

RESOLUTION NO. 16-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE SALE OF MULTIPLE TAX-FORECLOSED PROPERTIES LOCATED IN MESQUITE, TEXAS (THE "PROPERTIES"); ACCEPTING THE OFFERS FROM THE PURCHASER TO PURCHASE THE PROPERTIES; RATIFYING AND APPROVING THE OFFER AND PURCHASE AGREEMENTS EXECUTED BY THE PURCHASER SETTING FORTH THE TERMS AND CONDITIONS OF THE SALE OF THE PROPERTIES; AND AUTHORIZING THE CITY MANAGER TO EXECUTE QUITCLAIM DEEDS AND ALL OTHER DOCUMENTS NECESSARY OR REQUESTED TO COMPLETE THE CLOSING AND SALE OF THE PROPERTIES.

WHEREAS, the City of Mesquite, Texas ("City"), the Mesquite Independent School District ("MISD") and Dallas County, Texas, on its behalf and on behalf of the Dallas County Community College District, the Parkland Hospital District, the Dallas County School Equalization Fund and the Dallas Independent School District (collectively "Dallas County"), seek to work together in intergovernmental cooperation to return tax delinquent unproductive properties back to productive use and back to producing tax revenue; and

WHEREAS, the Texas Tax Code permits the foreclosure of a tax lien and the sale of real property in order to collect delinquent taxes; and

WHEREAS, at the tax foreclosure sales of the properties described in Exhibit "A," attached hereto and made a part hereof for all purposes (individually a "Property" and collectively the "Properties"), the Properties were "struck off" to the City to be held on the City's behalf and as trustee for the taxing units that received tax title to the Properties pursuant to the Sheriff's Deeds executed in connection with the tax foreclosure sales of the Properties; and

WHEREAS, the existence of blighted, abandoned or vacant tax delinquent properties negatively impacts adjacent property values, citizen quality of life and the tax revenues of local taxing units; and

WHEREAS, a return of delinquent tax properties to productivity would encourage revitalization of deteriorating neighborhoods, improve adjacent property values, reduce governmental expenditures on these properties and provide an increased tax base that would thus enhance future tax revenues; and

WHEREAS, pursuant to Texas Tax Code §34.05(i), a tax foreclosed property may be sold at a private sale for less than the market value specified in the judgment or the total amount of the judgment if each taxing unit entitled to receive proceeds of the sale under the judgment consents to the sale; and

WHEREAS, Properties sold pursuant to Texas Tax Code §34.05(i) will be subject to the payment of post-judgment taxes, penalties and interest and will also be subject to prorated taxes for the year of closing; and

WHEREAS, offers to purchase the Properties for the prices more fully set forth in Exhibit "A" have been submitted to the City; and

WHEREAS, the party submitting the offers more fully set forth in Exhibit "A" (the "Purchaser") has executed and delivered to the City Offer and Purchase Agreements (individually an "Offer and Purchase Agreement" and collectively the "Offer and Purchase Agreements") setting forth the terms and provisions of the sale and purchase of the Properties; and

WHEREAS, the proposed sale of each of the Properties meets the conditions of §34.05(i) as more fully set forth in Exhibit "A" and requires the consent of all taxing units entitled to proceeds of the sale of such Properties; and

WHEREAS, on March 6, 2017, MISD's Board of Trustees consented to the sale of the Properties by Resolution [except for the Property commonly known as 1121 Lorraine Lane, Mesquite, Texas, which is located in the Dallas Independent School District]; and

WHEREAS, on March 21, 2017, the Dallas County Commissioner's Court consented to the sale of the Properties by Court Order 2017-0425; and

WHEREAS, it is in the public interest of the citizens of Mesquite that the sales of the Properties be approved by the City Council upon the terms and conditions more fully set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City accepts the offer(s) on the Properties by the Purchaser and for the price(s) set forth in Exhibit "A."

SECTION 2. That the City Council ratifies and approves the terms and conditions of the Offer and Purchase Agreements executed by the Purchaser of the Properties.

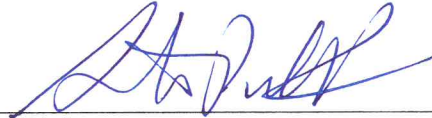
SECTION 3. That the City is hereby authorized to sell the Properties to the Purchaser for the prices set forth in Exhibit "A."

SECTION 4. That the City Manager is hereby authorized to execute quitclaim deeds and all other documents necessary or requested to complete the closing and sale of the Properties.

SECTION 5. That all Properties sold pursuant to the authority granted by this resolution shall be sold subject to: (i) the prior owners' remaining right of redemption, if any; (ii) prorated taxes for the year of closing; and (iii) the sales shall also be subject to post-judgment taxes, penalties and interest.

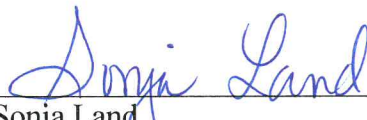
SECTION 6. That the proceeds from the sales of the Properties shall be paid first to the City to reimburse the City's reasonable costs, if any, pursuant to Texas Tax Code §34.06(c). After retaining the amount authorized by Texas Tax Code, §34.06(c), the remaining proceeds of the sale of the Properties, if any, shall be distributed pursuant to Texas Tax Code §§34.06(d) and (e).

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 3rd day of April, 2017.



\_\_\_\_\_  
Stan Pickett  
Mayor

ATTEST:



\_\_\_\_\_  
Sonja Land  
City Secretary

APPROVED:



\_\_\_\_\_  
B. J. Smith  
City Attorney

EXHIBIT "A" - TAX FORECLOSURE PROPERTIES STRUCK OFF TO THE CITY OF MESQUITE AS TRUSTEE FOR MESQUITE INDEPENDENT SCHOOL DISTRICT AND DALLAS COUNTY

R&B District #	MAPSCO	PROPERTY ADDRESS	CAUSE # / JUDGMENT DATE	TAX YEARS INCLUDED IN JUDGMENT (CO/CITY/SCHOOL)	DATE OF SHERIFF'S SALE	DCAD TAX ACCOUNT #	"1" or "U"	APPROX LAND SIZE	CURRENT DCAD VALUE	MARKET VALUE IN JUDGMENT	JUDGMENT AMOUNT (Total Amount in Judgment including Administrative Fees, Court Fees, Sheriff's Fees & Publication Fees)	OFFER AMOUNT	POST-JUDGMENT TAXES OWED (through January 2017)	OFFER AMOUNT + POST-JUDGMENT TAXES, if applicable	% OF CURRENT DCAD VALUE	PROPOSED SALE TO BETAX CODE	PURCHASER
1	49-M	1413 Fernwood Drive	TX-11-30786 Judgment Date is 4/1/2015 TX-08-31058 Judgment Date is 7/8/2009	County: 1998-2014 City: 1998-2014 MISD: 1998-2014	8/4/2015	38186500310070000	1	8,611 SF	\$ 109,720.00	\$ 88,240.00	\$ 107,984.39	\$ 67,716.69	\$ 2,283.31	\$ 70,000.00	64%	34.05(i)	Crestor Global Investments LLC
1	49-V	117 Glenridge Drive	TX-12-40281 1/30/2013 Consolidated w/TX-12-30899	County: 2004-2011 City: 2004-2011 MISD: 2004-2011	10/7/2014	38162500040050000	1	7,559 SF	\$ 64,110.00	\$ 57,700.00	\$ 38,353.43	\$ 13,280.92	\$ 7,719.08	\$ 21,000.00	33%	34.05(i)	Crestor Global Investments LLC
1	59A-K	2447 Lindale Lane	TX-11-40346 4/11/2012	County: 2004-2011 City: 2004-2011 MISD: 2004-2011	9/2/2014	38075500030080000	1	7,762 SF	\$ 48,830.00	\$ 50,450.00	\$ 36,900.16	\$ 30,443.55	\$ 6,218.45	\$ 36,662.00	75%	34.05(i)	Crestor Global Investments LLC
1	59-D	1121 Lorraine Lane*	TX-11-31722 9/6/2012	County: 2002-2011 City: 2002-2011	12/1/2015	38144500010100000	1	10,729 SF	\$ 57,530.00	\$ 58,860.00	\$ 45,489.33	\$ 29,945.99	\$ 10,054.01	\$ 40,000.00	70%	34.05(i)	Crestor Global Investments LLC
1	49-R	319 Saffron Circle	TX-13-31236 4/14/2014	County: 2003-2012 City: 2003-2012 MISD: 2003-2012	1/6/2015	38185500040650000	1	7,860 SF	\$ 85,770.00	\$ 62,720.00	\$ 54,529.25	\$ 47,838.90	\$ 8,161.10	\$ 56,000.00	65%	34.05(i)	Crestor Global Investments LLC
3	39A-U	925 Via Coronado	TX-14-30463 8/6/2015	County: 2001-2014 City: 2001-2014 MISD: 2001-2014	12/1/2015	3815600020190000	1	14,200 SF	\$ 112,550.00	\$ 106,930.00	\$ 107,778.81	\$ 63,058.04	\$ 3,941.96	\$ 67,000.00	60%	34.05(i)	Crestor Global Investments LLC

\* 1121 Lorraine Lane: This property is located in the Dallas Independent School District (DISD). Their school taxes are collected by Dallas County and are included in the Judgment.