

DEED WITHOUT WARRANTY

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DATE OF SHERIFF SALE: August 1, 2023

DEFENDANT(S): Evergreen Village Property Owners Associations, Inc., a corporation

GRANTOR: The County of Comal, Trustee

GRANTEE: City of New Braunfels, Texas

GRANTEE'S MAILING ADDRESS: 550 Landa Street, New Braunfels, Texas 78130

PROPERTY: Lot 16, Block 5, Evergreen Village Subdivision, Unit 1A, City of New Braunfels, Comal County, Texas (Volume 15, Page 321 & Document #200606036697, Deed Records of Comal County, Texas)

TAX ACCOUNT NO.: 000000131466

CONSIDERATION: Perpetual maintenance of said property by the City of New Braunfels, Texas, for a purely public purpose, to wit: the health and safety of the public.

TAX FORECLOSURE LAWSUIT: Cause No. T-9762D, The County of Comal, Texas v. Evergreen Village Property Owner's Association, Inc., 433rd Judicial District Court

SHERIFF: Mark Reynolds

COUNTY: Comal County, Texas

NEWSPAPER: Herald-Zeitung

DATES OF PUBLICATION: July 8, 2023, July 15, 2023 and July 22, 2023

WHEREAS, by virtue of an Order of Sale issued by the Clerk of the 433rd Judicial District Court in and for COUNTY, pursuant to a Judgment rendered in the TAX FORECLOSURE LAWSUIT listed above, SHERIFF, after having advertised the sale of said PROPERTY by giving notice of the time and place of sale by advertisement in the English language, published once a week for three consecutive weeks preceding such sale, the first publication appearing not fewer than twenty days immediately preceding the date of sale, on the DATES OF PUBLICATION referenced above, in the NEWSPAPER, which newspaper is published in said COUNTY, stating in said advertisement a description of the PROPERTY, and by delivering a notice to the above named DEFENDANT(S), and on the DATE OF SALE, listed above, within the hours prescribed by law, sold said PROPERTY at public venue at the Courthouse door of COUNTY, at which sale the PROPERTY was bid off to the GRANTOR, there being no bid as much as the market value of the PROPERTY, or the aggregate amount of the Judgment against the PROPERTY, as shown in the Judgment in the TAX FORECLOSURE LAWSUIT; and

WHEREAS, GRANTEE has tendered an offer of perpetual maintenance of said PROPERTY by the City of New Braunfels, Texas, for a purely public purpose, to wit: the health and safety of the public; and

WHEREAS, GRANTOR desires to resell the PROPERTY pursuant to Section 34.05 of the TEXAS PROPERTY TAX CODE.

NOW, THEREFORE, THE COUNTY OF COMAL, TRUSTEE, acting by and through the County Judge of Comal County, GRANTOR, for and in consideration of perpetual maintenance of said PROPERTY by the City of New Braunfels, Texas, for a purely public purpose, to wit: the health and safety of the public, the receipt and sufficiency of which is acknowledged by GRANTOR, has GRANTED, SOLD and CONVEYED to GRANTEE the PROPERTY described above.

GRANTOR and all the taxing units involved in this conveyance exclude and except any warranties, express or implied, regarding the PROPERTY, including, without limitation, any warranties arising by common law or Section 5.023 of the TEXAS PROPERTY TAX CODE or its successors. This conveyance is expressly made subject to any right of redemption of the PROPERTY which may exist under Section 34.21 of the TEXAS PROPERTY TAX CODE.

GRANTOR has not made and does not make any representations, warranties or covenants of any kind or character whatsoever, whether express or implied, with respect to the quality or condition of the PROPERTY, the suitability of the PROPERTY for any and all activities and uses which GRANTEE may conduct thereon, compliance by the PROPERTY with any laws, rules, ordinances or regulations or any applicable governmental authority or habitability, merchantability or fitness for a particular purpose, and specifically, GRANTOR does not make any representations regarding hazardous waste, as defined by the Texas Solid Waste Disposal Act and the regulations adopted thereunder, or the U. S. Environmental Protection Agency regulations, or the disposal of any hazardous or toxic substances in or on the PROPERTY.

TO HAVE AND TO HOLD the PROPERTY, together with all and singular the rights and appurtenances belonging in any way to the PROPERTY, subject to the provisions, stated above, to GRANTEE, successors and assigns forever, without warranty of any kind.

IN TESTIMONY WHEREOF THE COUNTY OF COMAL, Trustee, has caused these presents to be executed this the _____ day of _____, 2023.

COUNTY OF COMAL

By _____
County Judge, Sherman Krause

STATE OF TEXAS

COUNTY OF COMAL

Before me, the undersigned authority, on this day personally appeared Sherman Krause, County Judge of Comal County, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the official capacity indicated and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

Notary Public, State of Texas

AGREED AND APPROVED BY
COMAL INDEPENDENT SCHOOL DISTRICT

By _____
School Board President, Russ Garner

STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Russ Garner, Superintendent of Comal Independent School District, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the official capacity indicated and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

Notary Public, State of Texas

AGREED AND APPROVED BY
CITY OF NEW BRAUNFELS

By _____
Mayor, Neal Linnartz

STATE OF TEXAS §
 §
COUNTY OF COMAL §

Before me, the undersigned authority, on this day personally appeared Neal Linnartz, Mayor of City of New Braunfels, Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same in the official capacity indicated and for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2023.

Notary Public, State of Texas

Return Recorded Deed to:
City of New Braunfels
550 Landa Street
New Braunfels, Texas 78130