



Wharton County Junior College

Proposed Agenda Item

Board of Trustees Meeting

Complete this form and submit it to the Office of the President by noon on Friday, 11 days prior to the Tuesday evening meeting of the Board of Trustees. If this form does not provide enough space, you may use an expanded version *as long as you follow the format specified below*.

Date of Board Meeting: October 16, 2018

Date of this Proposal: October 4, 2018

SUBJECT:

Disposal of Foreclosed Property

RECOMMENDATION:

Recommend approval of the resolution conveying title of properties to the City of Wharton.

BACKGROUND/RATIONALE:

The twenty-eight tracts of land mentioned in the resolution have been foreclosed due to non-payment of property taxes. These properties are currently a burden to Wharton County Junior College, along with all of the current taxing entities. The City of Wharton has recently created the Wharton Housing Finance Corporation to begin revitalizing the housing stock in the City of Wharton. The City is working closely with the Corporation to begin several housing projects. The tracts referenced in the resolution will be used to build several single-family homes which would result in these properties once again becoming income producing for all taxing entities in Wharton. Current value of these properties is \$73,067.00 and back taxes due WCJC are \$6,460.61.

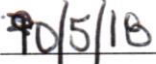
Estimated Cost and Budgetary Support (how will this be paid for?): N/A


RESOURCE PERSON(S) [name(s) and title(s)]:

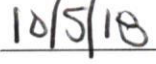
Betty McCrohan, President
Bryce D. Kocian, Vice President of Administrative Services

SIGNATURES:

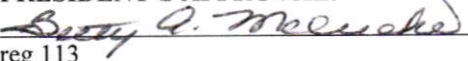

Originator



Date


Cabinet-Level Supervisor


Date

PRESIDENT'S APPROVAL:


reg 113
6-21-95


10-8-18



City of Wharton

120 E. Caney Street ° Wharton, TX 77488
Phone (979) 532-2491° Fax (979) 532-0181

July 11, 2018

To Whom It May Concern:

The City of Wharton has a recently created the Wharton Housing Finance Corporation to begin revitalizing the housing stock in the City of Wharton. The City is working closely with the Corporation to begin several housing projects.

One project is to build several single-family homes. For this project to be successful the City is requesting that the properties that have been bid in trust to the City be released to the City of Wharton. These properties will then be deeded over to the Corporation to provide properties to build on. The properties are currently a burden to all of the current taxing entities and the City would like to see these properties once again become income producing properties for all the taxing entities in Wharton.

We would appreciate your assistance in this process. If you have any questions, feel free to contact Community Development Coordinator Gwyneth Teves or myself at the number above.

Sincerely,

Andres Garza, Jr.
City Manager

STATE OF TEXAS

COUNTY OF WHARTON

**RESOLUTION AUTHORIZING RESALE OF PROPERTY HELD IN TRUST
BY THE CITY OF WHARTON, TEXAS, TRUSTEE**

WHEREAS, the properties described herein were offered for sale by the Sheriff of Wharton County, Texas, at a public auction pursuant to a judgment of the District Court of Wharton County, Texas, for the foreclosure of the tax liens securing payment of delinquent property taxes, accrued penalties, interest and court costs; and

WHEREAS, as set by law the properties did not receive sufficient bids at the tax sale and as a result the properties were struck off to the City of Wharton, Texas, as Trustee, for the use and benefit of itself and the other Taxing Units for which levied taxes on the properties; and

WHEREAS, Sheriffs' Deeds were recorded in the Official Public Records of Wharton County, Texas, conveying the properties to the City of Wharton, Texas, and subsequently the properties have been tax exempt from the date of the tax sale when the properties were struck off; and

WHEREAS, it is in the best interest of involved Taxing Units for the properties to be resold and conveyed to a new owner for the purpose of returning the properties to the tax roll as taxable property; and

WHEREAS, TEX. PROP. TAX CODE § 34.05 provides that in lieu of a public sale the Taxing Unit that the properties were conveyed to may sell the properties through a private sale; and

WHEREAS, in accordance with TEX. PROP. TAX CODE § 34.05(i) the City of Wharton, Texas, as Trustee, may sell the properties identified in this Resolution for any amount with the consent of the other Taxing Units entitled to receive the proceeds of the sale under the judgment; and

WHEREAS, the City of Wharton, Texas, desires to obtain the properties identified in this Resolution for the purposes of working with the Wharton Housing Finance Corporation to revitalize the housing stock in the City of Wharton, Texas;

THEREFORE, BE IT HEREBY RESOLVED that the Wharton County Junior College, hereby provides authorization to the City of Wharton, Texas, to act as Trustee for all of the properties that are identified in this Resolution and hereby consent for the City of Wharton, Texas, to offer any or all of the properties that are identified in the Resolution for sale at a private sale for any amount.

THEREFORE, BE IT HEREBY FURTHER RESOLVED that pursuant to this Resolution the City of Wharton, Texas, as Trustee, is authorized by the Wharton County Junior College, to execute deeds without warranty conveying all of the properties to the City of Wharton, Texas, for its sole use and benefit. This Resolution shall take effect immediately from and after its passage in accordance with the provision of the law.

Cause #	Suit Styling	Legal Description, Deed Reference, Approximate Address, Account # and Bid in Trust Date (all properties located in Wharton County, Texas unless otherwise noted)
T07502	Wharton County, et al v Robert Jack Golden	Lot 49 of Elizabeth Branch Subdivision, a subdivision in Wharton County, Texas (Volume 169, Page 1 of the Map Records of Wharton County, Texas) GOODE, Account #10105-000-049-00/R011873 (Bid in Trust 4/5/2005)
T07575	The County of Wharton, Texas v Cristobal Jaquez, et al	0.1722 Acre, more or less, being Lots 1A, 2A & 3A, Hawes 3 Addition to the City of Wharton, Wharton County, Texas (Volume 348, Page 381, Deed Records of Wharton County, Texas) 109 E EMILY AVE, Account #R016335 (Bid in Trust 10/4/2016)
T07702	Wharton County, et al v Eugene Kemp, Jr. et al	Tract No. 4: Lot 6 in Block 12 of Washington Homes, a Subdivision in Wharton County, Texas (Volume 35, Page 87 of the Deed Records of Wharton County, Texas) 129 MOUTRAY AVE., Account #11390-012-006-00/R025650 (Bid in Trust 10/7/2008)

T07747	Wharton County v Floresthela Hernandez, et al	Lot 5, Block 52, A.O. Branch Addition to the City of Wharton, in Wharton County, Texas (Volume 89, Page 544 of the Deed Records of Wharton County, Texas) 1514 CONNIE, Account #10100-000-005-00/R011811 (Bid in Trust 5/6/2008)
T07885	Wharton County, et al v Cynthia Kaye Allen, et al	Lot 15 of Elizabeth Branch Subdivision out of the A. Jackson League in Wharton County, Texas, being the same property described in deed from Little Green to Lillie Mae Green, dated May 6, 1968 (Volume 390, Page 592 of the Deed Records of Wharton County, Texas) 1511 GOODE, Account #R011833(Bid in Trust 10/2/2011)
T07934	Wharton County v Unknown Heirs to the Estate of Matt Shanklin, Jr.	ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 1.00 ACRE, MORE OR LESS, OUT OF THE SOUTH ONE-HALF OF LOT 10 OF THE OUTLAR SUBDIVISION, A SUBDIVISION IN WHARTON COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 81, PAGE 540 OF THE DEED RECORDS OF WHARTON COUNTY, TEXAS; BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN THE DEED FROM LILY B. OUTLAR TO MATT SHANKLIN, JR. DATED MARCH 9, 1929 AND RECORDED IN VOLUME 84, PAGE 391 OF THE DEED RECORDS OF WHARTON COUNTY, TEXAS; SAVE AND EXCEPT, HOWEVER, THE FOLLOWING PORTIONS THEREOF: (A) A TRACT OR PARCEL OF LAND CONTAINING 0.168 ACRE, MORE OR LESS, DESCRIBED BY METES AND BOUNDS IN THE DEED FROM PAULINE PHILLIPS ET AL TO ALICE PHILLIPS DATED FEBRUARY 12, 1977 AND RECORDED IN VOLUME 512, PAGE 246, DEED RECORDS OF WHARTON COUNTY, TEXAS; (B) A TRACT OR PARCEL OF LAND CONTAINING 0.28 ACRE, MORE OR LESS, DESCRIBED BY METES AND BOUNDS IN THE DEED FROM PAULINE PHILLIPS ET AL TO CATHERINE PINES DATED MARCH 12, 1977 AND RECORDED IN VOLUME 512, PAGE 555, DEED RECORDS OF WHARTON COUNTY, TEXAS; (C) A TRACT OR PARCEL OF LAND CONVEYED TO PAULINE PHILLIPS ACCORDING TO THE DEED RECORDED IN VOLUME 514, PAGE 405, DEED RECORDS OF WHARTON COUNTY, TEXAS; THE PAULINE PHILLIPS TRACT IS LOCATED BETWEEN THE 0.28 ACRE TRACT DESCRIBED BY METES AND BOUNDS IN THE DEED RECORDED IN VOLUME 512, PAGE 555, DEED RECORDS OF WHARTON COUNTY, TEXAS AND THE 0.28 ACRE TRACT DESCRIBED BY METES AND BOUNDS IN THE DEED RECORDED IN VOLUME 514, PAGE 405, DEED RECORDS OF WHARTON COUNTY, TEXAS; AND (D) A TRACT OR PARCEL OF LAND CONTAINING 0.28 ACRE, MORE OR LESS, DESCRIBED BY METES AND BOUNDS IN THE DEED FROM ALICE PHILLIPS ET AL TO EVELYN SHANKLIN DATED MARCH 12, 1977 AND RECORDED IN VOLUME 514, PAGE 405 OF THE DEED RECORDS OF WHARTON COUNTY, TEXAS; BEING THE SAME PROPERTY IDENTIFIED ON THE PLAINTIFF'S TAX ROLLS AS ACCOUNT NO. 10990-000-101-00, OUTLAR, Account #R021337 (Bid in Trust 4/3/2012)
T07945	The County of Wharton, Texas v Maria De Jesus Perez	Lots 17 and 18 in Block 1 of Mt Carmel Addition, City of Wharton, Wharton County, Texas (Volume 210, Page 1 of the Deed Records of Wharton County, Texas) MURPHY AVE, Account #R020840 (Bid in Trust 7/7/2015)
T08071	Wharton County, et al v Doris M. Smith	Tract 2: An undivided 60% interest in and to All that certain tract or parcel of land containing 1.00 Acre, more or less, located in the Alexander Jackson League, Abstract 34, in Wharton County, Texas; being more particularly described in metes and bounds in the deed from Catherine Cotton Perkins, a Widow to Isaac C. Smith dated July 6, 1965 (Volume 267, Page 244, Deed Records of Wharton County, Texas) MATTIE, Account #R018230 (Bid in Trust 4/3/2012)
T08265	The County of Wharton, Texas v Cora Wolridge aka Cora Lee Wolridge	Lots 15B and 16B, Block 9, Washington Home Addition to the City of Wharton, Wharton County, Texas (Volume 35, Page 87 and Volume 426, Page 251 of the Deed Records of Wharton County, Texas) 708 E ELM, Account #R025618 (Bid in Trust 7/7/2015)
T08310	Wharton County v Alfred A. Nelson, et al	All those certain tracts of land being 2 lots, each being 50 feet by 120 feet, located in the Alexander Jackson Timber Survey, Abstract 34, Wharton County, Texas, being described, as first and second tracts, in deed dated November 8, 1989, from Federal Deposit Insurance Corporation as Liquidator of the Security Bank and Trust Company to Alfred A. Nelson and Barbara J. Nelson (Volume 815, Page 3, Deed Records of Wharton County, Texas) 210 WILKES, Account #R015982 (Bid in Trust 6/7/2011)
T08326	Wharton County, et al v Unknown Heirs to the Estate of Albert Wyatt, deceased, et al	Lot 11, Block 2, Harrison Addition, an addition to the City of Wharton, Wharton County, Texas (Volume 13, Page 178, Deed Records, Wharton County, Texas) HARRIS, Account #R016040 (Bid in Trust 8/2/2011)
T08332	Wharton County v Jewel Allen, et al	0.236 Acres, more or less, located in the A. Jackson Timber Survey, Abstract 34, Wharton County, Texas, being described by metes and bounds in deed dated November 12, 1946 from David Sanford to Jewel Allen et al (Volume 189, Page 251, Deed Records of Wharton County, Texas) CONNIE, Account #10705-060-292-00/R018257 (Bid in Trust 2/2/2010)
T08344	Wharton County v Preston Byrd, as Trustee of the Mallory Lodge 426, A.F. & A.M. of Wharton, et al	44.10 feet by 55.70 feet by 37.60 feet by 29.10 feet, more or less, located in the A. Jackson Survey, Abstract 34, Wharton County, Texas, being described by metes and bounds in deed dated October 7, 1974 from the St. James Baptist Church to the Mallory Lodge 426, A.F. & A.M. of Wharton, Texas (Volume 448, Page 490, Deed Records of Wharton County, Texas) MATTIE, Account #10705-060-111-00/R018212 (Bid in Trust 10/6/2009)

T08363	Wharton County v Anthony Branch	25 feet by 65 feet, containing 0.0373 Acres, more or less, being Part of Lots 7 and 8, Block 2, Harrison Addition, a subdivision in Wharton County, Texas, as described by metes and bounds in deed dated July 25, 1967, from Larry E. Wadler et al to Anthony Branch et al (Volume 384, Page 405, Deed Records of Wharton County, Texas) 214 OAK, Account #R016033 (Bid in Trust 8/2/2011)
T08382	Wharton County v Unknown Heirs to the Estate of Velma Johnson	175.50 feet by 50.00, containing 0.2015 acres, more or less, located in the A. Jackson League, Wharton County, Texas, being called Lot 34B, Block 60A, City of Wharton, Wharton County, Texas, described as Tract 1, in deed dated April 15, 1993, from O. B. Wells to Velma Johnson (Volume 54, Page 638, Official Records of Wharton County, Texas) BRANCH, Account #10705-060-342-00/R018282 (Bid in Trust 11/3/2009)
T08403	Wharton County v Unknown Heirs to the Estate of Isom Jack Davanport, Jr., Deceased, et al	All that certain tract or parcel situated in the City of Wharton, William Kincheloe Survey, Wharton County, Texas; being designated as Lot 129A, Block 63, City of Wharton, according to the map or plat thereof recorded in Volume 163, Page 3, Map Records of Wharton County, Texas; said Tract as described by metes and bounds in deed dated March 28, 1911, from Wharton Bank and Trust to R.E. Vineyard (Volume 30, Page 17, Deed Records of Wharton County, Texas) 1017 W CANEY, Account #R018497 (Bid in Trust 6/7/2001)
T08410	Wharton County et al v Mary Ellen Martin a/k/a Mary Elliott Martin	Lot 181, Block 63, City of Wharton a/k/a the south half of Lot 81, Block 63, City of Wharton as described and shown of Plat in Volume 163, Page 3 of the Deed Records and a/k/a 50' by 150' out of the Wm. Kincheloe Survey to the City of Wharton (Volume 643, Page 568 and Volume 693, Page 505 of the Deed Records of Wharton County, Texas) 320 S FORD, Account #R018572 (Bid in Trust 2/4/2014)
T08444	Wharton County v Eugene Wilson	Tract 1: 50.00 feet by 102.80 feet, containing 0.118 acre, more or less, situated in the A. Jackson Survey, Abstract 34, Wharton County, Texas; being Lot 13, Block 51, Petiti, an unrecorded subdivision; said 0.118 acre as described in deed dated October 23, 1979, from Birdie Wilson to Eugene Wilson (Volume 525, Page 205, Deed Records of Wharton County, Texas) BAILEY, Account # 11047-000-013-00/R022109 (Bid in Trust 11/4/2008)
T08540	Wharton County et al v Willie Mae Jackson	30.00 Feet by 50.00 Feet, containing 0.0344 Acre, more or less, being the Northerly 30.00 Feet of Lot 6, Block 2, Harrison Addition, an addition to the City of Wharton, Wharton County, Texas, as described in deed dated July 27, 1950, from William A. Kline to Willie Mae Jackson (Volume 228, Page 469, Deed Records of Wharton County, Texas) 210 OAK, Account #R016029 (Bid in Trust 8/7/2012)
T08542	Wharton County et al v Unknown Heirs to the Estate of Ethel J. Washington, Deceased et al	0.0716 Acre, more or less, situated in the Alexander Jackson Timber Survey, Abstract 34, Wharton County, Texas as described in deed dated August 25, 1969, from Aslee Washington to Ethel J. Washington (Volume 415, Page 166, Deed Records of Wharton County, Texas) BRANCH, Account #R018253 (Bid in Trust 5/3/2011)
T08550	Wharton County et al v William Burris	Lot 216, Block 63, being Original Lot 60, Block 63, City of Wharton, Wharton County, Texas (Volume 534, Page 184, Deed Records of Wharton County, Texas) 114 S FORD, Account #R018601 (Bid in Trust 11/2/2010)
T08591	City of Wharton et al v Elenora Kelly Rogers	The South 70.00 feet of Lot 4, Block 2, Harrison Addition, an addition to the City of Wharton, Wharton County, Texas (Volume 159, Page 605, Official Public Records of Wharton County, Texas) W CANEY, Account #R016025 (Bid in Trust 5/3/2011)
T08595	Wharton County et al v Unknown Heirs to the Estate of Genaro Carrasco AKA Genero Leyva Carrasco, Deceased	Tract 2: Lot 15A, Block 61, City of Wharton, Wharton County, Texas (Volume 163, Page 3, Deed Records of Wharton County, Texas) KAISER, Account #R026717 (Bid in Trust 5/3/2011)
T08695	Wharton County, et al v Vernon Knight, A/K/A Vernon Joseph Knight, et al	Lot 1, Block 6, Harrison Addition, an addition to the Town of Wharton, Wharton County, Texas (Volume 13, Page 178, Deed Records, Wharton County, Texas) HARRIS, Account #10560-006-010-00/R016065 (Bid in Trust 2/2/2010)
T08893	Wharton County, et al v State Street Bank and Trust Company as Trustee of the Consumer Obligation Structured Trust 1993-1	THE NORTH 56.75 FEET OF LOTS 1 AND 2, BLOCK 4, CLINE ADDITION, AN ADDITION TO THE CITY OF WHARTON, WHARTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 163, PAGE 3, DEED RECORDS OF WHARTON COUNTY, TEXAS, AND AS DESCRIBED BY METES AND BOUNDS IN SUBSTITUTE TRUSTEE'S DEED DATED SEPTEMBER 6, 1994, FROM EDWARD C. TURNER ET UX, BY SUBSTITUTE TRUSTEE, HOLLY H. HUGHES TO THE STATE STREET BANK AND TRUST COMPANY AS TRUSTEE OF THE CONSUMER OBLIGATION STRUCTURED TRUST 1993-1 (Volume 114, Page 793, Official Records of Wharton County, Texas) S SHEPPARD, Account #R012833 (Bid in Trust 3/1/2011)
T08916	Wharton County, et al v Unknown Heirs to the Estate of Junior Duncan, deceased	Lot 25, Elizabeth Branch Subdivision, a subdivision in Wharton County, Texas (Volume 169, Page 1, Deed Records of Wharton County, Texas) GOODE, Account #R011844 (Bid in Trust 7/5/2011)
T09206	The County of Wharton, Texas v Isiah Moore, et al	Lot 22, Block 64, City of Wharton, Being Lot 136-C, City of Wharton, Wharton County, Texas (Volume 415, Page 472 of the Deed Records, Wharton County, Texas) W MILAM, Account #R018509 (Bid in Trust 5/1/2012)

T09416	The County of Wharton, Texas v Dave Sanford aka David Sanford, et al	0.50 Acre, more or less, located in the A. Jackson Timber Survey, Abstract 34, Wharton County, Texas (Volume 191, Page 88, Deed Records of Wharton County, Texas SAVE & EXCEPT that 0.1150 Acre, more or less, described by in deed dated April 2, 1951 from Dave Sanford and wife Lillie Sanford to Joe Nathan Pettit (Volume 238, Page 598, Deed Records of Wharton County, Texas) BRANCH, Account #R018255 (Bid in Trust 10/6/2015)
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APPROVED, PASSED AND ORDERED this the _____ day of _____, 2018.

Danny P. Gertson, Chairman

ATTEST: _____
Ann Hundl, Secretary

**ADDENDUM TO RESOLUTION AUTHORIZING RESALE OF PROPERTY
HELD IN TRUST BY THE CITY OF WHARTON, TEXAS, TRUSTEE**

WHARTON COUNTY JUNIOR COLLEGE

Cause #	Property Address in the City of Wharton	Current Market Value of Property*	Deliquent Taxes due to WCJC**
T07502	Goode St.	\$ 2,025.00	\$ 47.19
T07575	109 E. Emily Ave.	\$ 7,500.00	\$ 1,332.85
T07702	129 Moutray Ave.	\$ 3,597.00	\$ 209.81
T07747	1514 Connie St.	\$ 1,364.00	\$ 212.57
T07885	1511 Goode St.	\$ 2,025.00	\$ 502.52
T07934	Outlar St.	\$ 2,445.00	\$ 198.31
T07945	Murphy Ave.	\$ 2,116.00	\$ 115.82
T08071	Mattie St.	\$ 7,840.00	\$ 233.45
T08265	708 E. Elm St.	\$ 1,816.00	\$ 132.54
T08310	210 Wilkes St.	\$ 1,634.00	\$ 143.88
T08326	Harris St.	\$ 1,958.00	\$ 99.39
T08332	Connie St.	\$ 739.00	\$ 38.13
T08344	Mattie St.	\$ 843.00	\$ 42.41
T08363	214 Oak St.	\$ 580.00	\$ 106.35
T08382	Branch St.	\$ 2,363.00	\$ 104.32
T08403	1017 W. Caney St.	\$ 3,720.00	\$ 139.69
T08410	320 S. Ford St.	\$ 9,798.00	\$ 1,830.63
T08444	Bailey St.	\$ 1,388.00	\$ 98.60
T08540	210 Oak St.	\$ 405.00	\$ 43.20
T08542	Branch St.	\$ 810.00	\$ 95.51
T08550	114 S. Ford St.	\$ 2,651.00	\$ 95.11
T08591	W. Caney St.	\$ 979.00	\$ 109.71
T08595	Kaiser St.	\$ 2,678.00	\$ 90.86
T08695	Harris St.	\$ 1,958.00	\$ 66.19
T08893	S. Sheppard St.	\$ 1,533.00	\$ 55.97
T08916	Goode St.	\$ 1,993.00	\$ 77.17
T09206	W. Milam St.	\$ 1,958.00	\$ 58.39
T09416	Branch St.	\$ 4,351.00	\$ 180.04
TOTALS		\$ 73,067.00	\$ 6,460.61

**Market value from certified tax roll of the Wharton County Central Appraisal District*

***Tax amount due includes base tax, penalties, and interest*