

**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.**

**RESOLUTION 2012-08**  
**RESOLUTION AUTHORIZING TAX RESALE**

WHEREAS, by Sheriff's Sale conducted on 1st day of November, 2011, the property described below was struck-off to Cameron County, Trustee, pursuant to a delinquent tax foreclosure decree of the 197th Judicial District Court, Cameron County, Texas, and

WHEREAS, the sum of **\$49,000.00** has been tendered by Jose Noe Olivarez of Cameron County for the purchase of said property pursuant to Section 34.05, Texas Tax Code Ann. (Vernon, 1982);

NOW, THEREFORE, BE IT RESOLVED by the City Commission for La Feria that its Mayor, Steve Brewer, be and that they are hereby authorized to execute a tax resale deed on behalf of this district conveying to Jose Noe Olivarez all of the right, title, and interest of the city, and all other taxing units interested in the tax foreclosure judgment in the following described real property located in Cameron County, Texas


**Lots 5, 6, 7, 8 and 9, Block 3, Dunn Acres Subdivision, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 11, Page 62, Map Records of Cameron County, Texas. (Account#29-2640-0030-0050-00)**

PASSED AND APPROVED this 24<sup>th</sup> day of January, 20 12.



Steve Brewer  
Mayor

ATTEST:



Olga Oberwetter  
City Secretary

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**TAX RESALE DEED**

**STATE OF TEXAS**

**X**

**X KNOW ALL MEN BY THESE PRESENTS**

**COUNTY OF CAMERON**

**X**

That CAMERON COUNTY, CITY OF LA FERIA and LA FERIA INDEPENDENT SCHOOL DISTRICT, acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of **\$49,000.00** cash in hand paid by

**Jose Noe Olivarez  
25224 N. Kansas City  
La Feria, Texas 78559**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, has quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Suit No. 2010-02-1045-C, in the district court of said county, said property being located in Cameron County, Texas, and described as follows:

**Lots 5, 6, 7, 8 and 9, Block 3, Dunn Acres Subdivision, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 11, Page 62, Map Records of Cameron County, Texas. (Account #29-2640-0030-0050-00)**

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

SUBJECT however to the following covenant, condition and restrictions:

(a) The above described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which discriminates against any person because of his race, color or national origin, regardless of whether such discrimination be effected by design or otherwise.

(b) The above described realty, or any part thereof, shall not be used in the operation of, or in conjunction with, any school or other institution of learning, study or instruction which creates, maintains, reinforces, renews, or encourages, or which tends to create, maintain, reinforce, renews or encourage a dual school system.

These restrictions and conditions shall be binding upon grantee and grantee's successors, assigns, heirs and personal representatives for a period of fifty (50) years from the date hereof.

The foregoing restrictions and the other covenants hereafter set out are covenants running with the land, and each and every parcel thereof, and shall be fully binding upon any person, firm, partnership, corporation, trust, church, club, governmental body, or other organization or entity whatever (whether private or governmental in nature), without limitation hereinafter acquiring any estate, title, interest or property in said land, whether by descent, devise, purchase or otherwise; and no act or omission upon the part of grantor herein, its successors and assigns, shall be a waiver of the operation or enforcement of such restrictions; but neither restriction shall be construed to be a condition subsequent or special limitation on the estate thereby conveyed.

It is further covenanted, that third party beneficiaries of the restrictions set forth above shall be as follows:

- (1) As to the restrictions set out in (a) above, any person prejudiced by its violation;
- (2) As to the restriction set out in (b) above, any public school district or any person prejudiced by its violation; and
- (3) As to either or both of the restriction set out in (a) and (b) above, the United States of America, as plaintiff, and the America G.I. Forum, the League of United Latin American Citizens (LULAC), and the National Association for the Advancement of Colored People (NAACP), as intervenors, in U.S. v. Texas, Civil Action No. 5281, Tyler Division, U.S. District Court, Eastern District of Texas; reported in U.S. v. Texas, 321 F. Supp. 1043 (E.D. Tex. 1970); U.S. v. Texas, 330 F. Supp. 235 (E.D. Tex 1971); aff'd with modifications sub. nom. U.S. v. State of Texas and J. W. Edgar, et al., 447 F2d 441 (5 Cir. 1971); stay den. sub. nom. Edgar v. U.S., 404 U.S. 1206 (1971); cert den. 404 U.S. 1016 (1972).

It is further covenanted that in case of violation of either or both of the above restrictions, any of the third party beneficiaries above alluded to is authorized and empowered to prosecute proceedings at law or in equity against any person, firm, partnership, corporation, trust, church, club, governmental body or other organization or entity whatever (whether private or governmental in nature), without limitation:

- (A) To enforce either or both of such restrictions relating to the use of the above-described realty;
- (B) To abate or prevent violations of either or both of such restrictions; and
- (C) To recover damages for a breach of either or both such restrictions.

It is further covenanted, that if any third party beneficiary referred to above shall prosecute proceedings at law or in equity for the aforesaid purposes, such third party beneficiary may recover reasonable attorney's fees from the violator or violators of either or both of such restrictions, if the Court finds that the proceedings were necessary to bring about compliance therewith.

Taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to any existing right of redemption remaining in the former owner of the property under the provisions of law and also subject to any recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the year the tax lien(s) arose.

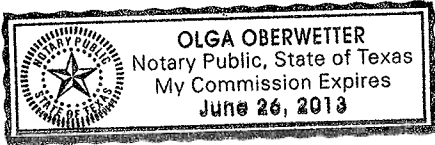
IN TESTIMONY WHEREOF City of La Feria has caused these presents to be executed this 24<sup>th</sup> day of January, 2012.

BY: Steve Brewer  
Steve Brewer  
Mayor

STATE OF TEXAS X

COUNTY OF CAMERON X

This instrument was acknowledged before me on this 24<sup>th</sup> day of January, 2012, by Steve Brewer, Mayor, of the City of La Feria.



Olga Oberwetter  
Printed Name: Olga Oberwetter  
Notary Public, State of Texas  
My Commission Expires: 6-26-2013

After recording return to:

**Linebarger Goggan Blair & Sampson, LLP**  
**1805 Ruben Torres Blvd, Ste. B-28**  
**Brownsville, Texas 78521**