Collin County

Grantee: City of McKinney

Grantee's Mailing Address (including county):

P.O. Box 517
McKinney, TX 75070
Collin County

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration.

Property (including any improvements):

Property described in Exhibit "A" attached hereto and made a part hereof for all purposes.

Reservations from and Exceptions to Conveyance and Warranty:

1. Rights of the public to any portion of the above described property lying within the boundaries of dedicated or existing roadways or which may be used for road or street purposes.
2. Visible and apparent easements over or across subject property.
3. Rights of parties in possession.
4. Any and all easements, restrictions, covenants, conditions and reservations of record, if any, applicable to the herein conveyed property or any part hereof.
5. Any right of redemption as specified in Chapter 34, Subchapter B, Texas Property Tax Code.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's successors, or assigns forever. Grantor binds Grantor and Grantor's successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same

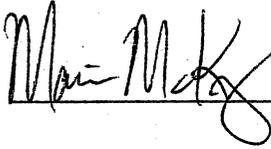
or any part thereof, by, through or under Grantor, but not otherwise, except as to the reservations from and exceptions to conveyance and warranty.

The intent of this Special Warranty Deed is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 199-1983-01 in the 199th Judicial District Court, Collin County, Texas, and no more.

When the context requires, singular nouns and pronouns include the plural.

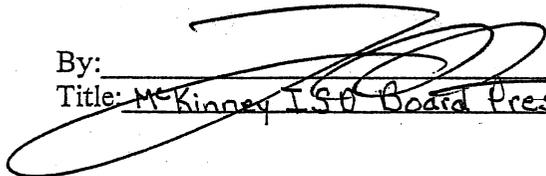
ATTEST:

McKINNEY INDEPENDENT SCHOOL DISTRICT



By:

Title: McKinney ISD Board President

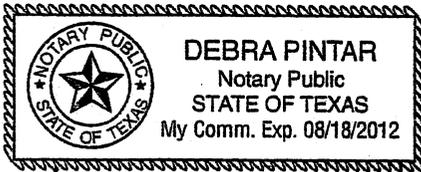


(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 26th day of April, 2010, by Lewis Isaacks, Board President of the McKinney Independent School District as the act and deed of said McKinney Independent School District.



Debra Pintar
Notary Public, State of Texas
Notary's name, (printed): Debra Pintar

Notary's commission expires: 08/18/2012

ATTEST:

COLLIN COUNTY, TEXAS

Brian M. Gillespie

By:

Title:

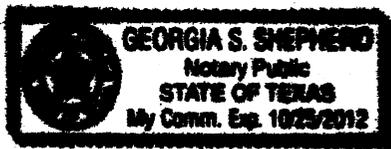
Keith Self
County Judge

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 13th day of April, 2010, by Keith Self, County Judge of Collin County, Texas as the act and deed of said Collin County, Texas.



Georgia D. Shepherd
Notary Public, State of Texas
Notary's name, (printed):

Notary's commission expires: 10/25/2012

ATTEST:

COLLIN COUNTY COMMUNITY COLLEGE
DISTRICT

Rolane Rogers

By: Ralph G. Hall
Title: Vice President of Administration & CFO

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 29th day of April, 2010, by Ralph G. Hall,
VP of Administration & CFO of Collin County Community College District as
the act and deed of said Collin County Community College District.

Jennifer Gilchrist
Notary Public, State of Texas
Notary's name, (printed):

Jennifer Gilchrist
Notary's commission expires: 10-30-2012

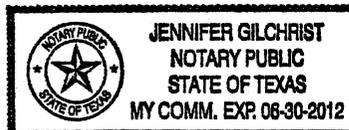


EXHIBIT A

Being Lot 855 of the McKinney Outlots Addition to the City of McKinney, Collin County, Texas, as recorded in Volume 140, Page 336 of the Collin County Land Records