

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

Attorneys At Law
500 N SHORELINE BLVD STE 1111
CORPUS CHRISTI, TEXAS 78401

(361) 888-6898
FAX (361) 888-4405

June 1, 2018

Dr. Samuel Bueno, Superintendent
San Diego Independent School District
609 Labbe Avenue
San Diego, Texas 78384

**RE: Offer to purchase tax sale property
Suit No. DC-08-289; San Diego Independent School District and Duval County
vs. Octavio Gutierrez, et al
ACCT. NO. 11026006000300000; Lot 3, Block 60, Original Townsite Addition, an
addition to the Town of San Diego, Duval County, Texas, as described in Volume
253, Page 228, Deed Records of Duval County, Texas.**

Dear Dr. Bueno:

An offer has been made by Marion Carreon, PO Box 278, San Diego, TX 78384 in the amount of \$500.00 for the purchase of a tax sale property owned in trust by the Duval County taxing authorities as a result of the property's failure to sell at tax sale on the courthouse steps for the entire amount of delinquent taxes and costs owed.

An analysis showing the amount of money each taxing entity would receive if the offer is accepted is attached, as is a copy of Marion Carreon's written offer. In order for the property to be sold for less than the entire amount of taxes and costs owed, the formal approval of the school district is required under Property Tax Code Section §34.05.

On September 28, 2016, the San Diego Independent School District considered and rejected a bid from Juan Carlos Torres in the amount of \$4,000.00. On July 26, 2017, the San Diego Independent School District considered and rejected a bid from Juan J. Zarate in the amount of \$9,500.00.

Please place this as an action item on the agenda of the School Board meeting to be held on Wednesday, June 27, 2018. A suggested wording of this item is as follows: "Consideration and approval of offer to purchase tax sale property."

Should you have any questions, please do not hesitate to call me.


Sincerely,



Nancy Vasquez
Attorney at Law

NV/djm

Enclosure (offer, bid analysis and resolution authorizing resale)

cc:  Roberto Elizondo
Tax Assessor-Collector, Duval County
PO Box 337
San Diego, TX 78384

PREPARED BY:

DATE: 3/26/2018

PROJECT TITLE:

1 Re: DC-08-289

2 Octavio Gutierrez Property ID 11660

3 Lot 3, block 60

4
5 To whom it may concern:

6
7 Am not sure how this works but have been
8 searching for a place to call home. I don't
9 qualify for traditional home loans or have
10 money like others do. I can not offer a
11 bid of no more than \$500 for this lot, I've
12 seen it has been abandoned for a very
13 long time and house maybe out of date
14 on electrical, plumbing issues, and roof
15 may even leak. Needs alot of TLC which
16 am willing to put the work into it. However,
17 I can't afford the bid that is being
18 requested; maybe in payments but not a
19 full amount listed. I have to move out of
20 the storage shed by the end of May. Now
21 that I have cleaned the owner's property; they
22 want to start using it so I need to find a
23 place to live. I have have no family or
24 friends near by that can offer a place
25 to live. Am on my own so need to figure
26 the best option. I can work hard at making this
27 house my own and pay it off, even though
28 \$1.0 house needs alot of work

If the county can find a way to work with me on this, it would sure help from becoming homeless.

Sincerely
Marion Carreon

PO Box 278

San Diego, TX 78384

(956) 236-8965

mcpaloma24@gmail.com

* P.S. If no answer on cellphone please leave a message or email. I work on ranches that don't have cell service, no way to be reached until in town(s).

Bid

Marion Curvett

RE: DC-08-289

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Duval County - Resale Bid Form

The property is being sold for taxes, and all sales are made subject to a right to redeem within the time and manner provided by law. Purchasers do have a legal right to possession of the property during the redemption period. Purchasers will receive a Tax Resale Deed, which is without warranty. The Firm will not give out information on the title to the property other than the existence of post judgment taxes and municipal liens. It is the bidder's responsibility to do their own title examination and satisfy themselves as to the condition of the title before submitting a bid. It is also the bidder's responsibility to satisfy themselves concerning the location of the property on the ground before submitting an offer.

If a second bid is received any time before all interested tax jurisdictions have approved a previous bid the firm will contact all of the bidders so that an auction can be held at a time that is mutually convenient. However if a bid is received for the full amount of taxes, costs and liens due on the property, that bid may be accepted by the taxing entities without further consideration of any lesser bids.

All bids must be submitted on this form to the law office of Linebarger Goggan Blair & Sampson, LLP at 500 North Shoreline, Suite 1111, Corpus Christi, Texas 78401. All bids will be subject to approval by the taxing entities that have an interest in the subject property. The bidders should be prepared to wait at least 60 to 90 days for approval. Upon approval, the successful bidder is required to pay the entire amount of the offer within 10 working days to the Linebarger Goggan firm at the address shown above.

The Law Firm or the Taxing Entities will not supply or pay for any closing costs, including, but not limited to:
Owner Financing, Title Policy, Abstract of Title, Survey, Appraisal, Termite Certificate

I understand that the property is being sold in "as is" condition without Warranty. I further understand that I may be subject to penalty provisions of applicable Texas Law for failure to submit payment in accordance with the amount of bid. I understand and accept that any removal, repair or efforts to tear down any existing structures and improvements on said property and/or to completely demolish, clear and remove all debris will be at the bidder's/purchaser's sole expense without further costs to the city, school or county.

Subject to the terms and conditions stated herein, I submit the following bid on the property described below:

Amount of Bid: \$500

Suit Number: DC-08-289

Tax Account No.: 11024006000300000

Legal Description: Lot 3, block 40
~~215 West 11th Street~~

Bidder's Name(s): Marion Carreon

Address: PO Box 278
San Diego, TX 78384

Telephone Number(s): (956) 236-8965

Signature: Marion Carreon Dated: 3/27/2018

LINEBARGER GOGGAN BLAIR & SAMPSON, LLP

Attorneys At Law
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ANALYSIS OF BID RECEIVED FOR TAX RESALE PROPERTY

Suit No. DC-08-289; San Diego Independent School District and Duval County vs. Octavio Gutierrez, et al

Legal Description: ACCT. NO. 11026006000300000; Lot 3, Block 60, Original Townsite Addition, an addition to the Town of San Diego, Duval County, Texas, as described in Volume 253, Page 228, Deed Records of Duval County, Texas.

Bidder: Marion Carreon, PO Box 278, San Diego, TX 78384

Date of Sale:	June 7, 2016
Amount Due All Entities:	\$17,351.76
Amount of Bid:	\$500.00
Cost of Sale:	\$1,257.00
Current Value:	\$26,210.00
% of Total Due:	2.69 %
% of Current Value:	1.91 %

Entity	Amount Due	Amount You
Name	Each Entity	Will Receive
San Diego ISD	\$9,512.72	\$0.00
Duval County	\$6,883.23	\$0.00
City of San Diego	\$850.63	\$0.00
Duval County Groundwater Conservation District	\$105.18	\$0.00

Property located on W. King Street, San Diego, Duval County, Texas

RESOLUTION AUTHORIZING TAX RESALE

WHEREAS, by Sheriff's Sale conducted on June 7, 2016, the property described below was struck-off to the Duval County, Trustee, pursuant to a delinquent tax foreclosure decree of the 229th Judicial District Court, Duval County, Texas, and

WHEREAS, the sum of \$500.00 has been tendered by Marion Carreon, PO Box 278, San Diego, TX 78384, for the purchase of said property pursuant to Section §34.05, Texas Tax Code Ann. (Vernon, 1982), and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of San Diego Independent School District that its Board President, Ralph Saenz, III, be and he is hereby authorized to execute a tax resale deed on behalf of the school conveying to Marion Carreon all of the right, title, and interest of the school, and all other taxing units interested in the tax foreclosure judgment in the following described real property located in Duval County, Texas

ACCT. NO. 11026006000300000; Lot 3, Block 60, Original Townsite Addition, an addition to the Town of San Diego, Duval County, Texas, as described in Volume 253, Page 228, Deed Records of Duval County, Texas.

PASSED AND APPROVED this _____ day of _____, 2018.

Ralph Saenz, III, Board President

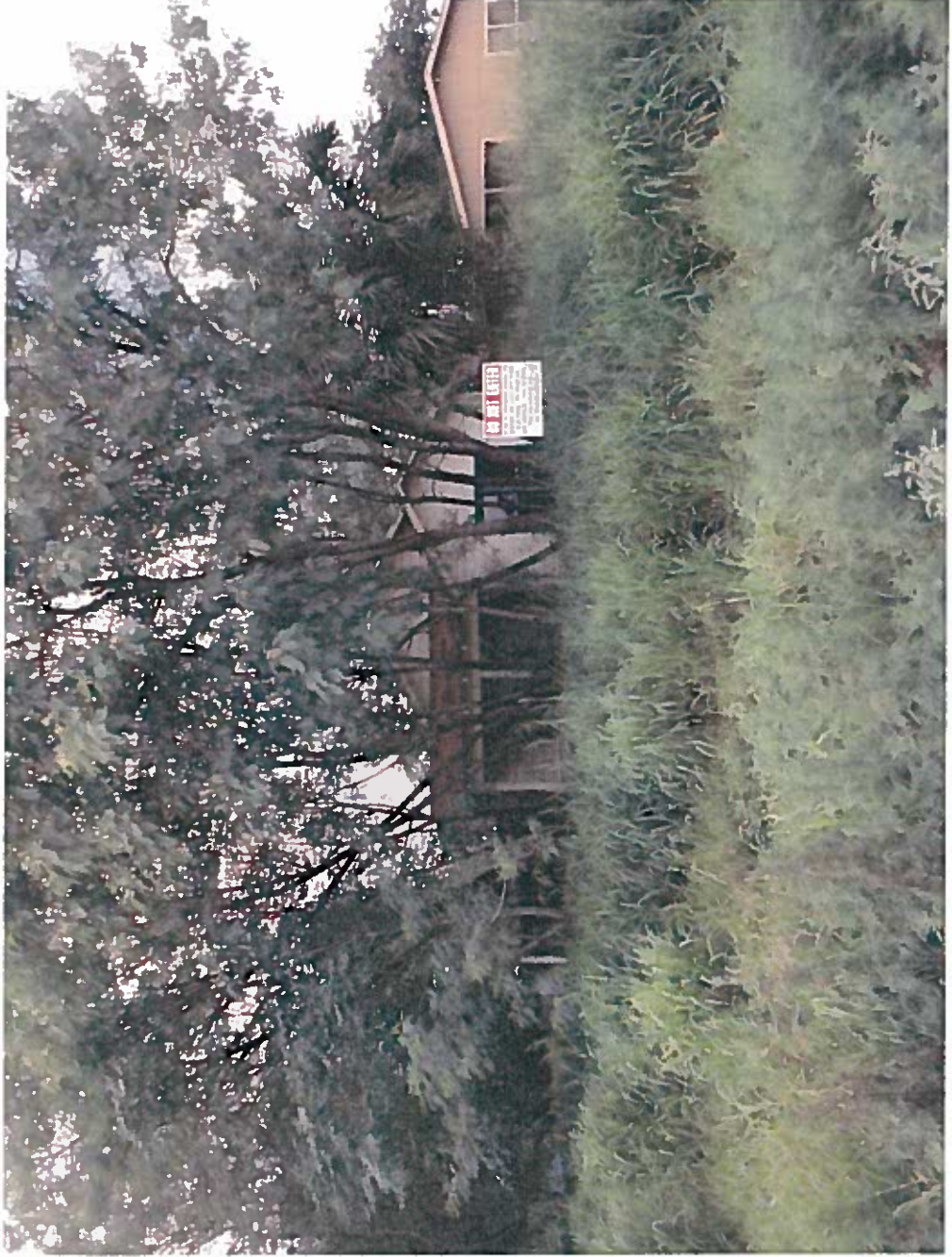
ATTEST:

Secretary to Board

Suit No. DC-08-289; San Diego Independent School District and Duval County vs. Octavio Gutierrez, et al

Suit # DC-08-289

Octavio Gutierrez



Suit # DC-08-289

Octavio Gutierrez

