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+ATTORNEY - MEDIATOR



January 22, 2015

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

Re: Offer from Earl Holloway to purchase
Lots 49 & 50 of the Windmill Estates Addition

Dear Mr. Hall:

Earl Holloway has offered to purchase **Lot 49** of the Windmill Estates Addition (BEING LOT 49, WINDMILL ESTATES ADDITION, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 4370, PAGE 1117 OF THE COLLIN COUNTY DEED RECORDS), and **Lot 50** of the Windmill Estates Addition (BEING LOT 50, WINDMILL ESTATES ADDITION, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 4370, PAGE 1117 OF THE COLLIN COUNTY DEED RECORDS) for a total of \$33,900. The Trustees previously approved an offer for Lots 42, 49 and 50 from Mr. Holloway for \$19,800, but McKinney ISD rejected that offer.

This property was sold at a Sheriff's Sale on August 7, 2007 pursuant to delinquent tax collection suit number 416-01515-06. There were no bidders and the property was struck off to the Collin County Community College District for itself and on behalf of the other taxing jurisdictions.

The properties' most recent value according to the Appraisal District are Lot 49, \$10,000.00 and Lot 50, \$20,000.00. The properties were struck off for the appraised value in the Judgment, \$35,000.00. The total judgment amount was \$46,207.15, which includes taxes, penalties and interest, road assessment liens, 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. In this sale, there are no the costs of court or costs of sale, as both were paid in full through the recent sale of Lots 42 and 43. Lots 42, 43, 49 and 50 were all struck off through the same lawsuit and Constable's sale. A breakdown of amounts each taxing entity will receive is enclosed.

In addition, the County has a road assessment lien on each 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. As all entities are receiving their full amount of taxes granted under the Judgment, Collin County will receive \$8,287.75 for its road assessment liens on the property.

If all taxing jurisdictions agree to accept \$33,900.00 for these properties, the properties 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 in the enclosed self-addressed, stamped envelope.

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

Sincerely,

A handwritten signature in black ink, appearing to read "David McCall". The signature is fluid and cursive, with a large initial "D" and "M".

David McCall

Enclosure

Distribution of Proceeds

Lots 42, 49 & 50 of the Windmill Estates Addition, Collin County, Texas

Cause no.: 416-01515-06

Judgment date: March 27, 2007

Sheriff's sale: August 7, 2007

Judgment amount:	County	\$1,517.26
R-0645-000-0490-1	CCCCD	\$592.64
	MISD	<u>\$9,561.09</u>
	Total	\$11,670.99

Judgment amount:	County	\$1,487.16
R-0645-000-0500-1	CCCCD	\$579.74
	MISD	<u>\$9,388.04</u>
	Total	\$11,454.94

Collin County Road Assessment Liens: \$14,481.22

Resale price: \$33,900.00

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

Proceeds to be distributed as follows:

1. Collin County	\$8,287.75	Road Assessment Liens
2. Gay, McCall, Isaacks, Gordon & Roberts, P.C.	\$2,486.32	Attorney's Fees
3. Collin County Tax Assessor	<u>\$23,125.93</u>	\$20,581.05 for MISD; \$3,350.96 for Co.; \$1,320.87 for CCCCCD
Total	\$33,900.00	

SPECIAL WARRANTY DEED

Date: _____, 2015

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

Grantor's Mailing Address (including county):

1 Duvall St.
McKinney, Texas 75069
Collin County

Grantee: Earl Holloway

Grantee's Mailing Address (including county):

P.O. Box 1382
Allen, TX 75013-022
Collin County

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

Properties (including any improvements):

Properties 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. 416-01515-06 in the 416th 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 _____, 2015, 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 _____, 2015, 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 _____, 2015, by _____, _____ of 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

TRACT 1: (BEING LOT 49, WINDMILL ESTATES ADDITION, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 4370, PAGE 1117 OF THE COLLIN COUNTY DEED RECORDS)

TRACT 2: (BEING LOT 50, WINDMILL ESTATES ADDITION, COLLIN COUNTY, TEXAS, AS RECORDED IN VOL. 4370, PAGE 1117 OF THE COLLIN COUNTY DEED RECORDS)