

**CITY OF NEW BRAUNFELS
RESOLUTION AUTHORIZING RESALE OF PROPERTY HELD IN TRUST
BY THE COUNTY OF COMAL, TEXAS, AS TRUSTEE**

Legal Description, Deed Reference, Account Tax Number
Lot 23, Block 5, Evergreen Village Subdivision, Unit 1A, City of New Braunfels, Comal County, Texas being that property more particularly described in Volume 15, Page 320 and Page 321, Deed Records, Comal County, Texas, Tax Account Number #000000131467

WHEREAS, Cause Number T-9764B, County of Comal vs. John Seidel Enterprises, LLC, was filed in the District Court of Comal, Texas, to collect delinquent taxes on the property described above; and

WHEREAS, the District Court of Comal, Texas, granted Judgment on August 26, 2021, in favor of the County of Comal, Texas, collecting property taxes for itself, the Comal Independent School District, and the City of New Braunfels, Texas; and

WHEREAS, said parcel of land was offered for sale on December 7, 2021, by the Sheriff of Comal County at a public auction pursuant to said Judgment of the District Court of Comal County, Texas, for the foreclosure of the tax liens securing payment of delinquent property taxes and accrued penalty and interest owed on said parcel of land; and

WHEREAS, said parcel of land did not receive a sufficient bid as set by law and it was struck off to the County of Comal, Texas, Trustee, in trust for itself, and the other taxing jurisdictions listed above, pursuant to Sections 34.01 (j) and (k) of the Property Tax Code; and

WHEREAS, said parcel of land is a private street, common area, and utility easement according to the plat recorded at Volume 15, Page 320, and Page 321 Map and Plat Records of Comal County, Texas; and

WHEREAS, said parcel was to be held by a Homeowners Association to be maintained for the public benefit; and

WHEREAS, no such Homeowners Association exists; and

WHEREAS, the City of New Braunfels, Texas has assumed the maintenance responsibility of said parcel for the benefit of the health and safety of the public; and

WHEREAS, the City of New Braunfels, Texas, has tendered an offer of perpetual maintenance of said parcel in consideration for acquiring legal title to said parcel; and

WHEREAS, such perpetual maintenance, and ownership of said parcel by the City of New Braunfels, Texas, will be for a purely public purpose; to wit: the health and safety of the public; and

WHEREAS, the taxing units involved support of such public purpose and desire to convey said parcel of land in an expeditious manner, pursuant to Section 34.05 of the Property Tax Code.

WHEREFORE, Be It Resolved that the City Council for the **CITY OF NEW BRAUNFELS** does hereby authorize the presiding officer of this body to execute a Deed Without Warranty to the City of New Braunfels, Texas, in consideration of the obligation of perpetual maintenance of said parcel by the City.

This Resolution is adopted on this the _____ day of _____, 2023 by the City Council for the CITY OF NEW BRAUNFELS.

Neal Linnartz, City Mayor

Attest:

Gayle Wilkinson, City Secretary