

SUIT NO. DTX-20-04694

CONCHO CENTRAL APPRAISAL DISTRICT

§

IN THE DISTRICT COURT

VS.

§

119TH JUDICIAL DISTRICT

REX FENTON, ET AL

§

§

CONCHO COUNTY, TEXAS

§

THE STATE OF TEXAS

ORDER OF SALE

TO THE Sheriff or any Constable of Concho County, Texas, Greeting:

WHEREAS, on April 26, 2023, CONCHO CENTRAL APPRAISAL DISTRICT, as Plaintiff, recovered a tax foreclosure judgment in the District Court of the above named County, in Suit No. DTX-20-04694, against: Karla Ann Turland, Kelly Jo Castro and Billy Shane Fenton and any and all other persons including adverse claimants, owning or having or claiming any legal or equitable interest in or lien upon the hereinafter described property who were duly served with process either personally or by means of citation by posting/publication, for taxes, penalties, interest and costs due on the lands or lots, hereinafter described, in the amounts set out opposite the description of each tract, with additional penalties and interest thereon at the rates prescribed by Subchapters A and C of Chapter 33, Property Tax Code, from the date of judgment until paid, and costs of suit as manifested by the itemized Bill of Costs hereinafter appearing, together with the further costs of executing and fulfilling the requirements of this writ; and whereas, said judgment decree directs the foreclosure of the lien created, established and continued on and against the said property hereinafter described by reason of the levy and assessment of taxes on and against the same and the delinquency thereof, and said taxes remaining unpaid and due to the above named plaintiff and as the said lien now exists and at any time heretofore existed by reason of such levy, assessment and delinquency, set out in said judgment against the said property as hereinafter described, the same lying and being situated in Concho County, Texas.

THEREFORE, YOU ARE COMMANDED that you seize, levy upon and advertise the sales as under Execution, each of said tracts of land, and sell the same, selling each tract separately, to the highest bidder for cash as under Execution, this order to have all the force and effect of a writ of possession as between the parties to this suit and any person claiming under the defendant(s) by any right acquired pending this suit; that the property to be sold by you may be sold to a taxing unit that is a party to this suit or to any other person, other than a person owning an interest in the property or any party to this suit that is not a taxing unit, for the adjudged value of the property or the aggregate amount of the judgments against the property, whichever is less, which said adjudged value, or reasonable fair value, of the property as set by this Court is in the amount set out opposite each tract below. The "aggregate amount of the judgments against the property" is herein defined to mean all delinquent taxes, penalties, interest, and attorney fees due owing and unpaid at the time of judgment as shown below opposite the description of each tract, all costs of suit and sale, and all additional penalties and interest accrued from the date of judgment to date of sale. You are further commanded that the property may not be sold to a person owning an interest in the property or to a person who is a party to the suit other than a taxing unit unless: (1) that person is the highest bidder at the tax sale, and (2) the amount bid by that person is equal to or greater than the aggregate amount of the judgments against the property, including all costs of suit and sale.

If the Defendants or their Attorney shall at any time before the sale file with the Sheriff, or any other officer in whose hands this Order of Sale shall be placed, a written request that the property described therein shall be divided and sold in less tracts than the whole, together with a description of said subdivisions, then such officer shall sell the land in such subdivisions as the defendants may request, and in such case shall only sell as many subdivisions as near as may be to satisfy this judgment, interest and costs; and it is further ordered by the Court that the net proceeds of any sale of such property made hereunder to any party other than a taxing unit who is a party to this suit shall belong to and be distributed to all such taxing units which have been found to have tax liens against such property, pro rata and in proportion to the amounts of their respective tax liens as hereinbefore established, but any excess in the proceeds of sale over and above the amount necessary to pay the aggregate amount of the judgments against the property, shall be placed in the registry of this court and be subject to claim by those parties legally entitled to such excess.

In the event one or more of the Defendants shall pay off and discharge all of the amounts adjudged to be due against one or more tracts, prior to the holding of such foreclosure sale, such Defendant shall be liable only for the pro rata part of the accrued costs properly chargeable to such tract or tracts; but the proceeds of any foreclosure sale in this cause shall be applied first to the payment of all accrued costs of suit and sale, and any residue shall be distributed pro rata to all such taxing units as above provided.

Delinquent taxes, penalty and interest due for which judgment was herein rendered covering all years delinquent at the date of this judgment are as follows, to-wit:

PROPERTY

LOT 1, BLOCK 8, CONCHO RANCH ESTATES SUBDIVISION, A SUBDIVISION IN CONCHO COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 2, PAGE 45, PLAT RECORDS OF CONCHO COUNTY, TEXAS.
ACCT. NO. PR24-2 (R000000338)

<u>JURISDICTION</u>	<u>AMOUNT DUE</u>	<u>ADJUDGED VALUE</u>
CONCHO CENTRAL APPRAISAL DISTRICT	\$2,071.81	\$6,900.00

And it is further ordered by the Court that the officer executing this Order of Sale shall make proper conveyance to the purchaser or purchasers of said land under and by virtue of said sale or to any other person to whom the purchaser may direct the conveyance to be made upon due compliance with the terms of sale in which such deed the conditions of the right of redemption provided by law shall be expressed and also made subject thereto.

And it is further ordered by the Court that the officer executing this Order of Sale shall place the purchaser(s) of said land sold hereunder in possession thereof, but no sooner than twenty (20) days following the date on which the purchaser's deed from the sheriff or constable is filed of record.

And it is further ordered by the Court that the purchaser of property sold for taxes herein shall take title free and clear of all liens and claims for taxes against such property delinquent at the time of judgment in this suit to any taxing unit which was a party herein or which has been served with citation

as required by this Act. The term "delinquent" as used in this paragraph is defined to mean only those taxes required to be included in the foreclosure judgment pursuant to Sections 33.42 and 33.52, Property Tax Code.

HEREIN FAIL NOT, under penalty of law, and due return make of this writ, within one hundred eighty (180) days from date hereof, with your endorsement thereon, showing how you have executed same.

GIVEN UNDER MY HAND AND SEAL OF SAID COURT, by order of said Court, at my office in Paint Rock, in the County of Concho, in the State of Texas, this the 20 day of June, 2024.



Audrey Hall

Clerk of the District Court
Concho County, Texas

Chal Miller

Deputy

BILL OF COSTS

SUIT NO. DTX-20-04694

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District Clerk's Costs		
Filing Fees:		\$222.00
Issuance Fees:		
7 Citations		\$56.00
1 Order of Sale		\$8.00
Sheriff's Fees		
To serving all process		
1 Citation(s) (Hays County)		\$75.00
4 Citation(s) (Tom Green Co)		\$440.00
Abstract Fees (See Judgment)		\$275.00
Payable to Linebarger Goggan Blair & Sampson, LLP		
	TOTAL	\$1,076.00

I hereby certify that the above is a true and correct Bill of Costs in the above entitled cause up to and including this writ.



Auburn Hall
Clerk of the District Court
Concho County, Texas

Carol Miller
Deputy

FILED

The 25 Day of June
2024 at 11:50 O'clock A M
Auburn Hall
County Clerk, Concho Co. TX
By Dorothy H. Oms

FILED

The 20 Day of June
2024 at 2:13 o'clock P M
Auburn Hall
Distict Clerk Concho Co. TX.
By _____