

Collin College

Delinquent Property Taxes

Foreclosure and Sale Process Description

- Delinquent tax collection attorneys, Gay, McCall, Isaacks & Roberts, PC (“Gay, McCall”) file suit against the property owners & lienholders on behalf of the taxing jurisdictions
- Gay, McCall gets a judgment against the property on behalf of the taxing jurisdictions
- the property is auctioned at a Sheriff’s sale (“tax sale”) held on the first Tuesday of each month
 - the minimum bid amount is the judgment amount or the market value of the property, whichever is lower
- If the property does not sell at the auction, it is “struck back” to one or more of the taxing entities on behalf of itself and the other entities
- The list of current available struck off properties and information about each property is online at http://public1.co.collin.tx.us/struck_off/default.aspx
 - Property Tax account number
 - Legal description
 - Link to Collin Central Appraisal records
 - Map
 - Value History
 - Deed History
- Gay, McCall may then accept private bids on the property and submit them to each taxing entity for consideration
 - Anyone can bid on the “struck-back” properties
 - Bids are submitted to Erin Minett at Gay, McCall in writing and must contain the bidders’ name, mailing address, bid amount and the property account number.
 - If the bid is above or at the minimum amount, approval by one entity is required
 - If the bid is below the minimum amount, approval by all entities is required

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

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♦ BOARD CERTIFIED -- CIVIL TRIAL LAW
TEXAS BOARD OF LEGAL SPECIALIZATION
+ ATTORNEY - MEDIATOR

February 1, 2017

Mr. Kenneth Lynn
3452 Spur 399
McKinney, TX 75069

Re: Offer from Manuel Castaneda to purchase
2650 FM 546, McKinney, Texas

Dear Mr. Lynn:

Manuel Castaneda has offered to purchase 2650 FM 546, McKinney, Collin County, Texas (BEING .242 ACRES OF LAND OUT OF ABSTRACT 517 IN THE R.H. LOCKE SURVEY COUNTY ROAD AS 2650 FM 546, AS DESCRIBED IN A WARRANTY DEED FILED IN VOLUME 3134, PAGE 569, FILED IN COLLIN COUNTY, TEXAS.) for \$10,500.00.

This property was sold at a Sheriff's Sale on January 4, 2011 pursuant to delinquent tax collection suit number 219-00860-2008. There were no bidders and the property was struck off to the College for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$9,780.00. The property was struck off for the minimum amount, \$10,878.88, which includes taxes, penalties and interest, costs of court, and costs of sale.

Pursuant to the Texas Property Tax Code the court costs and costs of sale must be paid first out of the proceeds of a resale. The remainder would be distributed to the taxing jurisdictions pro-rata. Those costs total \$3,148.63. A breakdown of amounts each taxing entity will receive is enclosed.

If all taxing jurisdictions agree to accept \$10,500.00 for the property, the property may be sold for that amount. **McKinney ISD has already approved the bid.** Each jurisdiction must execute the deed.

If your entity decides to accept this offer, enclosed for execution is a Deed Without Warranty our office prepared for this resale. When the Deed is executed, please return it in the enclosed self-addressed, stamped envelope.

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

Sincerely,



Erin Minett

Enclosure

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

DEED WITHOUT WARRANTY
(TAX FORECLOSED PROPERTY RESALE)

Date: _____, 2017

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

Grantor's Mailing Address (including county):

One Duvall Street
McKinney, TX 75069
Collin County

Grantee: Manuel Castaneda

Grantee's Mailing Address (including county):

600 Cross Fence Dr.
McKinney, TX 75069
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.
6. All oil, gas, and other minerals reserved by prior grantors.

By acceptance of this Deed, Grantee acknowledges and agrees that the Property is being purchased and conveyed "AS IS" with all faults and defects whether patent or latent as of the closing. Grantors, on behalf of themselves and the other taxing entities on whose behalf it holds title to the Property, specifically negates and disclaims any representations, warranties or guaranties of any kind or character, whether express or implied, oral or written, past, present, future or otherwise, of, as to, concerning or with respect to the Property, including without limitation (i) the nature and condition of the Property and the suitability thereof for any and all activities and uses which Grantee may elect to

conduct thereon, (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or any other matter relating in any way to the Property, (iii) the compliance of the Property or its operation with any laws, ordinances or regulations of any government or other authority or body, (iv) the existence of any toxic or hazardous substance or waste in, on, under the surface of or about the Property, (v) geological conditions, including, without limitation, subsidence, subsurface conditions, water table, underground water reservoirs, limitations regarding the withdrawal of water and faulting, (vi) whether or not and to the extent to which the Property or any portion thereof is affected by any stream (surface or underground), body of water, flood prone area, floodplain, floodway or special flood hazard, (vii) drainage, (viii) zoning or land use restrictions rules and regulations to which the Property or any portion thereof may be subject, (ix) the availability of any utilities to the Property or any portion thereof including, without limitation, water, sewage, gas and electric and including the utility availability capacities allocated to the Property by the relevant governmental or regulatory authority, (x) usages of adjoining property, (xi) access to the Property or any portion thereof, (xii) the value, compliance with the plans and specifications, size, location, age, use, design, quality, description, durability, structural integrity, operation, leasing, title to, or physical or financial condition of the Property or any portion thereof, or any income, expenses, charges, liens, encumbrances, rights or claims on or affecting or pertaining to the Property or any part thereof, (xiii) the potential for further development of the Property, or (xiv) the merchantability of the Property or fitness of the Property for any particular purpose (Grantee affirming that Grantee has not relied on Grantors' skill or judgment to select or furnish the Property for any particular purpose, and that Grantor makes no warranty that the Property is fit for any particular purpose).

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 WITHOUT WARRANTY.

The intent of this Deed Without Warranty is to transfer the property foreclosed on by the Grantor taxing jurisdictions in Cause No. 219-00860-2008 in the 219th Judicial District Court, Collin County, Texas, and no more.

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

McKINNEY INDEPENDENT SCHOOL DISTRICT

By: [Signature]

Title: Resident

ATTEST:

[Signature]

(Acknowledgment)

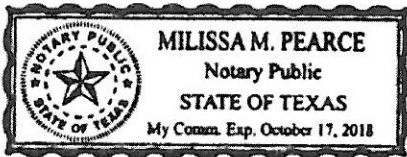
THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the 24th day of

January, 2017, by Bobby Amick, Board
President of the McKinney Independent School District as

the act and deed of said McKinney Independent School District.



Melissa M. Pearce

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: 10/17/18

COLLIN COUNTY, TEXAS

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2017, by _____, _____ of Collin County, Texas as the act and deed of said Collin County, Texas.

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

Notary's commission expires: _____

COLLIN COUNTY COMMUNITY COLLEGE DISTRICT

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2017, by _____,

_____ of the Collin County Community College District as the act and deed of said Collin County Community College District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

EXHIBIT A

BEING .242 ACRES OF LAND OUT OF ABSTRACT 517 IN THE R.H. LOCKE SURVEY COUNTY ROAD AS 2650 FM 546, AS DESCRIBED IN A WARRANTY DEED FILED IN VOLUME 3134, PAGE 569, FILED IN COLLIN COUNTY, TEXAS.

Distribution of Proceeds

2650 FM 546, McKinney, Texas

R651700419601

Cause no.: 219-00860-2008

Judgment date: August 24, 2010

Sheriff's sale: January 4, 2011

Taxes in Judgment:	MISD	\$6,325.54
	City	0.00
	County	883.93
	CCCCD	<u>325.05</u>
	Total	<u>\$7,534.52</u>

Other Judgment Amounts:	District Clerk Fees	\$1,989.00
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Post Judgment Taxes/Costs:	\$1,355.36
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Minimum Bid at Sale:	\$10,878.88
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Resale price:	\$10,500.00
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Settlement Costs:	
Constable Fee	882.13
Publication Fee	277.50
District Clerk Fees	1,989.00
Maintenance Fee	0.00
Demolition Lien	0.00
Lien Release Fee	<u>0.00</u>
Total Costs:	<u>3,148.63</u>

Proceeds to be Distributed:	<u>\$7,351.37</u>
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Percentage of Judgment Taxes:	98%
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Distributed to Collin County Tax Assessor on Behalf of:

MISD	\$6,171.78
County	862.44
CCCCD	<u>317.15</u>
Total	<u>\$7,351.37</u>