

LAW OFFICES
GAY, McCALL, ISAACKS, GORDON & ROBERTS, P.C.

A PROFESSIONAL CORPORATION

JOHN E. GAY
DAVID McCALL +
LEWIS L. ISAACKS ♦+
SYDNA H. GORDON
WILLIAM J. ROBERTS +
JENNIFER T. PETTIT
J. DOUGLAS BURNSIDE
ROBERT T. DRY, III
JENNIFER EDMONDSON
ERIN MINETT
DUSTIN L. BANKS
M. SHANNON KACKLEY

777 E. 15TH STREET
PLANO, TEXAS 75074
(972) 424-8501 • Fax (972) 422-9322

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

+ATTORNEY - MEDIATOR

February 27, 2014

Mr. Ralph Hall
4800 Preston Park Blvd.
Courtyard Center, Room A400
Plano, Texas 75093

Re: Offer from Safari Development, LLC to purchase
605 Howard Street and Tract 247 of the William Davis Survey, McKinney, Texas

Dear Mr. Hall:

Safari Development, LLC has offered to purchase 605 Howard Street and Tract 247 of the William Davis Survey, McKinney, Texas (BEING LOT 876 OF THE McKINNEY OUTLOTS ADDITION, CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOLUME 212, PAGE 202 OF THE COLLIN COUNTY DEED RECORDS) and (BEING .5 ACRES OF LAND, BLOCK 3, TRACT 247 OUT OF ABSTRACT 248 IN THE WILLIAM DAVIS SURVEY, CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOLUME 144, PAGE 472 OF THE COLLIN COUNTY DEED RECORDS) for \$10,918.00.

The properties were sold at a Sheriff's Sale on June 4, 2013 pursuant to delinquent tax collection suit number 296-00135-08. There were no bidders on the property and the property was struck off to the City for itself and on behalf of the other taxing jurisdictions.

The property's most recent value according to the Appraisal District is \$12,600.00 for 605 Howard St. and \$17,500.00 for Tract 247. The properties were struck off for the total judgment amount, \$21,190.89, which includes taxes, penalties and interest, demolition lien, 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 \$8,284.34. A breakdown of amounts each taxing entity will receive is enclosed.

In addition, the City has a demolition lien on the property which will be extinguished by this sale. Pursuant to the Texas Property Tax Code, this lien is only paid if there are excess proceeds after all entities are paid the full amount of taxes due.

If all taxing jurisdictions agree to accept \$10,918 for the property, the property may be sold for that amount. Each jurisdiction must execute the deed.

If your entity decides to accept this offer, enclosed for execution is a Special Warranty Deed our office prepared for this resale. When the Deed is executed, please return it to me so that I may finalize the transaction.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "David McCall", with a stylized flourish at the end.

David McCall

Enclosure

605 Howard Street and Tract 247, William Davis Survey, McKinney, Texas

R-0926-000-8760-1 and R-6248-003-2470-1

Cause no. 296-00135-08

Judgment date: April 19, 2010

Sheriff's sale: June 4, 2013

Judgment amount 605 Howard	City	\$866.29
	County	\$372.81
	CCCCD	\$133.08
	MISD	<u>\$2,918.24</u>
	Total	\$4,290.42

Judgment amount Tract 247	City	\$1,026.43
	County	\$440.26
	CCCCD	\$157.11
	MISD	<u>\$3,149.21</u>
	Total	\$4,773.01

Court costs: \$5,808.00

Constable's fees for sale: \$1,840.04

Publication fees for sheriff's sale, paid by Gay & McCall: \$636.30

Resale price: \$10,918

(Pursuant to the Property Tax Code, costs are paid first, then the remainder is distributed pro rata to the taxing jurisdictions.)

Proceeds to be distributed as follows:

1. Collin County District Clerk	\$5,808.00	
2. Constable	\$1,840.04	
3. Gay, McCall, Isaacks, Gordon & Roberts	\$636.30	(Publication fees paid by law firm.)
4. Collin County Tax Assessor	<u>\$2,633.66</u>	(\$1,763.09 for MISD; \$549.99 for City, \$84.32 for CCCCCD and \$236.26 for County)
Total	\$10,918.00	

SPECIAL WARRANTY DEED

Date: _____, 2014

Grantor: McKINNEY INDEPENDENT SCHOOL DISTRICT, COLLIN COUNTY, COLLIN COUNTY COMMUNITY COLLEGE DISTRICT, and CITY OF McKINNEY

Grantor's Mailing Address (including county):

P.O. Box 517
McKinney, Texas 75070-8013
Collin County

Grantee: Safari Development, LLC

Grantee's Mailing Address (including county):

5250 Hwy 78
Sachse, TX 75048
Dallas 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. 296-00135-08 in the 296th 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: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of _____, 2014, by _____, _____ of the McKinney Independent School District as the act and deed of said McKinney Independent School District.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

COLLIN COUNTY, TEXAS

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

 This instrument was acknowledged before me on the _____ day of
_____, 2014, 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
_____, 2014, 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: _____

CITY OF MCKINNEY

By: _____

Title: _____

ATTEST:

(Acknowledgment)

THE STATE OF TEXAS §

COUNTY OF COLLIN §

This instrument was acknowledged before me on the _____ day of
_____, 2014, by _____,
_____ of the City of McKinney as the act and deed of
said City of McKinney.

Notary Public, State of Texas

Notary's name, (printed):

Notary's commission expires: _____

EXHIBIT A

TRACT I:

BEING LOT 876 OF THE McKINNEY OUTLOTS ADDITION, CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOLUME 212, PAGE 202 OF THE COLLIN COUNTY DEED RECORDS.

TRACT II:

BEING .5 ACRES OF LAND, BLOCK 3, TRACT 247 OUT OF ABSTRACT 248 IN THE WILLIAM DAVIS SURVEY, CITY OF McKINNEY, COLLIN COUNTY, TEXAS, AS RECORDED IN VOLUME 144, PAGE 472 OF THE COLLIN COUNTY DEED RECORDS