



April 6, 2021

Notice is hereby given of a Regular Meeting of Nacogdoches City Council to be held on the above date via videoconference, with the opportunity to appear in person in the City Council Chamber of City Hall, 202 East Pilar Street, Nacogdoches, Texas, beginning at 5:30 p.m. for the purpose of considering the following agenda items.

In accordance with Orders of the Governor due to the COVID-19 pandemic, the City of Nacogdoches City Council meeting will be deemed as being conducted via teleconference or videoconference. However, some City Council Members may attend virtually, while others may be present in the above stated physical location. Regardless, the meeting will be streamed live at <https://www.nactx.us/21>. There will be an opportunity for the public to comment on agenda items either by teleconference or in person in Council Chambers. For those attending in person, strict adherence to COVID-19 related CDC guidelines will be enforced at all times.

Members of the public who wish to submit comments by telephone on a listed agenda item must contact the City Secretary's office by email at vinsonj@nactx.us or by calling 936-559-2506 and providing their name, telephone number and relevant agenda item upon which they wish to speak. All requests to make comments by telephone must be received by 12:00 p.m. on April 6, 2021. For all timely requests received, staff will call the submitted phone numbers directly during the meeting when the corresponding item comes up for comment. NOTE: The incoming phone call from City staff will be an unfamiliar number.

**PLEASE LIMIT PRESENTATIONS TO THREE MINUTES
(UNLESS PRIOR APPROVAL IS OBTAINED)**

1. Call to order.
2. Pledge of Allegiance.
3. Presentation:
 - A. Fair Housing Month Proclamation. (Mayor)
 - B. Mayors' Monarch Pledge. (Mayor)
4. Open Forum.
5. Items to be removed from Consent Agenda.
6. **CONSENT AGENDA:** Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.
 - A. Consider approval of minutes from March 9, 2021 and March 30, 2021 special meetings, and March 16, 2021 regular meeting. (City Secretary)
 - B. Consider an ordinance of the City of Nacogdoches, Texas, for the conveyance of 0.785 acres of land, more or less, including easements to Endura Products, Inc.,

("Endura") formerly known as Burns Morris & Stewart Limited Partnership ("BMS"), authorizing the Mayor to execute necessary documents of conveyance, making findings, providing for a severability clause, establishing an effective date, establishing proper notice and open meeting, and ordering appropriate filing. (City Attorney)

- C. Consider ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Airport Improvements and/or Expansion) (Airport Manager)
- D. Consider tax resale authorization for Lot 16D-1, Block 55, more or less, in the J.L. Boden Survey, A-81, located in the City of Nacogdoches, Texas; more fully described in Volume 546, Page 509 in the real property records of Nacogdoches County, Texas. (17-055-0016-040100) (City Manager)
- E. Consider tax resale authorization for Lot 13, Block 6, Section 4 of the Arbor Oaks Subdivision, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, Texas. (18-022-5606-013000) (City Manager)
- F. Consider tax resale authorization for 1016 Orton Street being Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas more fully described in Volume 02796, Page 00169, Official Public Records, Nacogdoches County, Texas. (18-437-6201-00500) (City Manager)
- G. Consider tax resale authorization for 1524 Coleman Street being Lot 6, Hoya Subdivision, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, Texas. (18-298-5900-006000) (City Manager)
- H. Consider tax resale authorization for property on Powers Street being Lot 8-F, Block 43 located in Nacogdoches County, Texas more fully described in Volume 372, Page 788, deed records, Nacogdoches County, Texas. (17-043-1008-060000) (City Manager)
- I. Consider tax resale authorization for property on Old Tyler Road being Lot 28, Block 61, in the Harvey Austin Subdivision located in the Sylvester Moreland Survey; more fully described in Volume 366, Page 167 Nacogdoches County, Texas. (11-026-6100-028000) (City Manager)
- J. Consider approval of an interlocal agreement between the City of Nacogdoches and Stephen F. Austin State University relating to COVID-19 vaccine administration, outreach and assistance. (Fire Chief)

7. **REGULAR AGENDA:**

- A. Receive Nacogdoches County Exposition and Civic Center Annual Report. (Anita Scott, Director)
- B. Consider approval of the strategic priorities for the City of Nacogdoches, Texas as discussed at the City Council Retreat held on February 11, 2021. (City Manager)
- C. Consider approval of a contract by and between the City of Nacogdoches and Duplichain Contractors, LLC for the Ford Street Storm Sewer Rehabilitation Project in a not-to-exceed amount of \$317,155.00 (Assistant Director of Public Works)
- D. Consider ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Ford Street Storm Sewer Rehabilitation) (Assistant Director of Public Works)
- E. Consider interlocal agreement form of contract with Stephen F. Austin State University (SFASU) for beer and wine sales at SFASU home baseball and softball games at the Pete Smith Baseball Complex and authorize the City Manager to execute so long as there are non-substantial changes after review by the interim City Attorney.
- F. Ratify and approve a time and materials authorization for Ceres Environmental to provide street side brush collection and brush grinding services in an amount not to exceed \$300,000. (City Engineer)
- G. Consider an ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Brush Collection and Grinding) (City Engineer)

8. Adjourn.



Jan Vinson, City Secretary



This agenda is posted as required under G. C. Section 551.041. For more information or a copy of the Open Meetings Act, please contact Attorney General of Texas at 1-800-252-8011; City Secretary at 936/559-2506 or visit City of Nacogdoches web site at www.nactx.us.

CERTIFICATION

I certify the notice of meeting was posted in the directory outside of City Hall, 202 E. Pilar Street, Nacogdoches, Texas on March 31, 2021 at 4 p.m. and remained posted until meeting convened.

Jan Vinson, City Secretary



City Council Meeting

Date: April 6, 2021

Agenda Item: 3.A.

PRESENTER: Shelley Brophy

ITEM/SUBJECT: Fair Housing Month Proclamation. (Mayor)

SUMMARY/BACKGROUND:

FINANCIAL:

CITY CONTACT: Jan Vinson, City Secretary
vinsonj@nactx.us
936-559-2506

ATTACHMENTS: 1. Fair Housing Proclamation

Proclamation

Nacogdoches, Texas

WHEREAS, Title VIII of the Civil Rights Act of 1968, as amended, prohibits housing discrimination and declares it a national policy to provide, within constitutional limits, fair housing in the United States; and

WHEREAS, the principle of Fair Housing is not only national law and national policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS, during the month of April the National Fair Housing Law provides an opportunity for all Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE BE IT PROCLAIMED, that I, Shelley Brophy, as Mayor of the City of Nacogdoches and on behalf of City Council do hereby declare April 2021 as

Fair Housing Month

in Nacogdoches, Texas, and urge all citizens to become aware of and support the Fair Housing law.



In witness whereof I have hereunto set my hand and caused this seal to be affixed

Shelley Brophy, Mayor

Attest: _____

Jan Vinson, City Secretary

Date: _____



City Council Meeting

Date: April 6, 2021

Agenda Item: 3.B.

PRESENTER: Shelley Brophy

ITEM/SUBJECT: Mayors' Monarch Pledge. (Mayor)

SUMMARY/BACKGROUND:

FINANCIAL:

None.

CITY CONTACT: Hanna Andersen, Assistant Community Services Director
andersenh@nactx.us
936-559-2940

ATTACHMENTS: 1. Monarch Pledge Proclamation

Proclamation

Nacogdoches, Texas

WHEREAS, the monarch butterfly is an iconic North American species whose multigenerational migration and metamorphosis from caterpillar to butterfly has captured the imagination of millions of Americans; and

WHEREAS, both the western and eastern monarch populations have seen significant declines with less than one percent of the western monarch population remaining, while the eastern population has fallen by as much as ninety percent; and

WHEREAS, the City of Nacogdoches recognizes that human health ultimately depends on well-functioning ecosystems and that bio-diverse regions can better support food production, healthy soil and air quality and can foster healthy connections between humans and wildlife; and

WHEREAS, cities, towns and counties have a critical role to play to help save the monarch butterfly. The City of Nacogdoches is striving to become a leader and is committed to taking meaningful action to protect the monarch butterfly; and

WHEREAS, every resident can make a difference for the monarch by planting native milkweed and nectar plants to provide habitat for the monarch and pollinators in locations where people live, work, learn, play and worship.

NOW THEREFORE BE IT PROCLAIMED, that I, Shelley Brophy, Mayor of the City of Nacogdoches and on behalf of the City Council do hereby proclaim April 6, 2021 as

Mayors' Monarch Pledge Day

in the City of Nacogdoches and encourage all resident to participate in community activities that support and celebrate monarch conservation.



*In witness whereof I have hereunto set my hand and
caused this seal to be affixed*

Shelley Brophy, Mayor

Attest: _____
Jan Vinson, City Secretary

Date: _____



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.A.

PRESENTER: Jan Vinson, City Secretary

ITEM/SUBJECT: Consider approval of minutes from March 9, 2021 and March 30, 2021 special meetings, and March 16, 2021 regular meeting. (City Secretary)

SUMMARY/BACKGROUND:

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Jan Vinson, City Secretary
vinsonj@nactx.us
936-559-2506

ATTACHMENTS:

1. CC030921 Special Session Minutes
2. CC031621 Minutes
3. CC033021 Special Meeting Minutes



Special Session
Nacogdoches City Council
March 9, 2021 - 2 p.m.
Videoconference

DRAFT

Special Session:

City Council Present: Mayor Shelley Brophy, Council Members Roy Boldon, Amelia Fischer and Garth Hinze. **Present via Videoconference:** Council Members Jay Anderson

- 1. **Called to order** at 2:03 p.m.
- 2. No one spoke during **Open Forum**.

For convenience of the audience, Council may conduct Executive Session deliberation, reconvening open session for action, if any, on Executive Session items. Regular Session agenda items appropriate for Executive Session consideration may be moved into Executive Session for deliberation, but not action, upon proper announcement at the meeting by presiding officer.

City Council convened in Executive Session at 2:05 p.m.

3. **EXECUTIVE SESSION:**

Personnel Matters – Pursuant to Texas Government Code Section 551.074, deliberations regarding the appointment or employment of a public officer or employee. The subject of this executive session is to discuss appointment or employment related matters concerning **City Attorney search**.

City Council reconvened in Open Session at 3:30 p.m. taking no action.

Meeting **adjourned** at 3:30 p.m.

ATTEST:

Mayor Shelley Brophy
City Council
City of Nacogdoches

Jan Vinson, City Secretary

Minutes unofficial until approved by City Council



**Regular Session
Nacogdoches City Council
March 16, 2021 – 5:30 p.m.
Videoconference**

DRAFT

City Council present in person: Mayor Shelley Brophy, Council Members Roy Boldon, Garth Hinze, Amelia Fischer and Jay Anderson.

1. Called to order at 4:01 p.m.
2. Pledge of Allegiance.
3. **WORK SESSION:**

Acting Police Chief Weems reviewed the 2020 Contact Report by Del Carmen Consulting, LLC which is required by the Code of Criminal Procedures. Chief Weems discussed total traffic stops in 2020 including the following data; location of stops, known race/ethnicity of driver prior to stop, race and/or ethnicity of driver after stop, driver's gender, reason for stop and violation. He also discussed searches conducted, reasons for searches, probable cause searches, contraband discovered, arrests, stolen property, result of stop, citations issued, and warrants.

Chief Weems stated the Police Department is understaffed and COVID-19 restrictions have affected community engagement efforts. The Police Department will resume community engagement efforts as soon as possible.

Tim Garrigan (CR 2091 #623, Nacogdoches) spoke during public comment stating there are problems with Del Carmen's report and he believes Del Carmen is rarely critical of law enforcement agencies. He questioned the percentage that law enforcement knows the race and ethnicity of the vehicle operator prior to a stop and stated the audit numbers are not substantiated. Mr. Garrigan stated that he presented this same information to City Council two years ago and wondered if the City has done anything to address his concerns?

City Manager Mario Canizares will set up an appointment with Mr. Garrigan to discuss his concerns.

Council Member Boldon stated he did not see much difference in percentages between this report and other annual reports presented in previous years. He believes more communication between the community and the police department is needed as well as more police presence in minority neighborhood.

Council Member Anderson stated that friendly interaction with problematic areas in town is needed with a regular presence that does not relate to crime activity.

Council Member Fischer stated it is important to build trust with the community. She also asked for clarification regarding probable cause search statistics. Council Member Fischer encouraged staff discussions with Mr. Garrigan to address his concerns.

Council Member Hinze stressed the importance of sharing information with the community. Council Member Hinze suggested staff research strong neighborhood oriented policing programs in other communities.

Mayor Brophy discussed citizen complaint process. Chief Weems confirmed there were no racial profiling complaints filed in 2020 and reviewed the complaint process.

City Council discussed the importance of creating relationships and dialogue between citizens and police officers.

City Council recessed at 5:14 p.m. and returned at 5:32 p.m.

4. No one spoke during Open Forum.
5. No items removed from Consent Agenda.

Minutes unofficial until approved by City Council

6. **CONSENT AGENDA:** Items included under Consent Agenda require little or no deliberation by Council. Approval of Consent Agenda authorizes the City Manager or his designee to proceed with conclusion of each in accordance with staff recommendations as reflected in the minutes of this meeting.

- A. Minutes from February 23, 2021 special session and March 2, 2021 regular session.
- B. Consider ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuring fiscal year beginning October 1, 2020 and ending September 30, 2021. (Receipt of CARES Act funding)
- C. Consider resolution closing East Main Street for the annual Nacogdoches Main Street Wine Swirl Event, April 10, 2021.

Council Member Garth Hinze moved approval; motion duly seconded by Council Member Roy Boldon and carried by unanimous vote.

7. **REGULAR AGENDA:**

- A. **Public Hearing** – Consider an ordinance amending a Specific Use Permit for an existing Mini Warehouse storage facility, for approximately 8.1 acres, being Lot 1, City Block 72 of the Maxwell Subdivision, located at 6825 North Street. This request has been submitted by D&S Blacklock Family, LP. Case File SUP2021-01.

City Planner Alaina Chafin stated this is an amendment to an existing Specific Use Permit approved in May 2020. The proposed amendment is to add a 2,500 square foot building which was not included in the initial Specific Use Permit request. This is part of a three phase project with phases one and two complete. Mrs. Chafin reviewed adjacent land use and zoning, Future Land Use Plan designations and business hours of the facility.

Twelve notices were sent to property owners within 200 foot notification with no responses.

Planning and Zoning Commission heard this request on February 8, 2021 and recommended approval unanimously.

Mayor Brophy opened the Public Hearing. No one spoke for or against and the Public Hearing was closed.

Council Member Roy Boldon moved approval; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

- B. **Public Hearing** – Consider an ordinance amending the boundaries of a zoning district within the City of Nacogdoches from R-4 Multi-Family for Lots 10-B-1 and 10-B-1 (EASMT), 11 and 11-B, City Block 54, located on Martinsville Street. This request has been submitted by Nick Galen of Aspen Heights Partners. Case File ZON2021-02.

City Planner Alaina Chafin stated a typographical error was found in the agenda caption after it was posted. The item should read, "Consider an ordinance amending the boundaries of a zoning district within the City of Nacogdoches from B-2 General Business to R-4 Multi-Family for Lots 10-B-1 and 10-B-1 (EASMT), 11 and 11-B, City Block 54, located on Martinsville Street." However the legal ad posted in the newspaper, the written notices sent to adjacent properties, and the item that was presented to the Planning and Zoning Commission had the correct caption.

This request is for approximately 25 acres on the north side of Martinsville Street which will be developed as a unified duplex development specifically marketed toward university students. Mrs. Chafin also discussed street access and traffic capacity.

Twenty-three notices were sent to property owners within 200 foot notification and received one email from a citizen sighting specific concerns regarding increased vehicle traffic on Martinsville Street and mineral interests on the property.

Planning and Zoning Commission heard this request on March 8, 2021 and recommended approval unanimously.

Mayor Brophy opened the Public Hearing. Deborah Pruitt, who lives on Martinsville Street, spoke against the zone change stating she is concerned about increased automobile traffic on Martinsville Street due to this development. Mrs. Pruitt also has mineral interest under the tract of land in question. As the mineral interest owner she does not want the minerals condemned due to development of this tract.

J.D. Blacklock spoke in favor of the zone change on Martinsville Road stating this project would be an asset to Nacogdoches and create more housing for university students. Mr. Blacklock does not believe developing this property will affect mineral extraction.

Mayor Brophy closed the public hearing.

City Council expressed concerns regarding safety and increased traffic on Martinsville Street. City Engineer Steve Bartlett explained traffic capacity and how it relates to the thoroughfare plan.

City Council also discussed sidewalks, mineral rights, land use plans, difference between B-2 and R-4 zoning, drainage, water supply and landscaping.

Nick Galen, Aspen Heights Partners, stated they are solely focused on the duplex product and will not build higher density multi-family structures if the zone change is denied. Mr. Galen also stated a tree buffer will remain between Martinsville Street and the development.

Council Member Garth Hinze moved approval; motion duly seconded by Council Member Roy Boldon and carried by unanimous vote.

- C. Consider approval of the purchase of two used fire engines from Siddons-Martin Emergency Group in the amount of \$220,000.

Fire Chief Keith Kiplinger stated \$200,000 was approved in the FY 20-21 budget to refurbish Engine 2. The City received quotes from three remanufactures, each being above the budgeted amount. Staff located two newer fire engines which were being rotated out of service by another fire department that could be purchased for a total of \$220,000. These engines are 2007 Pierce Dash Pumpers in good condition. Chief Kiplinger also stated the used fire engines will replace a 1989 engine, a 1993 engine and a 1997 engine.

Council Member Jay Anderson moved approval; motion duly seconded by Council Member Roy Boldon and carried by unanimous vote.

- D. Consider an ordinance amending Ordinance Number 1835-09-20 appropriating various amounts in accordance with the budget adopted for the ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Purchase of two used fire engines)

The Fire Department budgeted \$200,000 in the FY 20-21 Budget to refurbish Engine 2. Staff received one bid for two matching engines in the amount of \$220,000 total. Fire Chief Keith Kiplinger stated the budget amendment will transfer \$50,000 from the Equipment Replacement Fund into the General Fund to cover the cost of funding the purchase, modifying the engines and adding graphics.

Council Member Roy Boldon moved approval; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

- E. Discuss and provide staff direction related to an Interlocal Agreement with Stephen F. Austin State University for COVID-19 Vaccination support.

Fire Chief Keith Kiplinger stated the proposed interlocal agreement will help provide support COVID-19 vaccination plans through the summer. This agreement will include twelve nursing students, two social work students, one Spanish language student and faculty to supervise the student workers. SFASU will hire these student workers and the City would reimburse SFASU the student worker salary plus 15% overhead. The City will seek FEMA reimbursement under the disaster declaration for COVID-19.

City Council directed staff to finalize the interlocal agreement and return to City Council for approval at the next appropriate City Council meeting.

- F. Receive a report and hold a discussion regarding the fire station location study.

Fire Chief Keith Kiplinger reviewed the fire station location report completed by Mike Pietsch, PE which evaluated the current fire station locations, future needs and an evaluation of the effects on the Insurance Services Office (ISO) Public Protection Classification. Chief Kiplinger discussed challenges, age and condition of the current fire stations. He also discussed staffing concerns, response times based on fire station locations, Insurance Service Office ratings, and proposed fire station locations which reduces five fire stations to four fire stations.

Chief Kiplinger reviewed City Council options and processes moving forward.

City Council discussed funding and cost, vacated fire stations, public input, ISO ratings and city growth.

Cheryl Whitten stated she is nervous about moving Fire Station 5 out of downtown. She is also concerned about response time of all locations. Fire Department staff will call Mrs. Whitten to discuss her concerns.

- G. Consider approval of a contract by and between the City of Nacogdoches and Two Fifteen Consulting for professional engineering services for 2021 Summer Hill and Logansport Drainage Improvements.

Case Opperman, Public Works Assistant Director, stated the storm drainage systems on Summer Hill Circle and Logansport Street are in need of repair and/or replacement. Two Fifteen Consulting has been selected to provide engineering services due to their expertise in water resources engineering. Design services will include performance of design topographical surveying, preparation of preliminary design schematics and estimates including necessary hydraulic calculations and preparation of final design plans and details for bidding for a lump sum fee of \$62,000. Two Fifteen Consulting will also provide bidding and construction administration services including preparation of bid package, assistance in the bid process, periodic site visits during construction and other related construction administration on a time and materials basis not to exceed \$25,000. Total maximum authorization is \$87,000.

Council Member Garth Hinze moved approval; motion duly seconded by Council Member Jay Anderson and carried by unanimous vote.

8. Meeting adjourned at 7:17 p.m.

ATTEST:

Mayor Shelley Brophy
City Council
City of Nacogdoches

Jan Vinson, City Secretary



Special Session
Nacogdoches City Council
March 30, 2021 – 8 a.m.
City Council Chamber-City Hall
202 East Pilar Street

DRAFT

City Council present in person: Mayor Shelley Brophy, Council Members Roy Boldon, Garth Hinze, Amelia Fischer and Jay Anderson.

1. Called to order at 8:04 a.m.
2. Pledge of Allegiance.
3. No one spoke during Open Forum.

City Council convened Executive Session at 8:06 a.m.

4. **EXECUTIVE SESSION:**
 - A. Personnel Matters – Pursuant to Texas Government Code Section 551-074, deliberations regarding the appointment or employment of a public officer or employee. The subject of this Executive Session is to discuss appointment or employment related matters concerning City Attorney search.

City Council reconvened in Open Session at 2:58 p.m. taking no action

5. Meeting adjourned at 2:58 p.m.

ATTEST:

Mayor Shelley Brophy
City Council
City of Nacogdoches

Jan Vinson, City Secretary

Minutes unofficial until approved by City Council

PRESENTER: Robert Davis

ITEM/SUBJECT: Consider an ordinance of the City of Nacogdoches, Texas, for the conveyance of 0.785 acres of land, more or less, including easements to Endura Products, Inc., (“Endura”) formerly known as Burns Morris & Stewart Limited Partnership (“BMS”), authorizing the Mayor to execute necessary documents of conveyance, making findings, providing for a severability clause, establishing an effective date, establishing proper notice and open meeting, and ordering appropriate filing. (City Attorney)

SUMMARY/BACKGROUND: The City of Nacogdoches and the Texas Department of Economic Development entered into Texas Capital Fund Contract Number 703222 for the public purpose of furthering economic development in order to retain and expand the present number and types of jobs in the Nacogdoches area. The aforementioned agreement called for advancement of grant funds from the Texas Department of Economic Development to the City of Nacogdoches.

In order to achieve the above mentioned purposes, the City of Nacogdoches and BMS/Endura entered into a Community and Business Agreement for Real Estate Improvements authorized under Texas Capital Fund Contract Number 703222 and pursuant to said Community and Business Agreement, the City of Nacogdoches provided real estate acquisition in the form of a warehouse/manufacturing/office space that supports BMS/Endura expanding its operations into Nacogdoches and creating new jobs.

In order to retain and expand the present number and type of jobs provided by BSM in the City of Nacogdoches, funds in the amount of five hundred thousand dollars (\$500,000.00) were advanced from the Texas Department of Economic Development to the City of Nacogdoches, the advancement of said grant payments were provided in the form of a zero interest loan.

In order to set forth certain protections for the City of Nacogdoches and secure repayment of the grant funds, a Lease and Grant Repayment Agreement was entered into by and between the City of Nacogdoches and BMS. Under said lease and grant agreement, BMS/Endura was required to make lease payments in the amount of \$2,083.33 per month for a term of 240 months. Under the additional terms under the Lease and Grant Repayment Agreement, BMS/Endura was granted an option for purchase at the expiration of the first five years of the lease term provided BMS/Endura was not in default. This Lease and Grant Repayment Agreement was entered into on November 19, 1999 and all lease and grant repayments have now been fully satisfied by BMS/Endura. The City of Nacogdoches is now satisfying its contractual obligations by reconveyance of the above mentioned 0.785 acres, more or less, including easements, back to Endura.

Additionally, the proposed Ordinance authorizes the Mayor to execute any and all conveyance instruments necessary for the transfer of the aforementioned real property.

FINANCIAL:

No financial impact associated with this item.

CITY CONTACT: Robert Davis, Interim City Attorney
rsd@flowersdavis.com
903-564-8063

ATTACHMENTS: 1. Land Conveyance Ordinance - Endura
2. SPECIAL WARRANTY DEED (1)

STATE OF TEXAS	§
	§
COUNTY OF NACOGDOCHES	§
	§
CITY OF NACOGDOCHES	§

ORDINANCE FOR THE CONVEYANCE OF REAL PROPERTY

ORDINANCE NO. 1860-04-21

AN ORDINANCE OF THE CITY OF NACOGDOCHES, TEXAS, FOR THE CONVEYANCE OF 0.785 ACRE OF LAND, MORE OR LESS, TO ENDURA PRODUCTS INC., AUTHORIZING THE MAYOR TO EXECUTE NECESSARY DOCUMENTS OF CONVEYANCE, MAKING FINDINGS, PROVIDING FOR A SEVERABILITY CLAUSE, ESTABLISHING AN EFFECTIVE DATE, ESTABLISHING PROPER NOTICE AND OPEN MEETING, AND ORDERING APPROPRIATE FILING.

WHEREAS, the City of Nacogdoches and the Texas Department of Economic Development entered into Texas Capital Fund Contract Number 703222 for the public purpose of furthering economic development; and

WHEREAS, in order to retain and expand the present number and types of jobs in the Nacogdoches area, the aforementioned agreement called for advancement of grant funds from the Texas Department of Economic Development to the City of Nacogdoches; and

WHEREAS, in order to achieve the above mentioned purposes, the City of Nacogdoches and Endura Products, Inc.”Endura” (f.k.a. Burns Morris & Stewart Limited Partnership (“BMS”)) entered into a Community and Business Agreement for Real Estate Improvements authorized under Texas Capital Fund Contract Number 703222; and

WHEREAS, pursuant to said Community and Business Agreement, the City of Nacogdoches provided BMS real estate acquisition in the form of a warehouse/manufacturing/office space that supported BMS expanding its operations into Nacogdoches and creating new jobs with grant funds received from the Texas Capital Fund; and

WHEREAS, funds in the amount of five hundred thousand dollars (\$500,000.00) were advanced from the Texas Department of Economic Development to the City of Nacogdoches for achievement of the above operational expansions; and

WHEREAS, the advancement of said grant payments were provided in the form of a zero interest loan; and

WHEREAS, in order to set forth certain protections for the City of Nacogdoches and secure repayment of the grant funds, a Lease and Grant Repayment Agreement was entered into by and between the City of Nacogdoches and BMS/Endura; and

WHEREAS, under said lease and grant agreement, BMS/Endura was required to make lease payments in the amount of \$2,083.33 per month for a term of 240 months; and

WHEREAS, under the additional terms under the Lease and Grant Repayment Agreement, BMS/Endura was granted an option for repurchase upon completion of repayment; and

WHEREAS, all lease and grant repayments have now been fully satisfied by BMS/Endura, the City of Nacogdoches is now satisfying its contractual obligations by reconveyance of the above mentioned 0.785 acre, more or less, back to BMS/Endura.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NACOGDOCHES, TEXAS:

1. The facts and recitations contained in the preamble of this Ordinance are hereby found and declared to be true and correct and in furtherance of a public purpose and are adopted and incorporated in the body of this Ordinance.
2. The City Council adopts this ordinance thereby officially conveying the 0.785 acres of land, more or less, to Endura.
3. It is further ordained that the Mayor is hereby authorized to execute any and all conveyance instruments necessary for the transfer of the aforementioned real property.
4. It is further ordained that the Mayor execute any additional documents, either she or the City Attorney, find reasonable or necessary to complete the conveyance and that such be done as soon as the Mayor deems possible.
5. The City Secretary is hereby authorized and instructed to file a signed and sealed copy of this Ordinance in and among the records of the City of Nacogdoches, and in the land records of Nacogdoches County.
6. If any word, article, phrase, paragraph, sentence, clause or provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.
7. This Ordinance shall take effect immediately from and after its passage and publication as may be required by governing law.
8. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, place, and purpose

of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED, this the 6th day of April, 2021, by a vote of ____ (ayes) to ____ (nays) of the City Council of the City of Nacogdoches, Texas.

CITY OF NACOGDOCHES

By: _____
SHELLEY BROPHY, Mayor

ATTEST:

APPROVED AS TO FORM:

JAN VINSON, City Secretary

ROBERT S. DAVIS, City Attorney

SPECIAL WARRANTY DEED

CITY OF NACOGDOCHES, a Texas Municipal Corporation, hereinafter referred to as "Grantor," whether one or more, of the County of Nacogdoches, State of Texas, for and in consideration of FIVE HUNDRED THOUSAND (\$500,000.00), less the full amount of fixed rental payments actually received by Lessor, and other good and valuable consideration paid to Grantor by Grantee herein named, the receipt and sufficiency of which is hereby acknowledged, has GRANTED, SOLD, and CONVEYED, and by these presents does GRANT, SELL, AND CONVEY to ENDURA PRODUCTS, INC., hereinafter referred to as "Grantee," whether one or more, whose address is 1124 Bennett Clark Rd., Nacogdoches, Texas 75961, all of the following described real estate situated in Nacogdoches County, Texas, to wit:

See the attached Exhibit A for the legal description.

This conveyance is made and accepted subject to the following matters, to the extent the same are still in force and effect: any and all restrictions, covenants, conditions, exceptions, reservations, easements, rights-of-way, conflicts, encroachments, area and boundary discrepancies, taxes, liens, assessments, charges, claims, and encumbrances, if any, applicable to and enforceable against the above described property as shown by the records of the county clerk of said county and all zoning laws, regulations, and ordinances of municipal and/or other governmental agencies and authorities relating to the above described property.

TO HAVE AND TO HOLD the above-described premises, together with all and singular the rights and appurtenances thereto in any wise belonging, unto the above-named Grantee and Grantee's heirs, successors, and assigns forever. Grantee does bind Grantor and Grantor's heirs, successors, and assigns to WARRANT AND DEFEND, all and singular, the said Property unto the said Grantee and Grantee's heirs, successors, and assigns, against every person whomsoever, lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

Dated this _____, 2021.

CITY OF NACOGDOCHES

By _____

Name: _____

Title: _____

STATE OF _____ §
COUNTY OF _____ §

Before me _____, on this day personally appeared _____, the _____ of
CITY OF NACOGDOCHES, a Texas Municipal Corporation, known to me (or proved to me on

the oath of _____ or through _____ (description of identity card or other document)) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed, on behalf of said Municipal Corporation.

Given under my hand and seal of office, this _____ day of _____ _

Notary Public

Printed Name: _____

(Seal)

My commission expires on _____

AFTER RECORDING RETURN TO:

Exhibit A

Legal Description

The surface down to and including five feet (5.0') below the surface of this Parcel, the air space above that released portion, and the right to subadjacent support from this Parcel below five feet (5.0') below the surface, this Parcel One being more particularly described as follows:

All that certain tract or parcel of land lying and being situated in the City of Nacogdoches, Nacogdoches County, Texas on the J.T. Shanks SURVEY, A-711, and being part of a 10.429 acre tract described in a Memorandum of Lease between Susan and William Crouse and BMS Limited Partnership, dated May 31, 1996, recorded in Volume 1000, Page 102 of the Official Public Records, Nacogdoches County, Texas, and more particularly described as follows:

BEGINNING at a 1/2" iron rod set for corner in the north margin of Bennet Clark Road and the SBL of the 10.429 acre tract, said beginning corner being N 82° 00' 00" W, 117.12 feet from the SEC of the 10.429 acre tract;
THENCE, N 82° 00' 00" W (reference bearing) 175.46 feet with the SBL of the 10.429 acre tract to a 1/2" iron rod set for corner;
THENCE, N 07° 04' 26" E, at 20 feet pass the SEC of a metal building on a concrete slab, and at a total distance of 190.19 feet the NEC of a metal building on a concrete slab;
THENCE, N 06° 19' 41" E, 41.02 feet to a 1/2" iron rod set for corner;
THENCE, S 82° 05' 35" E, 77.25 feet to a 1/2" iron rod set for corner;
THENCE, S 07° 54' 25" W, 40.00 feet to a 1/2" iron rod set for corner;
THENCE, S 82° 05' 35" E, 75.01 feet to a 1/2" iron rod set for corner;
THENCE, S 07° 54' 26" W, 101.08 feet to a 1/2" iron rod set for corner;
THENCE, S 81° 51' 32" E, 25.26 feet to a 1/2" iron rod set for corner in a WBL of a 0.258 acre tract described as Tract Five in a General Assignment and Bill of Sale between Susan and William Crouse and BMS Limited, dated July 16, 1996, recorded in Volume 1021, Page 138 of the Official Public Records, Nacogdoches County, Texas;
THENCE, S 08° 30' 04" W, with a WBL of the 0.258 acre tract, at 60.84 feet pass a 1/2" found at the SWC of the 0.258 acre tract, and at a total distance of 90.30 feet the place of BEGINNING containing 0.785 acres.

and

An access, parking and utility easement more particularly described as all that certain tract or parcel of land lying and being situated in the City of Nacogdoches, Texas, on the J.T. Shanks Survey, A-711, and being part of a 10.429 acre tract described in a Memorandum of lease between Susan and William Crouse and BMS Limited Partnership, dated May 31, 1996, recorded in Volume 1000, Page 102 of the Official Public Records, Nacogdoches County, Texas, and more particularly described as follows:

BEGINNING at a 3/4" iron pipe found for corner in the north margin of Bennett Clark Road at the SEC of the 10.429 acre tract;

THENCE, N 82°00'00" W, 20.28 feet with the SBL of the 10.429 acre tract to corner;
THENCE, N 01 °32'00" W, 132.30 feet to corner;
THENCE, N 81°51 '33" W, 99.47 feet to corner in the most northerly EBL of the above described 0. 785 acre tract;
THENCE, N 07°54'25" E, 60.71 feet with the most northerly EBL of the 0. 785 acre tract to a 1 /2" iron rod set for corner;
THENCE, N 82°05'35" W, 75.01, feet with a NBL of the 0. 785 acre tract to a 1 /2" iron rod set for corner;
THENCE, N 07°54'25" E, 40.00 feet with an EBL of the 0.785 acre tract to a 1/2" iron rod set for corner at the most northerly NEC of the 0. 785 acre tract;
THENCE, N 01 °32'00" W, 100.00 feet to corner;
THENCE, N 88°28'00" E, 175.53 feet to corner in the EBL of the 10.429 acre tract;
THENCE, S 01 °32'00" E, 364.03 feet with the EBL of the 10.429 acre tract of the place of BEGINNING.



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.C.

PRESENTER: Joe Cefalu, Airport Manager

ITEM/SUBJECT: Consider ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Airport Improvements and/or Expansion) (Airport Manager)

SUMMARY/BACKGROUND: The Mickey Elliott Family Foundation made a donation to the City of Nacogdoches to contribute to the Terminal Area Plan for the Nacogdoches A.L. Mangham Jr. Regional Airport.

A budget amendment is proposed to accept donations and to expend funds when improvements and/or expansion at the airport is needed. Said funds will be expended per the recommendation of the airport manager and under the direction of City Council.

FINANCIAL:

Item is not budgeted (*Budget Amendment required – see attached*)

Account No.: 14.559.70

Account Name: *Contributions/other*

Amount: \$200,000

Account No.: 14.13.680.00

Account Name: *Airport Construction Fund-Building/Structure Capital*

Amount: \$200,000

CITY CONTACT: Joe Cefalu, Airport Manager
cefaluj@nactx.us
936-560-9567

ATTACHMENTS: 1. Budget Amendment Ordinance

AN ORDINANCE AMENDING ORDINANCE NO. 1835-09-20 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

WHEREAS, the City Council of the City of Nacogdoches, Texas has approved and adopted the budget for said city for the ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021.

WHEREAS, the Mickey Elliott Family Foundation wishes to contribute to the Terminal Area Plan at the Nacogdoches A. L. Mangham Jr. Regional Airport; and

WHEREAS, the City of Nacogdoches will notify the Mickey Elliott Family Foundation when these funds are under consideration for the expenditure; and

WHEREAS, the City of Nacogdoches appreciates the generosity of the Mickey Elliott Family Foundation and greatly values the support of airport stakeholders; and

WHEREAS, with the adoption of this ordinance, the airport is authorized to expend said funds, under the direction of City Council, for the Terminal Area plan for the Nacogdoches A.L. Mangham Jr. Regional Airport.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Nacogdoches that sums of money as herein set forth in said budget are hereby appropriated and amended for the receipt of funds /payment of operations/payment of capital outlays of the city government of the City of Nacogdoches as follows:

Fund	Dept.	Acct.	Department	Description	Amt.
14		559.70	Airport Const.	Elliott Family Foundation Contribution	\$200,000
14	13	680.00	Airport Const.	Terminal Area Plan (Restricted)	\$200,000

PASSED AND APPROVED this the 6th day of April, 2021.

Shelley Brophy, Mayor
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form: _____
Robert Davis, Interim City Attorney

Approved as to content: _____
Pamela Curbow, Director of Finance



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.D.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider tax resale authorization for Lot 16D-1, Block 55, more or less, in the J.L. Boden Survey, A-81, located in the City of Nacogdoches, Texas; more fully described in Volume 546, Page 509 in the real property records of Nacogdoches County, Texas. (17-055-0016-040100) (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property on Perry Drive being Lot 16D-1, Block 55, more or less, in the J.L. Boden Survey, A-81, located in the City of Nacogdoches, Texas; more fully described in Volume 546, Page 509 in the real property records of Nacogdoches County, Texas.

The appraised value at auction for the property was \$8,280. The bid received from Michael Branton was \$2,900. Mr. Branton will accept the property as is and will assume taxes for 2021.

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS: 1. Branton_struck bid (1)

STRUCK OFF PROPERTY ACCEPT OR REJECT NOTICE BID ANALYSIS REVIEW

Tuesday, March 16, 2021

Bid Received from: MICHAEL BRANTON**Bid in the amount of: \$2,900.00****SUIT:** C1329169 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF JUDGE AND IDA WHITAKER ET AL**PROPERTY:** BEING LOT 16D-1, BLOCK 55, MORE OR LESS, IN THE J.L. BODEN SURVEY, A-81, LOCATED IN THE CITY OF NACOGDOCHES, TEXAS; MORE FULLY DESCRIBED IN VOLUME 546, PAGE 509 REAL PROPERTY RECORDS OF NACOGDOCHES COUNTY, TEXAS GEO/ACCOUNT NUMBER 17-055-0016-040100

TAX ENTITY	TAX YEARS	Amounts at Judgment	Percentage at judgment	JUDGMENT INFORMATION
NACOGDOCHES COUNTY:	1998-2019	\$1,454.84	18%	Tax Sale Date: 10-6-2020
NACOGDOCHES ISD:	1998-2019	\$4,792.87	59%	Current Appraised Value: \$8,280.00
CITY OF NACOGDOCHES:	1998-2019	\$1,830.69	23%	Appraised Value at Auction \$8,280.00
TOTAL		\$8,078.40	100%	Minimum Bid at Sale: \$8,280.00

NOTE: No Bidders – Struck off to NACOGDOCHES ISD Trustee; Balance due to jurisdictions after Texas Property Tax Code Sec. 34.02 Distribution of Proceeds is met in requirement by Texas State Law.

BILL OF COSTS

PUBLICATION IN NEWSPAPER FOR TAX SALE	\$229.50
ATTORNEY AD LITEM COST	\$350.00
DISTRICT CLERK COURT COST	\$897.00
SHERIFFS STRUCK OFF DEED AND FEES	\$30.00
TITLE RESEARCH FEE	\$275.00
SHERIFF LEVY CERTIFIED FEES	\$12.90
TAX RE-SALE DEED	\$38.00
TOTAL DUE –COURT COST AND FEES	\$ 1,832.40

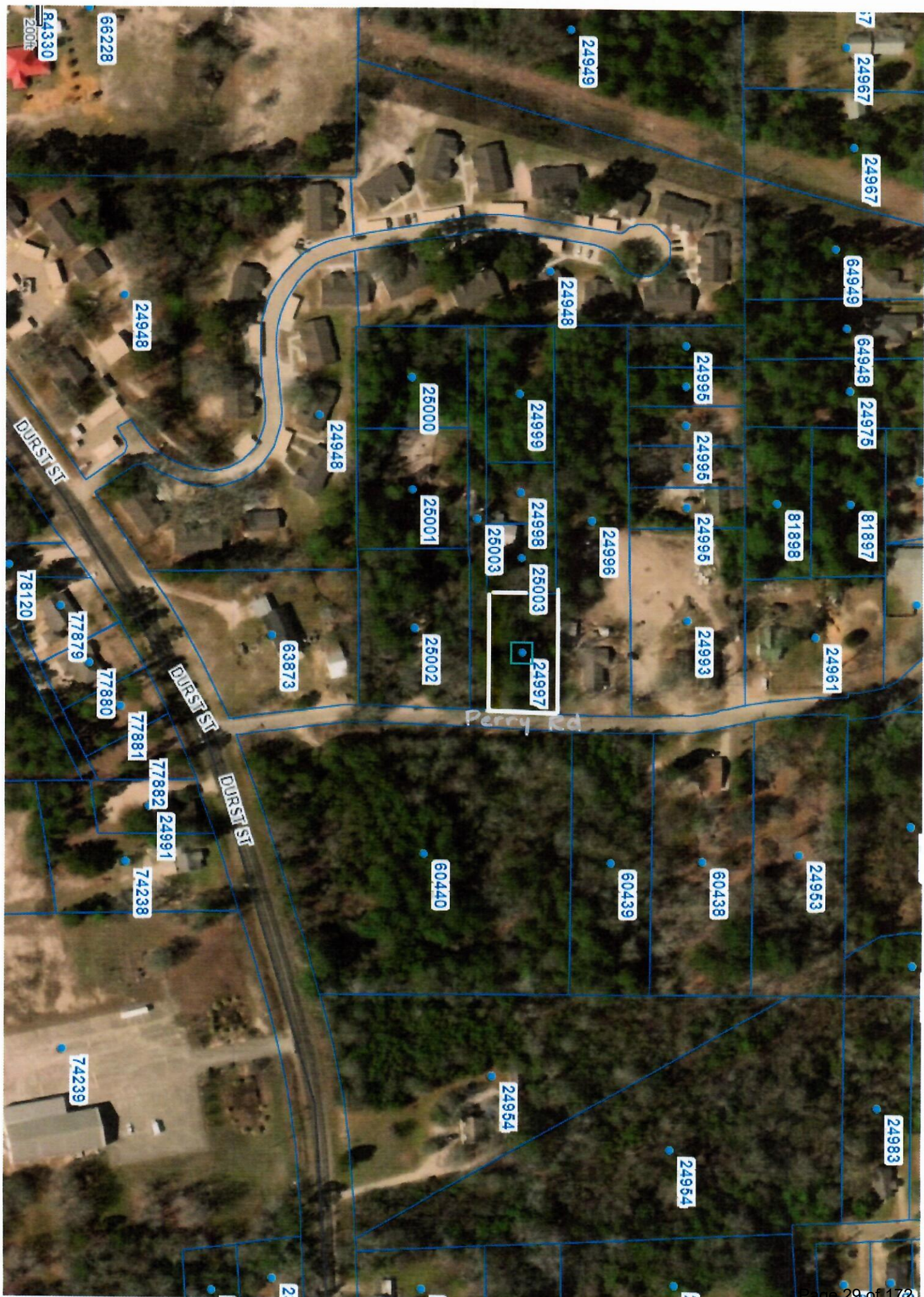
PROPOSED TAX DISTRIBUTION

	<u>Amount</u>	<u>Percentage of bid amount after cost: \$1,067.60</u>
NACOGDOCHES COUNTY:	\$ 192.17	18%
NACOGDOCHES ISD:	\$ 629.88	59%
CITY OF NACOGDOCHES:	\$ 245.55	23%
Total Due:	\$ 1,067.60	

The bid on the above-referenced property was:

_____ **Accepted**_____ **Rejected****Signed:** _____**Title:** _____**Date:** _____

(Please Mail Final Accept/Reject Notice in the enclosed paid self-addressed envelope to the Nacogdoches Office of Perdue, Brandon, Fielder, Collins, & Mott, LLP Law Firm)



Property ID: 24997

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Property ID: 24997	Account Number: 17-055-0016-040100
Property Legal Description: LT 16-D-1 BK 55	Deed Information:
	Volume:
	Page:
	File Number: 2020-8340
	Deed Date: 11/23/2020
Property Location: PERRY DR NACOGDOCHES TX	Block: 55
Survey / Sub Division Abstract: CITY OF NAC	Section / Lot: 16-D-1
Owner Information: NACOGDOCHES ISD TRUSTEE/ TAX SALE STRUCK OFF PROPERTY	Property Detail:
	Property Exempt: X
	Category / SPTB Code: XVS
	Total Acres: 0.000
	Total Living Sqft: See Detail
	Owner Interest: 1.000000
	Homestead Exemption:
Previous Owner: ROBERTS DELMA J	Homestead Cap Value: 0
	Land Ag / Timber Value: 0
	Land Market Value: 8,280
	Improvement Value: 0

Jur Code	Jur Name	Total Market	Homestead	Total Exemption	Taxable
01	NACOGDOCHES COUNTY	8,280		0	0
12	CITY OF NACOGDOCHES	8,280		0	0
36	NACOGDOCHES ISD M&O	8,280		0	0
36IS	NACOGDOCHES ISD I&S	8,280		0	0

Property ID: 24997

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Land Detail

Land Sequence 1		
Acres: N/A	Market Class: FV-SV06	Market Value: 8,280
Land Method: FV	Ag/Timber Class:	Ag/Timber Value: 0
Land Homesiteable: NO	Land Type:	Ag Code:
Front Foot: N/A	Rear Foot: N/A	Lot Depth: N/A
Front Ft Avg: N/A	Lot Depth %: N/A	Land Square Ft: N/A

Total Land Value: \$ 8,280

Property ID: 24997

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Previous Owner Information

Parcel ID	Seller	Buyer	Volume	Page	File Number	Deed Date
24997	ROBERTS DELMA J	NACOGDOCHES ISD TRUSTEE/ TAX SALE			2020-8340	11/23/2020
24997		ROBERTS DELMA J	0	0		9/24/1998

SPECIAL RESALE DEED

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

NOTICE OF CONFIDENTIALITY RIGHTS:

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

KNOW ALL MEN BY THESE PRESENTS that NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES, hereinafter called GRANTORS, each acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of **TWO THOUSAND NINE HUNDRED DOLLARS AND 00/100 (\$2,900.00)** and other good and valuable consideration, in hand paid by **MICHAEL BRANTON**, Grantee, the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by the presents do convey and quitclaim unto said GRANTEE all right, title and interest of the GRANTORS, acquired by tax foreclosure sale heretofore held in **CAUSE SUIT NO. C1329169 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF JUDGE AND IDA WHITAKER ET AL.**, said property being described as follows:

BEING LOT 16D-1, BLOCK 55, MORE OR LESS, IN THE J.L. BODEN SURVEY, A-81, LOCATED IN THE CITY OF NACOGDOCHES, TEXAS; MORE FULLY DESCRIBED IN VOLUME 546, PAGE 509 REAL PROPERTY RECORDS OF NACOGDOCHES COUNTY, TEXAS GEO/ACCOUNT NUMBER 17-055-0016-040100

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said **MICHAEL BRANTON**, Grantee, their heirs and assigns forever, so that neither NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, AND CITY OF NACOGDOCHES, nor any person claiming under them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances or any part thereof, but not otherwise.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Taxes for the 2021 and the current year are assumed by the Grantee.

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, AND CITY OF NACOGDOCHES, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

CITY OF NACOGDOCHES

BY: _____
MAYOR, CITY OF NACOGDOCHES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, MAYOR, CITY OF NACOGDOCHES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

GRANTEE'S MAILING ADDRESS:

MICHAEL BRANTON
3905 Oakwood Dr.
Lufkin, Tx 75901

Return to:
Perdue, Brandon, Fielder, Collins and Mott, LLP
220 W. Hospital St.
Nacogdoches, TX 75961

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, AND CITY OF NACOGDOCHES, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES INDEPENDENT SCHOOL DISTRICT

BY: _____
PRESIDENT, BOARD OF TRUSTEES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, PRESIDENT, BOARD OF TRUSTEES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, AND CITY OF NACOGDOCHES, Grantors, have caused the presents to be executed on this _____ day of _____, 2021.

NACOGDOCHES COUNTY

BY: _____
NACOGDOCHES COUNTY JUDGE

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY JUDGE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

Tuesday, March 16, 2021

City of Nacogdoches
 Mayor, Shelley Brophy
 P. O. Box 635030
 Nacogdoches, TX 75963

RE: Bid for Struck off Property

Enclosed please find the bid information received from **MICHAEL BRANTON**, on the property located in the Nacogdoches Independent School District that was struck off at the **October 6TH, 2020 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: JUDGE AND IDA WHITAKER ET AL; DELMA ROBERTS</u>		
<u>PROPERTY: BEING LOT 16D-1, BLOCK 55, MORE OR LESS, IN THE J.L. BODEN SURVEY, A-81, LOCATED IN THE CITY OF NACOGDOCHES, TEXAS; MORE FULLY DESCRIBED IN VOLUME 546, PAGE 509 REAL PROPERTY RECORDS OF NACOGDOCHES COUNTY, TEXAS GEO/ACCOUNT NUMBER 17-055-0016-040100</u>		
<u>SUIT NO:</u> <u>C1329169</u>	<u>APPRAISED VALUE AT AUCTION:</u> \$8,280.00	<u>TAX SALE DATE: 10-6-2020</u>
<u>Parcel ID</u> 24997	<u>MINIMUM BID AT AUCTION:</u> \$8,280.00	<u>STRUCK OFF TO: NACOGDOCHES ISD</u>

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
 Maria Sutterfield
 Litigation Clerk

Enclosures

Tuesday, March 16, 2021

Nacogdoches County Judge: Greg Sowell
 Nacogdoches County Courthouse
 101 W. Main Street, Ste. 170
 Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **MICHAEL BRANTON**, on the property located in the Nacogdoches Independent School District that was struck off at the **October 6TH, 2020 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: JUDGE AND IDA WHITAKER ET AL; DELMA ROBERTS</u>		
PROPERTY: BEING LOT 16D-1, BLOCK 55, MORE OR LESS, IN THE J.L. BODEN SURVEY, A-81, LOCATED IN THE CITY OF NACOGDOCHES, TEXAS; MORE FULLY DESCRIBED IN VOLUME 546, PAGE 509 REAL PROPERTY RECORDS OF NACOGDOCHES COUNTY, TEXAS GEO/ACCOUNT NUMBER 17-055-0016-040100		
<u>SUIT NO:</u> <u>C1329169</u>	<u>APPRAISED VALUE AT AUCTION:</u> \$8,280.00	<u>TAX SALE DATE: 10-6-2020</u>
<u>Parcel ID</u> 24997	<u>MINIMUM BID AT AUCTION:</u> \$8,280.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield

Maria Sutterfield
 Litigation Clerk

Enclosures

Tuesday, March 16, 2021

Nacogdoches Independent School District
 Nacogdoches ISD Board of Trustees
 P.O. Box 631521
 Nacogdoches, TX 75760

RE: Bid for Struck off Property

Enclosed please find the bid information received from **MICHAEL BRANTON**, on the property located in the Nacogdoches Independent School District that was struck off at the **October 6TH, 2020 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: JUDGE AND IDA WHITAKER ET AL; DELMA ROBERTS</u>		
<u>PROPERTY: BEING LOT 16D-1, BLOCK 55, MORE OR LESS, IN THE J.L. BODEN SURVEY, A-81, LOCATED IN THE CITY OF NACOGDOCHES, TEXAS; MORE FULLY DESCRIBED IN VOLUME 546, PAGE 509 REAL PROPERTY RECORDS OF NACOGDOCHES COUNTY, TEXAS GEO/ACCOUNT NUMBER 17-055-0016-040100</u>		
<u>SUIT NO:</u> <u>C1329169</u>	<u>APPRAISED VALUE AT AUCTION:</u> \$8,280.00	<u>TAX SALE DATE: 10-6-2020</u>
<u>Parcel ID</u> 24997	<u>MINIMUM BID AT AUCTION:</u> \$8,280.00	<u>STRUCK OFF TO: NACOGDOCHES ISD</u>

If you need further information, please do not hesitate to call.

Thank you,



Maria Sutterfield
 Litigation Clerk

Enclosures



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.E.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider tax resale authorization for Lot 13, Block 6, Section 4 of the Arbor Oaks Subdivision, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, Texas. (18-022-5606-013000) (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property on Georgia Oak Street, begin Lot 13, Block 6, Section 4 of the Arbor Oaks Subdivision, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, Texas.

The appraised value at auction for the property was \$12,000. The bid received from Kavyu Enterprises was \$900. Kavyu Enterprises will accept the property as is and will assume taxes for 2021.

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS: 1. KAVYU STRUCK OFF FOR PATTON ESTATE. (1)

STRUCK OFF PROPERTY ACCEPT OR REJECT NOTICE BID ANALYSIS REVIEW

Tuesday, March 16, 2021

Bid Received from: KAVYU ENTERPRISE**Bid in the amount of: \$900.00****SUIT:** C1025986 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. EMMITT PATTON, ET AL

PROPERTY: Being described as Lot 13, Block 6, Section 4 of ARBOR OAKS SUBDIVISION, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, TX. **Account No:** #18-022-5606-013000 (Georgia Oak)

TAX ENTITY	TAX YEARS	Amounts at Judgement	Percentage at judgment	JUDGMENT INFORMATION
NACOGDOCHES COUNTY:	1990-2009	\$1,009.13	15.34%	Tax Sale Date: 1-4-2011
NACOGDOCHES ISD:	1990-2009	\$3,967.31	60.27%	Current Appraised Value: \$16,560.00
CITY OF NACOGDOCHES:	1990-2009	\$1,582.05	24.04%	Appraised Value at Auction \$12,000.00
NACOGDOCHES HOSPITAL DISTRICT	1990-2009	\$23.09	0.35%	
TOTAL		\$6,581.58	100%	Minimum Bid at Sale: \$8,280.00

NOTE: No Bidders – Struck off to NACOGDOCHES ISD Trustee; Balance due to jurisdictions after Texas Property Tax Code Sec. 34.02 Distribution of Proceeds is met in requirement by Texas State Law. ****Creek Runs through lot.**
NO BIDS ON THE PROPERTY HAVE EVER BEEN MADE, SINCE IT WAS STRUCK OFF TO NAC ISD IN 2011.

BILL OF COSTS

PUBLICATION IN NEWSPAPER FOR TAX SALE (1-7-2011)	\$140.36
ATTORNEY AD LITEM COST	\$350.00
DISTRICT CLERK COURT COST	\$871.00
SHERIFFS STRUCK OFF DEED AND FEES	\$20.00
TITLE RESEARCH FEE	\$275.00
TAX RE-SALE DEED	\$38.00
TOTAL DUE –COURT COST AND FEES	\$ 1,694.36

PROPOSED TAX DISTRIBUTION

	<u>Amount</u>	<u>Percentage of bid amount after cost: ZERO</u>
NACOGDOCHES COUNTY:	\$ 0	15.34 %
NACOGDOCHES ISD:	\$ 0	60.27 %
CITY OF NACOGDOCHES:	\$ 0	24.04 %
NACOGDOCHES HOSPITAL DISTRICT	\$ 0	00.35 %
Total Due:	\$ 0	

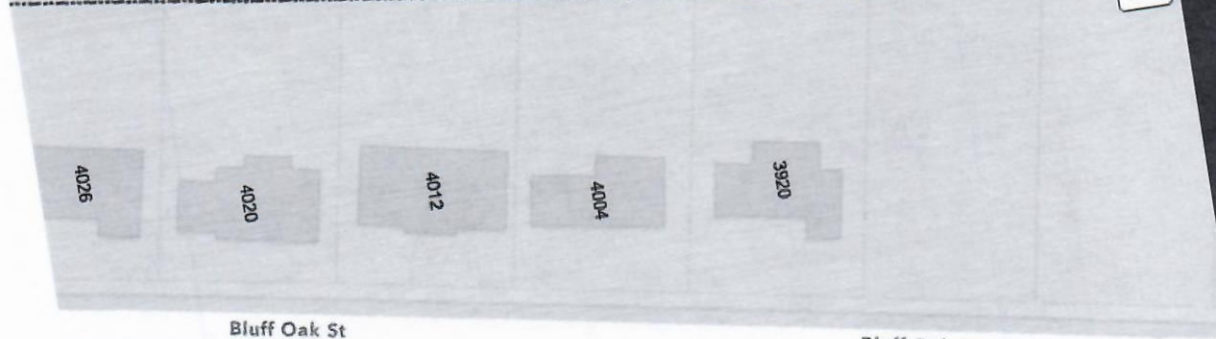
The bid on the above-referenced property was:

_____ **Accepted**_____ **Rejected****Signed:** _____**Title:** _____**Date:** _____

(Please Mail Final Accept/Reject Notice in the enclosed paid self-addressed envelope to the Nacogdoches Office of Perdue, Brandon, Fielder, Collins, & Mott, LLP Law Firm)

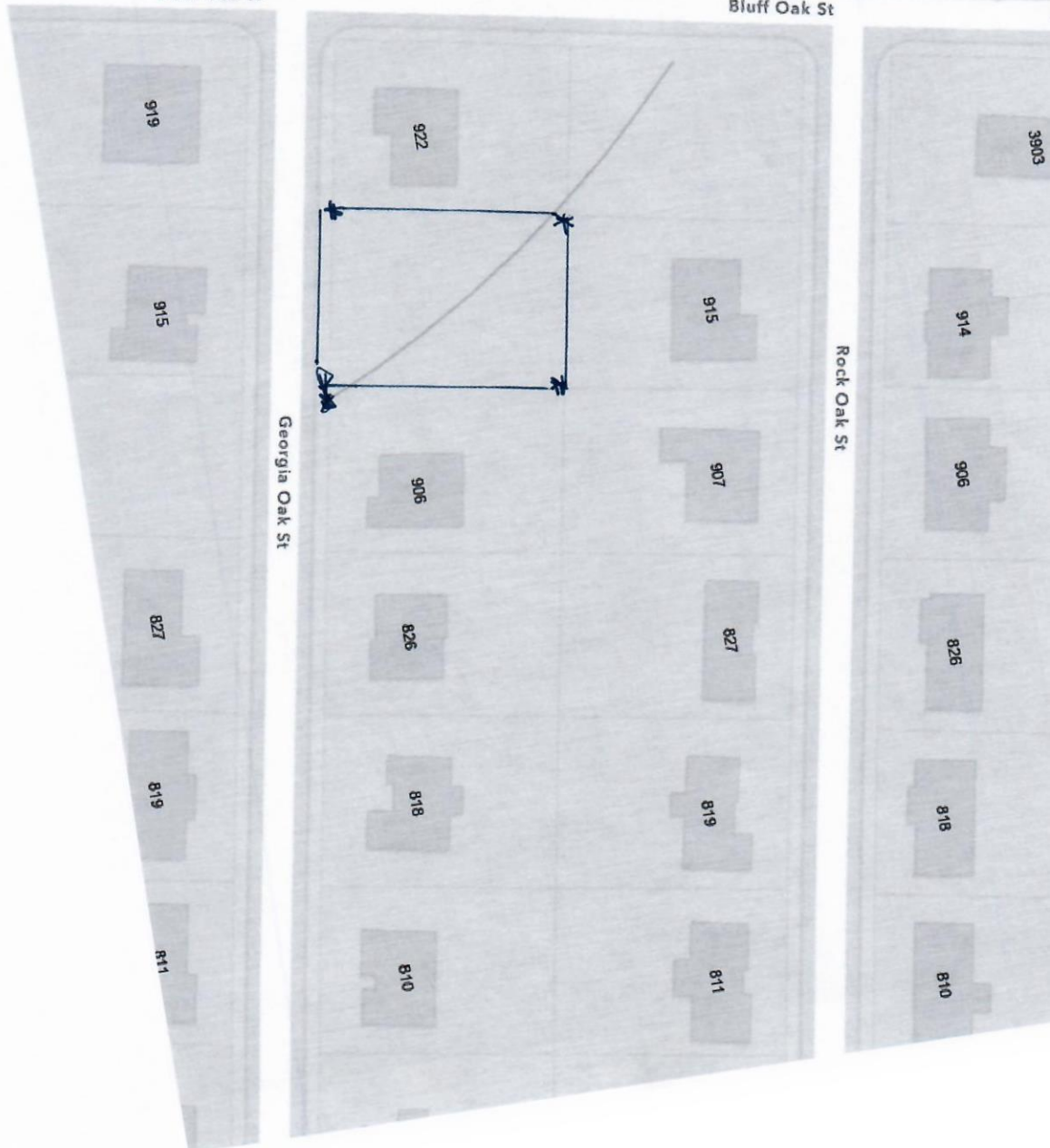


georgia oak street
how search results for georgia oak s...



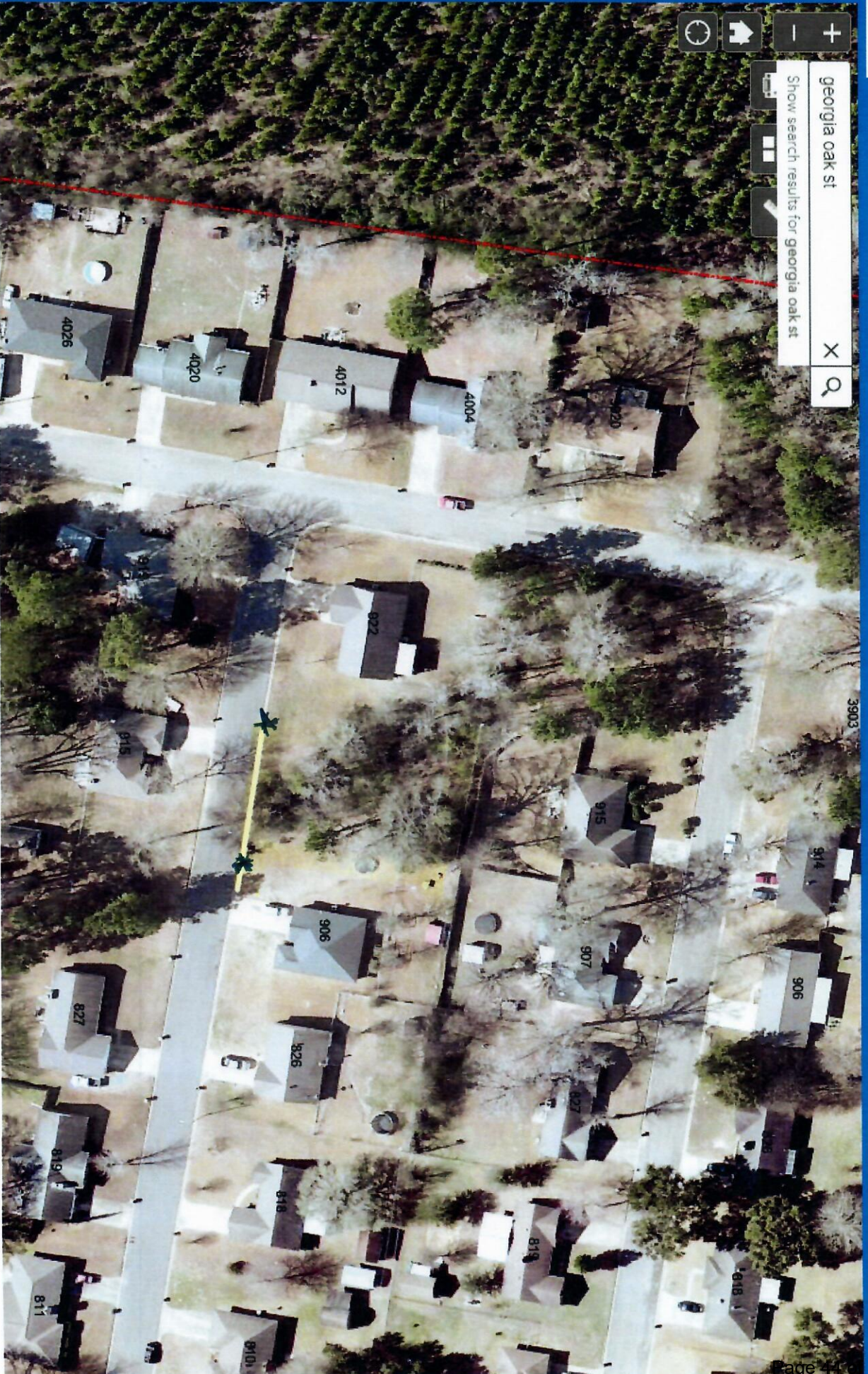
Bluff Oak St

Bluff Oak St



Georgia Oak St

Rock Oak St



georgia oak st
Show search results for georgia oak st



Property ID: 27050

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Property ID: 27050	Account Number: 18-022-5606-013000
Property Legal Description: LT 13 BK 6 ARBOR OAKS SEC 4	Deed Information: Volume: 3433 Page: 109 File Number: TAX SALE Deed Date: 1/10/2011
Property Location: GEORGIA OAK ST NACOGDOCHES TX	Block: 6
Survey / Sub Division Abstract: ARBOR OAKS SECT 4 02/052	Section / Lot: 13
Owner Information: NACOGDOCHES ISD TRUSTEE/ TAX SALE STRUCK OFF PROPERTY	Property Detail: Property Exempt: X Category / SPTB Code: XV Total Acres: 0.000 Total Living Sqft: See Detail Owner Interest: 1.000000 Homestead Exemption: Homestead Cap Value: 0 Land Ag / Timber Value: 0 Land Market Value: 16,560 Improvement Value: 0
Previous Owner: PATTON EMMITT	

Jur Code	Jur Name	Total Market	Homestead	Total Exemption	Taxable
01	NACOGDOCHES COUNTY	16,560		0	0
12	CITY OF NACOGDOCHES	16,560		0	0
36	NACOGDOCHES ISD M&O	16,560		0	0
36IS	NACOGDOCHES ISD I&S	16,560		0	0

Property ID: 27050

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Land Detail

Land Sequence 1		
Acres: N/A	Market Class: FV-SVAO	Market Value: 16,560
Land Method: FV	Ag/Timber Class:	Ag/Timber Value: 0
Land Homesiteable: NO	Land Type:	Ag Code:
Front Foot: N/A	Rear Foot: N/A	Lot Depth: N/A
Front Ft Avg: N/A	Lot Depth %: N/A	Land Square Ft: N/A

Total Land Value: \$ 16,560

Property ID: 27050

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Previous Owner Information

Parcel ID	Seller	Buyer	Volume	Page	File Number	Deed Date
27050	PATTON EMMITT	NACOGDOCHES ISD TRUSTEE/ TAX SALE	3433	109	TAX SALE	1/10/2011
27050		PATTON EMMITT	794	215		10/16/1991

SPECIAL RESALE DEED

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

NOTICE OF CONFIDENTIALITY RIGHTS:

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

KNOW ALL MEN BY THESE PRESENTS that NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, hereinafter called GRANTORS, each acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of **NINE HUNDRED DOLLARS AND 00/100 (\$900.00)** and other good and valuable consideration, in hand paid by **KAVYU ENTERPRISE**, Grantee, the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by the presents do convey and quitclaim unto said GRANTEE all right, title and interest of the GRANTORS, acquired by tax foreclosure sale heretofore held in **CAUSE SUIT NO. C1025986 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. EMMITT PATTON, ET AL.**, said property being described as follows:

PROPERTY: Being described as Lot 13, Block 6, Section 4 of **ARBOR OAKS SUBDIVISION**, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, TX. GEO (18-022-5606-013000)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said **KAVYU ENTERPRISE**, Grantee, their heirs and assigns forever, so that neither NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, nor any person claiming under them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances or any part thereof, but not otherwise.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Taxes for the 2021 and the current year are assumed by the Grantee.

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021.

NACOGDOCHES COUNTY

BY: _____
NACOGDOCHES COUNTY JUDGE

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY JUDGE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES INDEPENDENT SCHOOL DISTRICT

BY: _____
PRESIDENT, BOARD OF TRUSTEES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, PRESIDENT, BOARD OF TRUSTEES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

CITY OF NACOGDOCHES

BY: _____
MAYOR, CITY OF NACOGDOCHES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, MAYOR, CITY OF NACOGDOCHES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES COUNTY HOSPITAL DISTRICT

BY: _____
NACOGDOCHES COUNTY HOSPITAL DISTRICT

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY HOSPITAL DISTRICT, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

GRANTEE'S MAILING ADDRESS:

KAVYU ENTERPRISE
P.O. BOX 491
FUSHER, TX 77441

Return to:
Perdue, Brandon, Fielder, Collins and Mott, LLP
220 W. Hospital St.
Nacogdoches, TX 75961

Tuesday, March 16, 2021

Nacogdoches County Judge: Greg Sowell
Nacogdoches County Courthouse
101 W. Main Street, Ste. 170
Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **January 4, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

ORIGINAL OWNER: Unknown Heirs of Emmitt Patton, et al

PROPERTY: Being described as Lot 13, Block 6, Section 4 of ARBOR OAKS SUBDIVISION, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, TX. **Account No:** #18-022-5606-013000 (Georgia Oak)

<u>SUIT NO:</u> C1025986	<u>APPRAISED VALUE AT AUCTION:</u> \$12,000.00	<u>TAX SALE DATE:</u> 1-4-2011
<u>Parcel ID</u> 27050	<u>MINIMUM BID AT AUCTION:</u> \$8,060.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

Nacogdoches Hospital District
Board of Directors
Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **January 4, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: Unknown Heirs of Emmitt Patton, et al</u>		
<u>PROPERTY:</u> Being described as Lot 13, Block 6, Section 4 of ARBOR OAKS SUBDIVISION, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, TX. <u>Account No:</u> #18-022-5606-013000 (Georgia Oak)		
<u>SUIT NO:</u> C1025986	<u>APPRAISED VALUE AT AUCTION:</u> \$12,000.00	<u>TAX SALE DATE:</u> 1-4-2011
<u>Parcel ID</u> 27050	<u>MINIMUM BID AT AUCTION:</u> \$8,060.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

City of Nacogdoches
Mayor, Shelley Brophy
P. O. Box 635030
Nacogdoches, TX 75963

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **January 4, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

ORIGINAL OWNER: Unknown Heirs of Emmitt Patton, et al

PROPERTY: Being described as Lot 13, Block 6, Section 4 of ARBOR OAKS SUBDIVISION, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, TX. **Account No:** #18-022-5606-013000 (Georgia Oak)

<u>SUIT NO:</u> C1025986	<u>APPRAISED VALUE AT AUCTION:</u> \$12,000.00	<u>TAX SALE DATE:</u> 1-4-2011
<u>Parcel ID</u> 27050	<u>MINIMUM BID AT AUCTION:</u> \$8,060.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

Nacogdoches Independent School District
Nacogdoches ISD Board of Trustees
P.O. Box 631521
Nacogdoches, TX 75760

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **January 4, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: Unknown Heirs of Emmitt Patton, et al</u>		
<u>PROPERTY:</u> Being described as Lot 13, Block 6, Section 4 of ARBOR OAKS SUBDIVISION, City of Nacogdoches, as set out and delineated on the map and plat of said subdivision as recorded in Volume 2, Page 52, Plat Records of Nacogdoches County, TX; also, being described in conveyance from Joyce P. Andrews to Emmitt Patton in a deed dated October 16, 1991, recorded in Volume 794, Page 215, Real Property Records of Nacogdoches County, TX. <u>Account No:</u> #18-022-5606-013000 (Georgia Oak)		
<u>SUIT NO:</u> C1025986	<u>APPRAISED VALUE AT AUCTION:</u> \$12,000.00	<u>TAX SALE DATE:</u> 1-4-2011
<u>Parcel ID</u> 27050	<u>MINIMUM BID AT AUCTION:</u> \$8,060.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.F.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider tax resale authorization for 1016 Orton Street being Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas more fully described in Volume 02796, Page 00169, Official Public Records, Nacogdoches County, Texas. (18-437-6201-00500) (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property at 1016 Orton Street begin Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas more fully described in Volume 02796, Page 00169, Official Public Records, Nacogdoches County, Texas.

The appraised value at auction for the property was \$2,200. The bid received from Kavyu Enterprises was \$400. Kavyu Enterprises will accept the property as is and will assume taxes for 2021.

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS: 1. KAVYU STRUCK OFF FOR CAROLYN MCGOWN SELLERS
(1)

STRUCK OFF PROPERTY ACCEPT OR REJECT NOTICE BID ANALYSIS REVIEW

Tuesday, March 16, 2021

Bid Received from: KAVYU ENTERPRISE

Bid in the amount of: \$400.00

C1026425 NACOGDOCHES CO. CENTRAL APPRAISAL DISTRICT VS. CAROLYN MCGOWN SELLERS, ET AL

PROPERTY: Being described as Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas; more fully described in Volume 02796, Page 00169, Official Public Records; Nacogdoches County, TX.

Account No: #18-437-6201-005000 (1016 Orton St.)

TAX ENTITY	TAX YEARS	Amounts at Judgement	Percentage at judgment	JUDGMENT INFORMATION
NACOGDOCHES COUNTY:	1997-2009	\$926.67	16%	Tax Sale Date: 8-2-2011
NACOGDOCHES ISD:	1997-2009	\$3,442.04	61%	Current Appraised Value: \$3,040
CITY OF NACOGDOCHES:	1997-2009	\$1,274.86	23%	Appraised Value at Auction \$2,200.00
TOTAL		\$5,643.57	100%	Minimum Bid at Sale: \$2,200.00

NOTE: No Bidders – Struck off to NACOGDOCHES ISD Trustee; Balance due to jurisdictions after Texas Property Tax Code Sec. 34.02 Distribution of Proceeds is met in requirement by Texas State Law.
NO BIDS ON THE PROPERTY HAVE EVER BEEN MADE.

BILL OF COSTS

PUBLICATION IN NEWSPAPER FOR TAX SALE	\$125.78
DISTRICT CLERK COURT COST	\$781.00
SHERIFFS STRUCK OFF DEED AND FEES	\$20.00
TITLE RESEARCH FEE	\$275.00
TAX RE-SALE DEED	\$38.00
TOTAL DUE –COURT COST AND FEES	\$ 1,239.78

PROPOSED TAX DISTRIBUTION

	<u>Amount</u>	<u>Percentage of bid amount after cost: ZERO</u>
NACOGDOCHES COUNTY:	\$ 0	0 %
NACOGDOCHES ISD:	\$ 0	0 %
CITY OF NACOGDOCHES:	\$ 0	0 %
NACOGDOCHES HOSPITAL DISTRICT	\$ 0	0 %
Total Due:	\$ 0	

The bid on the above-referenced property was:

_____ **Accepted**

_____ **Rejected**

Signed: _____

Title: _____

Date: _____

(Please Mail Final Accept/Reject Notice in the enclosed paid self-addressed envelope to the Nacogdoches Office of Perdue, Brandon, Fielder, Collins, & Mott, LLP Law Firm)

Property ID: 31378

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Property ID: 31378	Account Number: 18-437-6201-005000
Property Legal Description: LT 5 BK 1 J G ORTON	Deed Information: Volume: 3574 Page: 1 File Number: Deed Date: 8/8/2011
Property Location: 1016 ORTON ST NACOGDOCHES TX	Block: 1 Section / Lot: 5
Survey / Sub Division Abstract: J G ORTON FIRST ADDN 04/013	
Owner Information: NACOGDOCHES ISD TRUSTEE/ TAX SALE STRUCK OFF PROPERTY	Property Detail: Property Exempt: X Category / SPTB Code: XV Total Acres: 0.000 Total Living Sqft: See Detail Owner Interest: 1.000000 Homestead Exemption: Homestead Cap Value: 0 Land Ag / Timber Value: 0 Land Market Value: 3,040 Improvement Value: 0
Previous Owner: MCGOWN CAROLYN K	

Jur Code	Jur Name	Total Market	Homestead	Total Exemption	Taxable
01	NACOGDOCHES COUNTY	3,040		0	0
12	CITY OF NACOGDOCHES	3,040		0	0
36	NACOGDOCHES ISD M&O	3,040		0	0
36IS	NACOGDOCHES ISD I&S	3,040		0	0

Property ID: 31378

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Land Detail

Land Sequence 1		
Acres: N/A	Market Class: FV-SVOR	Market Value: 3,040
Land Method: FV	Ag/Timber Class:	Ag/Timber Value: 0
Land Homesiteable: NO	Land Type:	Ag Code:
Front Foot: N/A	Rear Foot: N/A	Lot Depth: N/A
Front Ft Avg: N/A	Lot Depth %: N/A	Land Square Ft: N/A

Total Land Value: \$ 3,040

Property ID: 31378

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Previous Owner Information

Parcel ID	Seller	Buyer	Volume	Page	File Number	Deed Date
31378	MCGOWN CAROLYN K	NACOGDOCHES ISD TRUSTEE/ TAX SALE	3574	1		8/8/2011
31378	MURCHISON RICHARD	MCGOWN CAROLYN K	3109	307	QUITCLAIM	8/14/2009
31378	MCGOWN CAROLYN K	MURCHISON RICHARD	2796	174	WD	2/7/2008
31378	BAYSINGER ALTON	MCGOWN CAROLYN K	2796	169	WD	2/7/2008
31378		BAYSINGER ALTON	0	0		9/24/1998





SPECIAL RESALE DEED

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

NOTICE OF CONFIDENTIALITY RIGHTS:

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KNOW ALL MEN BY THESE PRESENTS that NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES, hereinafter called GRANTORS, each acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of **FOUR HUNDRED DOLLARS AND 00/100 (\$400.00)** and other good and valuable consideration, in hand paid by **KAVYU ENTERPRISE**, Grantee, the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by the presents do convey and quitclaim unto said GRANTEE all right, title and interest of the GRANTORS, acquired by tax foreclosure sale heretofore held in **CAUSE SUIT NO. C1026425 NACOGDOCHES CO. CENTRAL APPRAISAL DISTRICT VS. CAROLYN MCGOWN SELLERS, ET AL.**, said property being described as follows:

Being described as Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas; more fully described in Volume 02796, Page 00169, Official Public Records; Nacogdoches County, TX. GEO (18-437-6201-005000)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said **KAVYU ENTERPRISE**, Grantee, their heirs and assigns forever, so that neither NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES, nor any person claiming under them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances or any part thereof, but not otherwise.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Taxes for the 2021 and the current year are assumed by the Grantee.

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES Grantors, have caused the presents to be executed on this _____ day of _____, 2021.

NACOGDOCHES COUNTY

BY: _____
NACOGDOCHES COUNTY JUDGE

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY JUDGE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES INDEPENDENT SCHOOL DISTRICT

BY: _____
PRESIDENT, BOARD OF TRUSTEES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, PRESIDENT, BOARD OF TRUSTEES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES Grantors, have caused the presents to be executed on this _____ day of _____, 2021

CITY OF NACOGDOCHES

BY: _____
MAYOR, CITY OF NACOGDOCHES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, MAYOR, CITY OF NACOGDOCHES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

GRANTEE'S MAILING ADDRESS:

KAVYU ENTERPRISE
P.O. BOX 491
FUSHER, TX 77441

Return to:
Perdue, Brandon, Fielder, Collins and Mott, LLP
220 W. Hospital St.
Nacogdoches, TX 75961

Tuesday, March 16, 2021

Nacogdoches Independent School District
Nacogdoches ISD Board of Trustees
P.O. Box 631521
Nacogdoches, TX 75760

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **August 2, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

ORIGINAL OWNER: Carolyn McGown Sellers, et al

PROPERTY: Being described as Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas; more fully described in Volume 02796, Page 00169, Official Public Records; Nacogdoches County, TX.

Account No: #18-437-6201-005000 (1016 Orton St.)

<u>SUIT NO:</u> C1026425	<u>APPRAISED VALUE AT AUCTION:</u> \$2,200.00	<u>TAX SALE DATE:</u> 8-2-2011
<u>Parcel ID:</u> 31378	<u>MINIMUM BID AT AUCTION:</u> \$2,200.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

City of Nacogdoches
Mayor, Shelley Brophy
P. O. Box 635030
Nacogdoches, TX 75963

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **August 2, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

ORIGINAL OWNER: Carolyn McGown Sellers, et al

PROPERTY: Being described as Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas; more fully described in Volume 02796, Page 00169, Official Public Records; Nacogdoches County, TX.
Account No: #18-437-6201-005000 (1016 Orton St.)

<u>SUIT NO:</u> C1026425	<u>APPRAISED VALUE AT AUCTION:</u> \$2,200.00	<u>TAX SALE DATE:</u> 8-2-2011
<u>Parcel ID:</u> 31378	<u>MINIMUM BID AT AUCTION:</u> \$2,200.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

Nacogdoches County Judge: Greg Sowell
Nacogdoches County Courthouse
101 W. Main Street, Ste. 170
Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **August 2, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

ORIGINAL OWNER: Carolyn McGown Sellers, et al

PROPERTY: Being described as Lot 5, Block 1, out of the John G. Orton Survey, Nacogdoches County, Texas; more fully described in Volume 02796, Page 00169, Official Public Records; Nacogdoches County, TX.
Account No: #18-437-6201-005000 (1016 Orton St.)

<u>SUIT NO:</u> C1026425	<u>APPRAISED VALUE AT AUCTION:</u> \$2,200.00	<u>TAX SALE DATE:</u> 8-2-2011
<u>Parcel ID:</u> 31378	<u>MINIMUM BID AT AUCTION:</u> \$2,200.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.G.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider tax resale authorization for 1524 Coleman Street being Lot 6, Hoya Subdivision, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, Texas. (18-298-5900-006000) (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property at 1524 Coleman Street being described as Lot 6, Hoya Subdivision, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, Texas.

The appraised value at auction for the property was \$15,510. The bid received from Kavyu Enterprises was \$600. Kavyu Enterprises will accept the property as is and will assume taxes for 2021.

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS: 1. KAVYU STRUCK OFF FOR ERNEST JACKSON (1)

STRUCK OFF PROPERTY ACCEPT OR REJECT NOTICE BID ANALYSIS REVIEW

Tuesday, March 16, 2021

Bid Received from: KAVYU ENTERPRISE**Bid in the amount of: \$600.00**

C1026121 NACOGDOCHES CO. CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF ERNEST JACKSON, ET AL

PROPERTY: Being described as Lot 6, HOYA SUBDIVISION, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, TX.**Account No:** #18-298-5900-006000) (Coleman Street)

TAX ENTITY	TAX YEARS	Amounts at Judgement	Percentage at judgment	JUDGMENT INFORMATION
NACOGDOCHES COUNTY:	2001-2009	\$1,104.36	16 %	Tax Sale Date: 8-2-2011
NACOGDOCHES ISD:	2001-2009	\$4,138.45	62%	Current Appraised Value: \$17,310.00
CITY OF NACOGDOCHES:	2001-2009	\$1,451.85	22%	Appraised Value at Auction \$15,510.00
TOTAL		\$6,694.66	100%	Minimum Bid at Sale: \$8,648

NOTE: No Bidders – Struck off to NACOGDOCHES ISD Trustee; Balance due to jurisdictions after Texas Property Tax Code Sec. 34.02 Distribution of Proceeds is met in requirement by Texas State Law.
NO BIDS ON THE PROPERTY HAVE EVER BEEN MADE.

BILL OF COSTS

PUBLICATION IN NEWSPAPER FOR TAX SALE	\$125.12
ATTORNEY AD LITEM	\$350.00
DISTRICT CLERK COURT COST	\$664.00
SHERIFFS STRUCK OFF DEED AND FEES	\$20.00
TITLE RESEARCH FEE	\$275.00
TAX RE-SALE DEED	\$38.00
TOTAL DUE –COURT COST AND FEES	\$ 1,472.12

PROPOSED TAX DISTRIBUTION

	<u>Amount</u>	<u>Percentage of bid amount after cost: ZERO</u>
NACOGDOCHES COUNTY:	\$ 0	0 %
NACOGDOCHES ISD:	\$ 0	0 %
CITY OF NACOGDOCHES:	\$ 0	0 %
Total Due:	\$ 0	

The bid on the above-referenced property was:

_____ **Accepted**_____ **Rejected****Signed:** _____**Title:** _____**Date:** _____

(Please Mail Final Accept/Reject Notice in the enclosed paid self-addressed envelope to the Nacogdoches Office of Perdue, Brandon, Fielder, Collins, & Mott, LLP Law Firm)

Property ID: 29534

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Property ID: 29534	Account Number: 18-298-5900-006000
Property Legal Description: LT 6 HOYA	Deed Information:
	Volume: 3574
	Page: 4
	File Number: TAX SALE
	Deed Date: 8/8/2011
Property Location: 1524 COLEMAN ST NACOGDOCHES TX	Block:
Survey / Sub Division Abstract: HOYA 18-298	Section / Lot: 6
Owner Information: NACOGDOCHES ISD TRUSTEE/ TAX SALE STRUCK OFF PROPERTY	Property Detail:
	Property Exempt: X
	Category / SPTB Code: XV
	Total Acres: 0.000
	Total Living Sqft: See Detail
	Owner Interest: 1.000000
	Homestead Exemption:
	Homestead Cap Value: 0
	Land Ag / Timber Value: 0
	Land Market Value: 3,110
	Improvement Value: 14,200
Previous Owner: JACKSON ERNEST	

Jur Code	Jur Name	Total Market	Homestead	Total Exemption	Taxable
01	NACOGDOCHES COUNTY	17,310		0	0
12	CITY OF NACOGDOCHES	17,310		0	0
36	NACOGDOCHES ISD M&O	17,310		0	0
36IS	NACOGDOCHES ISD I&S	17,310		0	0

Property ID: 29534

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Building Detail

Sequence	Type	Class	Year Built	Homesite Value	Condition	Percent Good	Square Feet	Replacement Value	Total Value
1	MAIN	F2	0	YES		30%	1,000	50,890	14,200

Total Building Value: \$ 14,200

Property ID: 29534

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Land Detail

Land Sequence 1		
Acres: N/A	Market Class: FV-SVHY	Market Value: 3,110
Land Method: FV	Ag/Timber Class:	Ag/Timber Value: 0
Land Homesiteable: YES	Land Type:	Ag Code:
Front Foot: N/A	Rear Foot: N/A	Lot Depth: N/A
Front Ft Avg: N/A	Lot Depth %: N/A	Land Square Ft: N/A

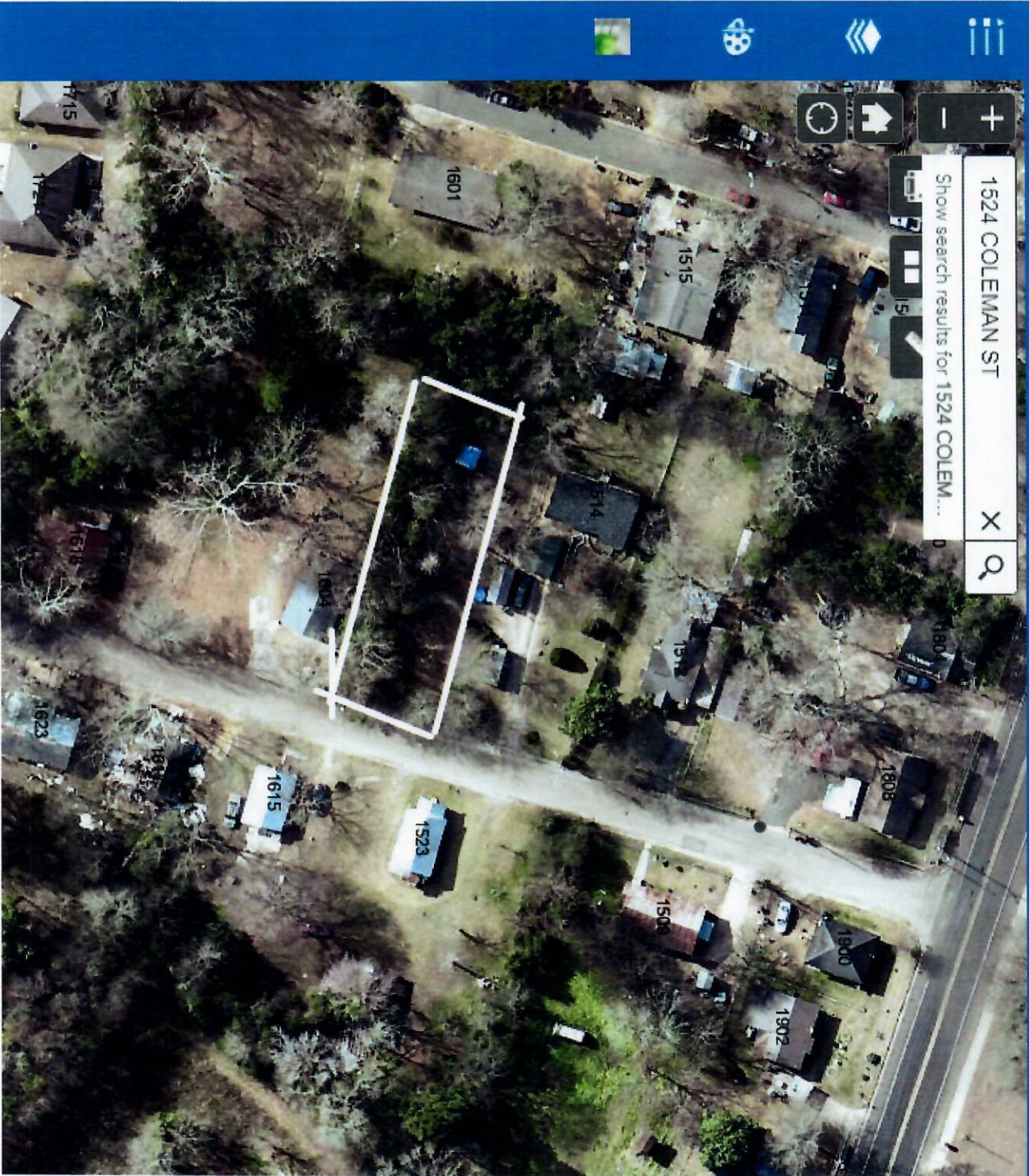
Total Land Value: \$ 3,110

Property ID: 29534

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Previous Owner Information

Parcel ID	Seller	Buyer	Volume	Page	File Number	Deed Date
29534	JACKSON ERNEST	NACOGDOCHES ISD TRUSTEE/ TAX SALE	3574	4	TAX SALE	8/8/2011
29534		JACKSON ERNEST	0	0		9/24/1998



SPECIAL RESALE DEED

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

NOTICE OF CONFIDENTIALITY RIGHTS:

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

KNOW ALL MEN BY THESE PRESENTS that NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES, hereinafter called GRANTORS, each acting by and through its duly elected official ('GRANTOR') as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of **SIX HUNDRED DOLLARS AND 00/100 (\$600.00)** and other good and valuable consideration, in hand paid by **KAVYU ENTERPRISE**, Grantee, the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by the presents do convey and quitclaim unto said GRANTEE all right, title and interest of the GRANTORS, acquired by tax foreclosure sale heretofore held in **CAUSE SUIT NO. C1026121 NACOGDOCHES CO. CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF ERNEST JACKSON, ET AL.**, said property being described as follows:

Being described as Lot 6, HOYA SUBDIVISION, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, TX. GEO (18-298-5900-006000)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said **KAVYU ENTERPRISE**, Grantee, their heirs and assigns forever, so that neither NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES, nor any person claiming under them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances or any part thereof, but not otherwise.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Taxes for the 2021 and the current year are assumed by the Grantee.

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES Grantors, have caused the presents to be executed on this _____ day of _____, 2021.

NACOGDOCHES COUNTY

BY: _____
NACOGDOCHES COUNTY JUDGE

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY JUDGE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES INDEPENDENT SCHOOL DISTRICT

BY: _____
PRESIDENT, BOARD OF TRUSTEES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, PRESIDENT, BOARD OF TRUSTEES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY AND CITY OF NACOGDOCHES Grantors, have caused the presents to be executed on this _____ day of _____, 2021

CITY OF NACOGDOCHES

BY: _____
MAYOR, CITY OF NACOGDOCHES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, MAYOR, CITY OF NACOGDOCHES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

GRANTEE'S MAILING ADDRESS:

KAVYU ENTERPRISE
P.O. BOX 491
FUSHER, TX 77441

Return to:
Perdue, Brandon, Fielder, Collins and Mott, LLP
220 W. Hospital St.
Nacogdoches, TX 75961

Tuesday, March 16, 2021

Nacogdoches Independent School District
Nacogdoches ISD Board of Trustees
P.O. Box 631521
Nacogdoches, TX 75760

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **August 2, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

ORIGINAL OWNER: Unknown Heirs of Ernest Jackson, et al

PROPERTY: Being described as Lot 6, HOYA SUBDIVISION, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, TX.

Account No: #18-298-5900-006000) (Coleman Street)

SUIT NO:

C1026121

APPRAISED VALUE AT AUCTION:

\$15,510.00

TAX SALE DATE:

8-2-2011

Parcel ID

29534

MINIMUM BID AT AUCTION:

\$8,648.00

STRUCK OFF TO:

NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

City of Nacogdoches
Mayor, Shelley Brophy
P. O. Box 635030
Nacogdoches, TX 75963

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **August 2, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: Unknown Heirs of Ernest Jackson, et al</u>		
<u>PROPERTY:</u> Being described as Lot 6, HOYA SUBDIVISION, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, TX. <u>Account No:</u> #18-298-5900-006000) (Coleman Street)		
<u>SUIT NO:</u> C1026121	<u>APPRAISED VALUE AT AUCTION:</u> \$15,510.00	<u>TAX SALE DATE:</u> 8-2-2011
<u>Parcel ID</u> 29534	<u>MINIMUM BID AT AUCTION:</u> \$8,648.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures

Tuesday, March 16, 2021

Nacogdoches County Judge: Greg Sowell
Nacogdoches County Courthouse
101 W. Main Street, Ste. 170
Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off at the **August 2, 2011 at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: Unknown Heirs of Ernest Jackson, et al</u>		
<u>PROPERTY:</u> Being described as Lot 6, HOYA SUBDIVISION, City of Nacogdoches, Nacogdoches County, TX; more fully described in Volume 166, Page 23, Deed Records of Nacogdoches County, TX. <u>Account No:</u> #18-298-5900-006000) (Coleman Street)		
<u>SUIT NO:</u> C1026121	<u>APPRAISED VALUE AT AUCTION:</u> \$15,510.00	<u>TAX SALE DATE:</u> 8-2-2011
<u>Parcel ID</u> 29534	<u>MINIMUM BID AT AUCTION:</u> \$8,648.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
Litigation Clerk

Enclosures



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.H.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider tax resale authorization for property on Powers Street being Lot 8-F, Block 43 located in Nacogdoches County, Texas more fully described in Volume 372, Page 788, deed records, Nacogdoches County, Texas. (17-043-1008-060000) (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property on Powers Street being Lot 8-F, Block 43 located in Nacogdoches County, Texas more fully described in Volume 372, Page 788, deed records, Nacogdoches County, Texas.

The appraised value at auction for the property was \$5,000. The bid received from Kavyu Enterprises was \$600. Kavyu Enterprises will accept the property as is and will assume taxes for 2021.

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2506

ATTACHMENTS: 1. KAVYU STRUCK OFF FOR VERNELL WASHINGTON

STRUCK OFF PROPERTY ACCEPT OR REJECT NOTICE BID ANALYSIS REVIEW

Wednesday, March 17, 2021

Bid Received from: KAVYU ENTERPRISE**Bid in the amount of: \$600.00**

SUIT: C1530993 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF JOHN HENRY AND VERNELL WASHINGTON, ET AL

PROPERTY: BEING LOT 8-F, BLOCK 43 LOCATED IN NACOGDOCHES COUNTY, TX; MORE FULLY DESCRIBED IN VOLUME 372, PAGE 788, DEED RECORDS, NACOGDOCHES COUNTY, NACOGDOCHES, TX.**Account No:** #17-043-1008-060000 (POWERS ST)

TAX ENTITY	TAX YEARS	Amounts at Judgement	Percentage at judgment	JUDGMENT INFORMATION
NACOGDOCHES COUNTY:	1990-2015	\$1,244.85	17.21%	Tax Sale Date: 11-1-2016
NACOGDOCHES ISD:	1990-2015	\$4,185.10	57.84%	Current Appraised Value: \$6,900
CITY OF NACOGDOCHES:	1990-2015	\$1,772.79	24.50%	Appraised Value at Auction \$5,000.00
NACOGDOCHES HOSPITAL DISTRICT	1990-1991	\$32.92	0.45%	
TOTAL		\$7,235.66	100%	Minimum Bid at Sale: \$5,000.00

NOTE: No Bidders – Struck off to NACOGDOCHES ISD Trustee; Balance due to jurisdictions after Texas Property Tax Code Sec. 34.02 Distribution of Proceeds is met in requirement by Texas State Law.

NO BIDS ON THE PROPERTY HAVE EVER BEEN MADE

BILL OF COSTS

PUBLICATION IN NEWSPAPER FOR TAX SALE (11-1-2016)	\$151.30
DISTRICT CLERK COURT COST	\$416.00
SHERIFFS STRUCK OFF DEED AND FEES (Filed Nov 2016)	\$20.00
TITLE RESEARCH FEE	\$275.00
TAX RE-SALE DEED	\$42.50
SHERIFFS TAX SALE CERTIFIED MAIL FEES	\$14.60
TOTAL DUE –COURT COST AND FEES	\$ 919.40

PROPOSED TAX DISTRIBUTION

	<u>Amount</u>	<u>Percentage of bid amount after cost: ZERO</u>
NACOGDOCHES COUNTY:	\$ 0	0 %
NACOGDOCHES ISD:	\$ 0	0 %
CITY OF NACOGDOCHES:	\$ 0	0 %
NACOGDOCHES HOSPITAL DISTRICT	\$ 0	0 %
Total Due:	\$ 0	

The bid on the above-referenced property was:

_____ **Accepted**_____ **Rejected****Signed:** _____**Title:** _____**Date:** _____

(Please Mail Final Accept/Reject Notice in the enclosed paid self-addressed envelope to the Nacogdoches Office of Perdue, Brandon, Fielder, Collins, & Mott, LLP Law Firm)

Property ID: 23661

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Property ID: 23661	Account Number: 17-043-1008-060000
Property Legal Description: OUTLOT 8-F BK 43	Deed Information:
	Volume: 4509
	Page: 99
	File Number: SHERIFF
	Deed Date: 11/28/2016
Property Location: POWERS ST NACOGDOCHES TX	Block: 43
Survey / Sub Division Abstract: CITY OF NAC	Section / Lot: OL-8-F
Owner Information: NACOGDOCHES ISD TRUSTEE/ TAX SALE STRUCK OFF PROPERTY	Property Detail:
	Property Exempt: X
	Category / SPTB Code: XV
	Total Acres: 0.000
	Total Living Sqft: See Detail
	Owner Interest: 1.000000
	Homestead Exemption:
Previous Owner: WASHINGTON VERNELL	Homestead Cap Value: 0
	Land Ag / Timber Value: 0
	Land Market Value: 6,900
	Improvement Value: 0

Jur Code	Jur Name	Total Market	Homestead	Total Exemption	Taxable
01	NACOGDOCHES COUNTY	6,900		0	0
12	CITY OF NACOGDOCHES	6,900		0	0
36	NACOGDOCHES ISD M&O	6,900		0	0
36IS	NACOGDOCHES ISD I&S	6,900		0	0

Property ID: 23661

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Land Detail

Land Sequence 1		
Acres: N/A	Market Class: FV-SV05	Market Value: 6,900
Land Method: FV	Ag/Timber Class:	Ag/Timber Value: 0
Land Homesiteable: NO	Land Type:	Ag Code:
Front Foot: N/A	Rear Foot: N/A	Lot Depth: N/A
Front Ft Avg: N/A	Lot Depth %: N/A	Land Square Ft: N/A

Total Land Value: \$ 6,900

Property ID: 23661

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Previous Owner Information

Parcel ID	Seller	Buyer	Volume	Page	File Number	Deed Date
23661	WASHINTONJOHN HENRY	AMMONS J M	177	346	WD	4/7/1952
23661	WASHINGTON VERNELL	NACOGDOCHES ISD TRUSTEE/ TAX SALE	4509	99	SHERIFF	11/28/2016
23661	AMMONS GAYLE E	WASHINGTON VERNELL	372	788	WD	2/1/1972

SPECIAL RESALE DEED

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

NOTICE OF CONFIDENTIALITY RIGHTS:

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KNOW ALL MEN BY THESE PRESENTS that NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, hereinafter called GRANTORS, each acting by and through its duly elected official ('GRANTOR') as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of **SIX HUNDRED DOLLARS AND 00/100 (\$600.00)** and other good and valuable consideration, in hand paid by **KAVYU ENTERPRISE**, Grantee, the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by the presents do convey and quitclaim unto said GRANTEE all right, title and interest of the GRANTORS, acquired by tax foreclosure sale heretofore held in **CAUSE SUIT NO. C1530993 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF JOHN HENRY AND VERNELL WASHINGTON, ET AL** said property being described as follows:

PROPERTY: BEING LOT 8-F, BLOCK 43 LOCATED IN NACOGDOCHES COUNTY, TX; MORE FULLY DESCRIBED IN VOLUME 372, PAGE 788, DEED RECORDS, NACOGDOCHES COUNTY, NACOGDOCHES, TX. GEO (17-043-1008-060000)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said **KAVYU ENTERPRISE**, Grantee, their heirs and assigns forever, so that neither NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, nor any person claiming under them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances or any part thereof, but not otherwise.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property.

Taxes for the 2021 and the current year are assumed by the Grantee.

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021.

NACOGDOCHES COUNTY

BY: _____
NACOGDOCHES COUNTY JUDGE

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY JUDGE, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES INDEPENDENT SCHOOL DISTRICT

BY: _____
PRESIDENT, BOARD OF TRUSTEES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, PRESIDENT, BOARD OF TRUSTEES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

CITY OF NACOGDOCHES

BY: _____
MAYOR, CITY OF NACOGDOCHES

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, MAYOR, CITY OF NACOGDOCHES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES COUNTY HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this _____ day of _____, 2021

NACOGDOCHES COUNTY HOSPITAL DISTRICT

BY: _____
NACOGDOCHES COUNTY HOSPITAL DISTRICT

THE STATE OF TEXAS

COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, NACOGDOCHES COUNTY HOSPITAL DISTRICT, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

GRANTEE'S MAILING ADDRESS:

KAVYU ENTERPRISE
P.O. BOX 491
FUSHER, TX 77441

Return to:
Perdue, Brandon, Fielder, Collins and Mott, LLP
220 W. Hospital St.
Nacogdoches, TX 75961

+

-

Home

Full Screen

POWERS STREET

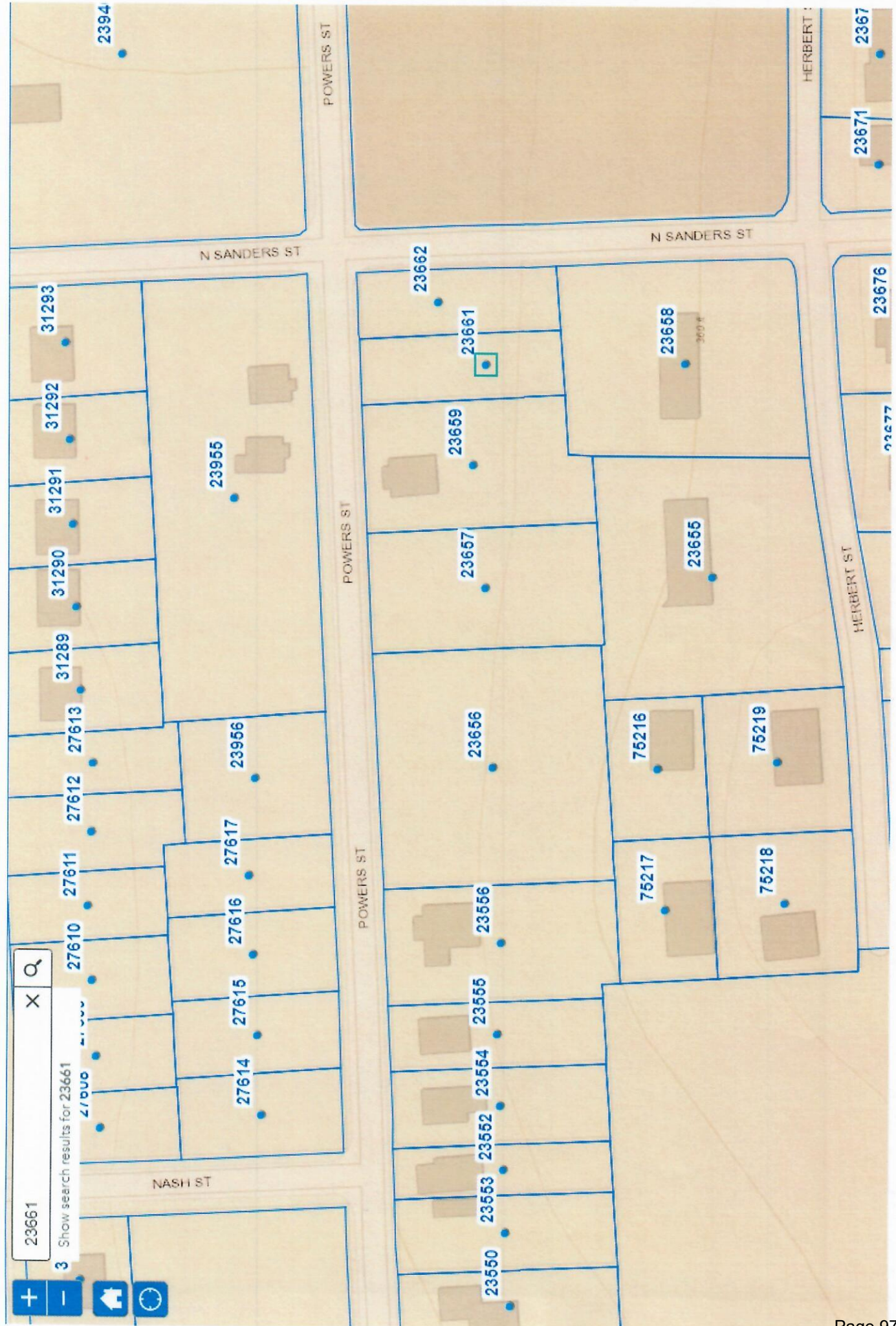
X

Q

Show search results for POWERS STR...



Nacogdoches Central Appraisal District



Wednesday, March 17, 2021

City of Nacogdoches
 Mayor, Shelley Brophy
 P. O. Box 635030
 Nacogdoches, TX 75963

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off on **November 1, 2016, at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: UNKNOWN HEIRS OF JOHN HENRY AND VERNELL WASHINGTON, ET AL</u>		
<u>PROPERTY:</u> BEING LOT 8-F, BLOCK 43 LOCATED IN NACOGDOCHES COUNTY, TX; MORE FULLY DESCRIBED IN VOLUME 372, PAGE 788, DEED RECORDS, NACOGDOCHES COUNTY, NACOGDOCHES, TX. <u>Account No:</u> #17-043-1008-060000 (POWERS ST.)		
<u>SUIT NO:</u> C1530993 (TRACT 1)	<u>APPRAISED VALUE AT AUCTION:</u> \$5,000.00	<u>TAX SALE DATE:</u> 11-1-2016
<u>Parcel ID</u> 23661	<u>MINIMUM BID AT AUCTION:</u> \$3,000.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
 Litigation Clerk

Enclosures

Wednesday, March 17, 2021

Nacogdoches Hospital District
 Board of Directors
 Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off on **November 1, 2016, at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: UNKNOWN HEIRS OF JOHN HENRY AND VERNELL WASHINGTON, ET AL</u>		
<u>PROPERTY:</u> BEING LOT 8-F, BLOCK 43 LOCATED IN NACOGDOCHES COUNTY, TX; MORE FULLY DESCRIBED IN VOLUME 372, PAGE 788, DEED RECORDS, NACOGDOCHES COUNTY, NACOGDOCHES, TX.		
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<u>Parcel ID</u> 23661	<u>MINIMUM BID AT AUCTION:</u> \$3,000.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
 Litigation Clerk

Enclosures

Wednesday, March 17, 2021

Nacogdoches County Judge: Greg Sowell
 Nacogdoches County Courthouse
 101 W. Main Street, Ste. 170
 Nacogdoches, TX 75961

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off on **November 1, 2016, at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: UNKNOWN HEIRS OF JOHN HENRY AND VERNELL WASHINGTON, ET AL</u>		
PROPERTY: BEING LOT 8-F, BLOCK 43 LOCATED IN NACOGDOCHES COUNTY, TX; MORE FULLY DESCRIBED IN VOLUME 372, PAGE 788, DEED RECORDS, NACOGDOCHES COUNTY, NACOGDOCHES, TX. Account No: #17-043-1008-060000 (POWERS ST.)		
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<u>Parcel ID</u> 23661	<u>MINIMUM BID AT AUCTION:</u> \$3,000.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
 Litigation Clerk

Enclosures

Wednesday, March 17, 2021

Nacogdoches Independent School District
 Nacogdoches ISD Board of Trustees
 P.O. Box 631521
 Nacogdoches, TX 75760

RE: Bid for Struck off Property

Enclosed please find the bid information received from **KAVYU ENTERPRISE**, on the property located in the Nacogdoches Independent School District that was struck off on **November 1, 2016, at the Nacogdoches County Sheriff's Tax Sale**. If possible, please include this offer on the next agenda for consideration. The property being more fully described as the following:

<u>ORIGINAL OWNER: UNKNOWN HEIRS OF JOHN HENRY AND VERNELL WASHINGTON, ET AL</u>		
<u>PROPERTY:</u> BEING LOT 8-F, BLOCK 43 LOCATED IN NACOGDOCHES COUNTY, TX; MORE FULLY DESCRIBED IN VOLUME 372, PAGE 788, DEED RECORDS, NACOGDOCHES COUNTY, NACOGDOCHES, TX.		
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<u>Parcel ID</u> 23661	<u>MINIMUM BID AT AUCTION:</u> \$3,000.00	<u>STRUCK OFF TO:</u> NACOGDOCHES ISD

If you need further information, please do not hesitate to call.

Thank you,

Maria Sutterfield
 Litigation Clerk

Enclosures



City Council Meeting

Date: April 6, 2021

Agenda Item: 6.I.

PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider tax resale authorization for property on Old Tyler Road being Lot 28, Block 61, in the Harvey Austin Subdivision located in the Sylvester Moreland Survey; more fully described in Volume 366, Page 167 Nacogdoches County, Texas. (11-026-6100-028000) (City Manager)

SUMMARY/BACKGROUND: The City of Nacogdoches, as a taxing entity, has been requested on behalf of Nacogdoches ISD to approve the sale of property Old Tyler Road being Lot 28, Block 61, in the Harvey Austin Subdivision located in the Sylvester Moreland Survey; more fully described in Volume 366, Page 167 Nacogdoches County, Texas.

The appraised value at auction for the property was \$3,300. The bid received from Kavyu Enterprises was \$400. Kavyu Enterprises will accept the property as is and will assume taxes for 2021.

FINANCIAL:

No financial impact associated with this item.

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS: 1. Bid for Struck Off Property - Kavyu Enterprises

Monday, February 22, 2021

Bid Received from: KAVYU ENTERPRISE

Bid in the amount of: \$400.00

SUIT: C1328975 NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT ET AL vs. UNKNOWN HEIRS OF ERNEST RAY SWEARINGER, ET AL

PROPERTY: Begin Lot 28 Block 61, in the Harvey Austin Subdivision located in the SYLVESTER MORELAND SURVEY; more fully described in Volume 366, Page 167 Nacogdoches County, Texas. **Account No:** #18-026-6100-028000

TAX ENTITY	TAX YEARS	AMOUNT DUE	JUDGMENT INFORMATION
NACOGDOCHES COUNTY:	1983-2014	\$1,151.51 (15%)	Tax Sale Date: 1-13-2016
NACOGDOCHES ISD:	1984-2014	\$4,396.12 (58 %)	Current Appraised Value: \$ 4,500.00
CITY OF NACOGDOCHES:	1984-2014	\$1,961.14 (26%)	Appraised Value at Auction \$3,300.00
NACOGDOCHES CO. HOSPITAL DIST	1983-1991	\$87.38 (1 %)	
TOTAL		\$7,596.15 (100%)	Minimum Bid at Sale: \$3,300.00

NOTE:

No Bidders – Struck off to NACOGDOCHES ISD Trustee; Balance due to jurisdictions after Texas Property Tax Code Sec. 34.02 Distribution of Proceeds is met in requirement by Texas State Law.

BILL OF COSTS

Publication In Newspaper	\$157.78
Attorney Ad Litem Cost	\$350.00
DISTRICT CLERK COURT COST	\$672.00
Sheriffs Deed and Fees	\$34.00
Title Search Fee	\$275.00
Sheriff Levy Certified Fees	\$12.56
TAX RE-SALE DEED	\$38.50
TOTAL DUE –COURT COST AND FEES	\$ 1,539.84

PROPOSED TAX DISTRIBUTION

	<u>Amount</u>	<u>Percentage of bid amount after cost: \$0</u>
NACOGDOCHES COUNTY:	\$ 0	0
NACOGDOCHES ISD:	\$ 0	0
CITY OF NACOGDOCHES:	\$ 0	0
NACOGDOCHES HOSPITAL DISTRICT	\$ 0	0
Total Due:	\$ 0	

The bid on the above-referenced property was:

_____ **Accepted**

_____ **Rejected**

Signed: _____

Title: _____

Date: _____

(Please Mail Final Accept/Reject Notice in the enclosed paid self-addressed envelope to the Nacogdoches Office of Perdue, Brandon, Fielder, Collins, & Mott, LLP Law Firm)

Property ID: 27265

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Property ID: 27265	Account Number: 18-026-6100-028000																				
Property Legal Description: LT 28 BK 61 HARVEY AUSTIN	Deed Information: <table border="1"> <tr> <td>Volume:</td> <td>4407</td> </tr> <tr> <td>Page:</td> <td>244</td> </tr> <tr> <td>File Number:</td> <td>SHERIFFS</td> </tr> <tr> <td>Deed Date:</td> <td>4/26/2016</td> </tr> </table>	Volume:	4407	Page:	244	File Number:	SHERIFFS	Deed Date:	4/26/2016												
Volume:	4407																				
Page:	244																				
File Number:	SHERIFFS																				
Deed Date:	4/26/2016																				
Property Location: OLD TYLER RD NACOGDOCHES TX	Block:																				
Survey / Sub Division Abstract: HARVEY AUSTIN 18-026	Section / Lot: 28																				
Owner Information: NACOGDOCHES ISD TRUSTEE/ TAX SALE STRUCK OFF PROPERTY	Property Detail: <table border="1"> <tr> <td>Property Exempt:</td> <td>X</td> </tr> <tr> <td>Category / SPTB Code:</td> <td>XV</td> </tr> <tr> <td>Total Acres:</td> <td>0.000</td> </tr> <tr> <td>Total Living Sqft:</td> <td>See Detail</td> </tr> <tr> <td>Owner Interest:</td> <td>1.000000</td> </tr> <tr> <td>Homestead Exemption:</td> <td></td> </tr> <tr> <td>Homestead Cap Value:</td> <td>0</td> </tr> <tr> <td>Land Ag / Timber Value:</td> <td>0</td> </tr> <tr> <td>Land Market Value:</td> <td>4,550</td> </tr> <tr> <td>Improvement Value:</td> <td>0</td> </tr> </table>	Property Exempt:	X	Category / SPTB Code:	XV	Total Acres:	0.000	Total Living Sqft:	See Detail	Owner Interest:	1.000000	Homestead Exemption:		Homestead Cap Value:	0	Land Ag / Timber Value:	0	Land Market Value:	4,550	Improvement Value:	0
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Land Ag / Timber Value:	0																				
Land Market Value:	4,550																				
Improvement Value:	0																				
Previous Owner: SWEARINGER ERNEST RAY																					

Jur Code	Jur Name	Total Market	Homestead	Total Exemption	Taxable
01	NACOGDOCHES COUNTY	4,550		0	0
12	CITY OF NACOGDOCHES	4,550		0	0
36	NACOGDOCHES ISD M&O	4,550		0	0
36IS	NACOGDOCHES ISD I&S	4,550		0	0

Property ID: 27265

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Land Detail

Land Sequence 1

Acres: N/A	Market Class: FV-SVAHB	Market Value: 4,550
Land Method: FV	Ag/Timber Class:	Ag/Timber Value: 0
Land Homesiteable: NO	Land Type:	Ag Code:
Front Foot: N/A	Rear Foot: N/A	Lot Depth: N/A
Front Ft Avg: N/A	Lot Depth %: N/A	Land Square Ft: N/A

Total Land Value: \$ 4,550

Property ID: 27265

Owner: NACOGDOCHES ISD TRUSTEE/ TAX SALE

Previous Owner Information

Parcel ID	Seller	Buyer	Volume	Page	File Number	Deed Date
27265	SWEARINGER ERNEST RAY	NACOGDOCHES ISD TRUSTEE/ TAX SALE	4407	244	SHERIFFS	4/26/2016
27265	SWEARINGEN ERNEST B	SWEARINGEN ERNEST RAY	366	167	WD	3/8/1971
27265	LAMPKIN R Z & RUBY MAE	SWEARINGEN ERNEST RAY & LINDA GAYLE	366	167	WD	3/8/1971

Parcel Map last updated 02/03/2021.



2/22/2021, 2:08:09 PM
ISD Boundaries — Highways and FM Roads
Override 9
NACOCAD Parcel ID Points
NACOCAD Parcel Polygons
Municipal_Boundaries

1:564
0 0.01 0.02 mi
0 0.01 0.02 km
GeoEye, Maxar, Microsoft, Esri, HERE, Garmin, IPC
Nacogdoches Central Appraisal District
This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or survey purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

SPECIAL TAX RESALE DEED

STATE OF TEXAS §
COUNTY OF NACOGDOCHES §

NOTICE OF CONFIDENTIALITY RIGHTS:

IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

KNOW ALL MEN BY THESE PRESENTS that **NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE**, in trust for the use and benefit of itself, **NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES HOSPITAL DISTRICT**, hereinafter called GRANTORS, each acting by and through its duly elected official ("GRANTOR") as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of **FOUR HUNDRED AND 00/100 (\$400.00)** and other good and valuable consideration, in hand paid by **KAVYU ENTERPRISE**, Grantee, the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by the presents do convey and quitclaim unto said GRANTEE all right, title and interest of the GRANTORS, acquired by tax foreclosure sale heretofore held in **CAUSE SUIT NO. C1328975, styled NACOGDOCHES COUNTY CENTRAL APPRAISAL DISTRICT VS. UNKNOWN HEIRS OF ERNEST RAY SWEARINGER, ET AL**, said property being described as follows:

Tract 1: BEING LOT 24 BLOCK 61, IN THE HARVEY AUSTIN SUBDIVISION LOCATED IN THE SYLVESTER MORELAND SURVEY; MORE FULLY DESCRIBED IN VOLUME 366, PAGE 165 NACOGDOCHES COUNTY, TEXAS. GEO (18-026-6100-024000)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said **KAVYU ENTERPRISE**, Grantee, their heirs and assigns forever, so that neither **NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE**, in trust for the use and benefit of itself, **NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES HOSPITAL DISTRICT**, nor any person claiming under them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances or any part thereof, but not otherwise.

Grantee accepts the property in "AS IS" condition and subject to any environmental conditions that might have or still exist on said property. Taxes for the 2021 and the current year are assumed by the Grantee.

IN TESTIMONY WHEREOF, NACOGDOCHES INDEPENDENT SCHOOL DISTRICT, TRUSTEE, in trust for the use and benefit of itself, NACOGDOCHES COUNTY, CITY OF NACOGDOCHES, AND NACOGDOCHES HOSPITAL DISTRICT, Grantors, have caused the presents to be executed on this 2 day of March, 2021

CITY OF NACOGDOCHES

BY: _____
MAYOR, CITY OF NACOGDOCHES

THE STATE OF TEXAS
COUNTY OF NACOGDOCHES

BEFORE ME, the undersigned authority, on this day personally appeared _____, MAYOR, CITY OF NACOGDOCHES, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed and, in the capacity, therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2021

NOTARY PUBLIC

PRESENTER: Keith Kiplinger, Fire Chief

ITEM/SUBJECT: Consider approval of an interlocal agreement between the City of Nacogdoches and Stephen F. Austin State University relating to COVID-19 vaccine administration, outreach and assistance. (Fire Chief)

SUMMARY/BACKGROUND: City staff has worked with Stephen F. Austin State University on an agreement to continue utilizing student workers through the summer months. The proposed interlocal agreement provides that SFA will hire student workers (12 nursing, 2 social work, 1 Spanish language) and nursing faculty for supervision. The students will be paid \$20 per hour by SFA and the nursing faculty will receive \$45 per hour. The hourly rates were determined by examining the mean rate for similar positions listed by the Bureau of Labor Statistics. The City will also pay the calculated benefit costs and 15% in overhead/indirect costs to administer the program. SFA will provide detailed information on hours worked, work performed and the salary and benefit calculations. In order to secure the commitment for the summer months the City will guarantee a minimum of 20 hours per week and SFA has agreed to allow a maximum of 28 hours per week for each student.

Staff intends to have a follow-up interlocal agreement with Nacogdoches County to allow us to use City staff and the SFA team in areas outside the City limits.

It is our plan to request FEMA Public Assistance reimbursement for the full cost of these activities.

FINANCIAL:

Contract maximum of \$225,000 which will be included in a future COVID related budget amendment.

CITY CONTACT: Keith Kiplinger
kiplingerk@nactx.us
936-559-2540

ATTACHMENTS:

1. SFA Interlocal-Agreement with City of Nacogdoches
DRAFT_revised 3.29.21 KJ
2. SFA Interlocal Powerpoint 4-6

INTERLOCAL COOPERATION CONTRACT

This Agreement (iContracts #####) is entered into by and between Stephen F. Austin State University ("University"), an institution of higher education of the State of Texas, and the Local Government Body, City of Nacogdoches ("Local Government Body"), pursuant to the authority granted and in compliance with the provisions of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.

I. Contracting Parties:

Receiving Agency: City of Nacogdoches

Performing Agency: Stephen F. Austin State University

II. Statement of Purpose:

The contracting parties enter into this Interlocal Cooperating Agreement in order to assist the City of Nacogdoches and Nacogdoches County in COVID-19 outreach, public awareness, and vaccination efforts in Nacogdoches County and surrounding areas.

III. Statement of Services to be Performed:

The Performing Agency agrees to provide fifteen (15) student workers per week for a minimum of twenty (20) hours per week and a maximum of twenty-eight (28) hours per week. Nursing faculty oversight will be provided on an as needed basis at the discretion of the Performing Agency. In order to secure student workers and faculty for oversight for the duration of this contract, the Receiving Agency guarantees a contract minimum of twenty (20) hours per week per student and ten (10) hours per week for faculty.

IV. Contract Amount:

Any fees owed by Receiving Agency pursuant to this Agreement are related to the following rates: Student workers: \$20.00 per hour; faculty oversight: \$45.00 per hour, plus associated fringe benefits which include FICA/Medicare, health insurance, retirement, workers compensation, and unemployment and are estimated to be approximately 30% of salary but vary by student worker or individual faculty member due to personal benefit selections. The City shall only be responsible for these fringe benefits as a percentage as determined by SFASU. In addition to the hourly rates, there will be an indirect rate of 15% billed related to Performing Agency overhead costs. Faculty may receive additional compensation above their base pay related to this contract. Total contract sum shall not exceed \$225,000.

V. Payment for Services:

Receiving Agency will pay for services received from appropriation items or account of Receiving Agency from which like expenditures would normally be paid, based upon vouchers drawn by Receiving Agency payable to Performing Agency.

Payments for services performed will be billed monthly and Receiving Agency shall make payments to Performing Agency within a reasonable time from Receiving Agency's receipt of monthly invoices prepared to Performing Agency's usual format and detail (including appropriate certification).

Payments received by Performing Agency will be credited to its current appropriation item(s) or account(s) from which the expenditures of that character were originally made.

VI. Term of Agreement:

This contract shall begin on May 10, 2021 and shall terminate on July 31, 2021 with an option to renew for an additional 60 days as mutually agreed.

VII. Termination:

Either party may, by providing written notice to the other party thirty (30) days in advance, terminate this Agreement in whole or in part at any time. Upon notice, Performing Agency shall immediately discontinue all services affected (unless the notice directs otherwise) and deliver to Receiving Agency all reports for and/or accumulated by Performing Agency in performing this Agreement, whether completed or in process. Upon termination of this Agreement, all equipment acquisitions purchased pursuant to this Agreement remain with and become the property of Performing Agency unless otherwise specified. Subject to Section IV of this Agreement, Performing Agency shall be reimbursed for services performed before termination date and reasonable costs associated with delivery requirements set forth above.

VIII. Confidentiality:

During the course of the work and/or services to be provided under this agreement, Receiving Agency and/or Performing Agency may come in contact with confidential information of the other. The Parties agree to treat as confidential the information or knowledge that becomes known to them during performance of this Agreement and not to use, copy, or disclose such information to any third party unless authorized in writing by the other party. This provision does not restrict the disclosure of any information that is required to be disclosed under applicable law. The Parties shall promptly notify the other party of any misuse or unauthorized disclosure of the confidential information and upon expiration of this agreement shall return to the other party all confidential information in its possession or control.

IX. Access to Public Information:

Local Government Body is required to make any information created or exchanged with University pursuant to this Agreement, and not otherwise excepted from disclosure under the Texas Public Information Act, available in PDF or other format that is accessible by the public at no additional charge to University. Local Government Body acknowledges that University may be required to post a copy of the fully executed Agreement on its internet website in compliance with Section 2261.253(a)(1), *Texas Government Code*.

X. General Provisions:

This Agreement, as well as the rights of each of the parties, shall be governed by the laws respecting public institutions of higher education and local governmental agencies of the State of Texas.

To the extent authorized by the laws and constitution of the State of Texas, the Performing Party shall not be liable to the Receiving Party for any lost profits, special, incidental, consequential or punitive damages, whether for breach of any express or implied warranties or otherwise. In no event shall the Performing Party's liability for damages, caused or arising out of its failure to supply material or perform services in a proper or timely manner exceed the amount paid to the Performing Party under this agreement. Performing Party does not warrant that services shall be without defect, interruption, or suited for particular purposes. Receiving Party agrees to work cooperatively with the Performing Party to maintain services to the best of both parties' abilities.

In case any provision hereof be held illegal, invalid or unenforceable in any respect, such illegality, invalidity or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been included in this Agreement.

This Agreement constitutes the entire agreement hereto with respect to the subject matter hereof, and supersedes any prior understanding or written or oral agreements between the parties with respect to the subject matter of this Agreement. No amendment, modification or alteration of the terms of the Agreement

shall be binding on either party unless the same is in writing, dated subsequent to the date hereof, and is duly executed by the party against whom enforcement is sought.

Each person signing this Agreement on behalf of a party hereby confirms for the benefit of the other party to this Agreement that any requisite approvals from the governing body of such party have been obtained, and all prerequisites to the execution, delivery and performance hereof have been obtained by or on behalf of that party.

Any dispute between Performing Agency and Receiving Agency regarding this Agreement will be governed by Alternative Dispute Resolution for Use by Governmental Bodies, Chapter 2009, *Texas Government Code*, and any applicable Model Rules promulgated by the Office of the Attorney General and/or the State Office of Administrative Hearing of the State of Texas. Any notice of dispute tendered by Performing Agency should be addressed to the President of the Receiving Agency.

Neither party hereto will be liable or responsible to the other for any loss or damage or for any delays or failure to perform arising out of or caused, directly or indirectly, by circumstances beyond its reasonable control including acts of God, strikes, epidemics, war, riots, flood, fire, sabotage, governmental authority, or any other circumstances ("Force Majeure Occurrence"). Provided, however, in the event of a Force Majeure Occurrence, Local Government Body agrees to use their best efforts to mitigate the impact of the occurrence so that University may continue to provide mission critical services during the Force Majeure Occurrence.

The undersigned contracting parties certify that (i) the services specified above are necessary and essential for activities that are properly within the statutory functions of the affected agencies of State Government; (ii) the proposed arrangements serve the interest of efficient and economical administration of State Government; and (iii) the services, supplies, or materials contracted for are not required by the laws of the Constitution of the State of Texas to be supplied under contract given to the lowest responsible bidder.

Receiving Agency

City of Nacogdoches

By: _____
(Authorized Signature)

Name: _____

Title: _____

Date: _____

Performing Agency

Stephen F. Austin State University

By: _____
(Authorized Signature)

Name: _____

Title: _____

Date: _____

**Approve an Interlocal
Agreement with
SFASU for COVID
vaccination, outreach
and support**

Vaccinations

Public Outreach

Public Education

Translation





12 Nursing Students

Nursing Faculty

2 Social Work Students

1 Spanish Student

Staff recommends approval of the Interlocal Agreement with Stephen F. Austin State University for COVID related services





City Council Meeting

Date: April 6, 2021

Agenda Item: 7.A.

PRESENTER: Anita Scott, Exposition and Civic Center Director

ITEM/SUBJECT: Receive Nacogdoches County Exposition and Civic Center Annual Report.
(Anita Scott, Director)

SUMMARY/BACKGROUND: The annual report summarizing activities over the past 12 month period as per the interlocal agreement between the City of Nacogdoches and the Nacogdoches County Exposition and Civic Center. The City of Nacogdoches pays Nacogdoches County Exposition and Civic Center \$95,000 annually from Municipal Hotel Occupancy Tax which shall be expended in a manner directly enhancing and promoting tourism and the convention and hotel industry.

The term of the agreement between the City of Nacogdoches and the Nacogdoches County Exposition and Civic Center automatically renews annually unless terminated by either party at least 90 days prior to the expiration. The agreement between the parties became effective on October 1, 2013.

FINANCIAL:

Item is budgeted:

Account No.: 18.49.630.70

Account Name: *Hotel Tax Fund Special Services*

Amount: \$95,000 annually

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
936-559-2501

ATTACHMENTS:

1. 2019-2020 Event Impact Summary
2. 2019-2020 Annual Report PowerPoint



NACOGDOCHES COUNTY **EXPOSITION & CIVIC CENTER**

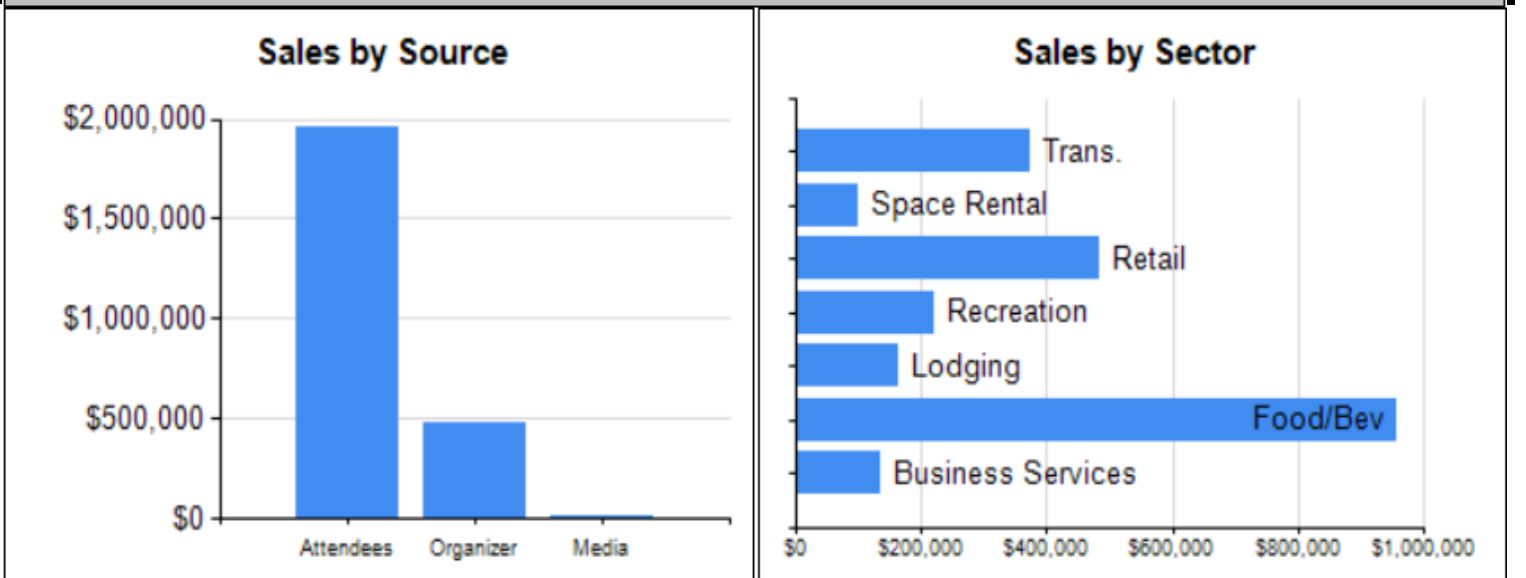
3805 NW Stallings Dr. Nacogdoches, TX 75964 - 936-564-0849

Event Impact Summary - 2019-2020

Global Destinations: Nacogdoches County Expo & Civic Center

Event Parameters		Key Results	
Event Name:	2019-2020 Fiscal Year	Business Sales (Direct):	\$2,438,666
Organization:	Nacogdoches County Expo & Civic Center	Business Sales (Total):	\$3,405,851
Event Type:	Youth Amateur-Meetings-Festivals	Jobs Supported (Direct):	1594.00
Start Date:	10/1/2019	Job Supported (Total):	1725.00
End Date:	9/30/2020	Local Taxes (Total):	\$57,515
Overnight Attendees:	1299	Net Direct Tax ROI:	\$51,403
Day Attendees:	49,073	Estimated Room Demand:	1299

Direct Business Sales



Industry	Attendees	Organizer	Media/Sponsors	Total
Lodging	\$162,375	\$0	\$0	\$162,375
Transportation	\$358,940	\$15,917	\$783	\$375,640
Food & Beverage	\$736,024	\$223,264	\$0	\$959,288
Retail	\$485,298	\$0	\$0	\$485,298
Recreation	\$220,871	\$0	\$0	\$220,871
Space Rental	\$0	\$99,192	\$0	\$99,192
Business Services	\$0	\$135,560	\$442	\$136,002
TOTAL	\$1,963,508	\$473,933	\$1,225	\$2,438,666

2019-2020 Events by Length

1 Day Events:	50
2 Day Events:	7
3+ Day Events:	21
Total Events:	78



Item: 7- A

Expo/Civic Center Annual Report



NACOGDOCHES COUNTY
**EXPOSITION &
CIVIC CENTER**

**Partnering with the
CVB and
Chamber of Commerce to
promote tourism and economic
growth in our community.**



Team Expo



Anita Scott * Kent O'Neal * Karee Scanlon * Darrel Hill * Brad Hale

“The Nacogdoches County Exposition & Civic Center is committed to it’s mission of supporting Youth, Agriculture, and Community”

*Texas High School & JR High Rodeo Association

*Texas A&M Agrilife Extension Office Training & Meeting Facility

*City of Nacogdoches Training & Meeting Facility

*Nacogdoches County Sheriff’s Department Training & Meeting Facility

*Emergency Sheltering

*Multi-day events drawing huge attendance ~ Concerts, Live Events, Market Shopping, Trade & Craft Shows, Livestock & Rodeo Competitions, Sporting Events

*Host Piney Woods Fair & Nacogdoches Pro Rodeo & Steer Show

2019- 2020 Events

Texas Farm Bureau Membership Banquet * PWF Fair Ambassador Meetings
Professional Exam Services * Sheriff's Office Emergency Response Training
TxDOT Groundbreaking Ceremony * Pineywoods Fair & Pro Rodeo
Meetings * Texas A&M Agrilife Hay Show * City of Nacogdoches
Employees Appreciation Lunch * Cody Jinks Concert * Pineywoods Fair
State Validation * Daily Sentinel Senior Expo * Texas A&M Forestry
Department * Ramirez Quincenarea * Nacogdoches County Sheriff's Jailer
Training * Pct. 21 Poll Location * Texas A&M Agrilife Pesticide Class
Region V High School & Jr. High Rodeos x 4 * Pineywoods Youth Rodeo
Paradigm Liaison Pipeline Safety * Vermeer Forage Dealers * Love Inc
Chairished Blessings * NEDCO Manufacturing Day * G & S Gun Show x 2
Cody Jinks Concert * Pilgrim Pride Training Class * Nacogdoches Area Go
Texan Steak Dinner * Clothing Concepts Warehouse Sale * Xtreme
Bullriding * Texas Dept of Health & Human Services * Moore Retirement
Party * Next Generation Calf Roping & Barrel Racing * Texas Academy of
Science * Cody Johnson Concert * Active Shooter Forum * National Wild
Turkey Federation * Nacogdoches ISD Retirement Party

NACOGDOCHES EXPO & CIVIC CENTER DOWNTIME IS CLEAN UP TIME







BREAKING IT DOWN!

One Day Events: 50

Two Day Events: 7

Two + Day Events: 21

RV Spots: 180

Attracting an estimated 49,000 Visitors

1300 Hotel Stays * 1700 jobs supported

Events Canceled due to COVID Pandemic: 40

Events Canceled During Shelter Activations: 4

Est. \$2,438,000 Direct Business Sales * Est. \$3,405,000 in monies spent locally

2019-2020 Events: 78

Hurricane Laura

**Housed an estimated
60 Evacuees during
Hurricane Laura**

**& 8 Days of Shelter Operations
August 26, 2020 -September 2, 2020**



NACOGDOCHES COUNTY
**EXPOSITION &
CIVIC CENTER**

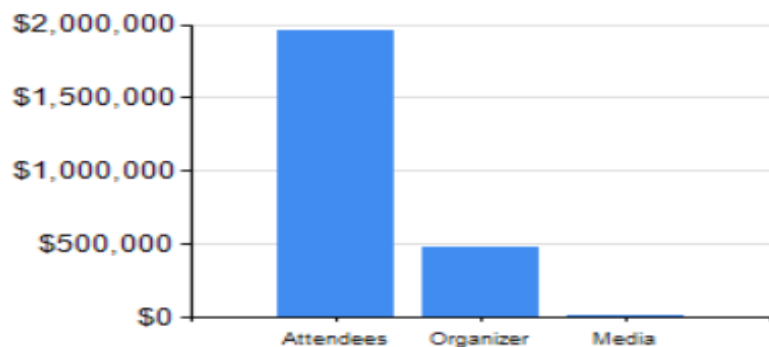
3805 NW Stallings Drive, Nacogdoches, TX 75964 * 936-564-0849

EVENT IMPACT SUMMARY – 2019-2020

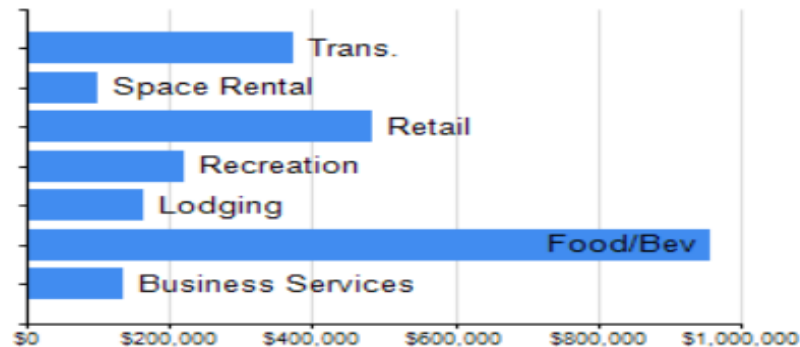
GLOBAL DESTINATIONS: NACOGDOCHES COUNTY EXPO & CIVIC CENTER

Event Parameters		Key Results	
Event Name:	2019-2020 Fiscal Year	Business Sales (Direct):	\$2,438,666
Organization:	Nacogdoches County Expo & Civic Center	Business Sales (Total):	\$3,405,851
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Overnight Attendees:	1299	Net Direct Tax ROI:	\$51,403
Day Attendees:	49,073	Estimated Room Demand:	1299
Direct Business Sales			

Sales by Source



Sales by Sector



Industry	Attendees	Organizer	Media/Sponsors	Total
Lodging	\$162,375	\$0	\$0	\$162,375
Transportation	\$358,940	\$15,917	\$783	\$375,640
Food & Beverage	\$736,024	\$223,264	\$0	\$959,288
Retail	\$485,298	\$0	\$0	\$485,298
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Business Services	\$0	\$135,560	\$442	\$136,002
TOTAL	\$1,963,508	\$473,933	\$1,225	\$2,438,666

2019-2020 Events by Length

1 Day Events:	50
2 Day Events:	7
3+ Day Events:	21
Total Events:	78

Our top priority for the next several months....

We are working with our local Emergency Management Team and health officials to ensure the Civic Center is ready and available at a moments notice to host COVID Vaccination Clinics. In doing so, we are optimistic this will help reduce the spread of COVID and allow all of us to return back to promoting fun events that will generate revenue for Nacogdoches.

Follow us on Facebook page or check out our website at www.nacexpo.net

www.nacexpo.net



NACOGDOCHES COUNTY EXPOSITION & CIVIC CENTER

Arena Riding \$10.00 Per Horse - M-F

Contact Information:

Phone: (936) 564-0849
Fax: (936) 564-9228
Address: 3805 NW Stallings Drive
Nacogdoches, Texas 75964
E-Mail: nacexpo



NACOGDOCHES COUNTY EXPOSITION & CIVIC CENTER

What's Happening at the Expo!

2021 NACOGDOCHES PRO RODEO & STEER SHOW
MARCH 25-27, 2021



[Nacogdoches County Exposition & Civic Center Brochure](#)

[Civic Center Price List](#)

[Civic Center Weekday Specials](#)

[Exposition Price List](#)

[Rodeo & Steer Show](#)

[Nacogdoches Coun...](#)



NACOGDOCHES COUNTY EXPOSITION & CIVIC CENTER

3805 NW Stallings Dr. Nacogdoches, TX 75964



Nacogdoches County Exposition & Civic Center
@nacexpo

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5 out of 5 • Local Business • Nacogdoches, T

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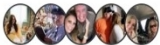
[Nacogdoches Coun...](#)

[Posts](#) [Jobs](#) [Offers](#) [Community](#)

Options

11,363
Total Likes

11,614
Total Follows



Invite Friends to Like This Page

Invite friends to like Nacogdoches County Exposition & Civic Center to attract new visitors and grow your audience.

[Invite Friends](#)

Visitor Photos at Nacogdoches County Exposition & Civic Center



PRESENTER: Mario Canizares, City Manager

ITEM/SUBJECT: Consider approval of the strategic priorities for the City of Nacogdoches, Texas as discussed at the City Council Retreat held on February 11, 2021. (City Manager)

SUMMARY/BACKGROUND: The Nacogdoches City Council participated in an offsite retreat on Thursday, February 11, 2021. The purpose of the retreat was to develop strategic priorities for the City. Dr. Mike Mowery of Strategic Government Resources (SGR) facilitated the retreat, and was held at the C.L. Simon Recreation Center and was open to the public. In attendance were the Mayor and all City Council members including the City Manager and City Secretary.

The format that was used throughout the day was to divide the Council Members into small groups and ask them to discuss a series of strategic questions. After discussing the questions in small groups, each group reported out the most important issues/topics. These topics were written on flip charts and discussed by the larger group. Each time a new set of questions was put forward, the groups were changed. The City Council's topics for discussion were 1. the City's reputational drivers; 2. the City's most pressing needs; and 3. establish strategic priorities for the city to address items 1 and 2.

Reputational Drivers:

The facilitator asked City Council to identify their reputational drivers, which answer the question, "What do we want to be known for"? The consensus of the Reputational Drivers were listed into 3 General Categories.

1. The Governing Body's Reputation.
2. The City's Reputation for Quality of Life.
3. The City's Reputation for Economic Vitality.

Pressing Needs:

The City Council was asked to identify some of the most concerning and pressing needs of the city. The City Council identified several items of concern.

Strategic Priorities for the Nacogdoches City Council:

City Council brainstormed about their top priorities for the future. The City Council was divided into small groups and then reconvened as the entire body. The City Council identified seven top priorities to address the reputational drivers and the pressing needs identified through the facilitated process. The consensus of the group considered the following as being crucial to the City's future success:

- Create a Downtown Entertainment and Destination District.
- Focus on Neighborhood Revitalization and Attainable Housing Options.
- Improve Community Engagement to Foster a Diverse Environment.

- Improve the City's Infrastructure.
- Plan to Maximize the Interstate 69 Development.
- Promote Economic Development.
- Promote Improved Value-Driven Education and Job Training for the Entire Community.

Options to Consider:

City staff is requesting that City Council review, discuss, and consider the following options regarding the proposed strategic priorities.

- Approve the priorities as presented.
- Approve some, but not all the priorities.
- Do not approve any priorities: Start over or do nothing.
- Consider other priorities.

Next Steps:

If City Council approves the priorities, the next steps would be taken to ensure they are implemented.

- Work on a communications plan.
 - Seek feedback from residents, businesses, and community partners.
 - Communicate with employees.
- Develop work plans through current and future budgets.
- Report progress on a regular basis to City Council.

Recommendation:

The City Manager's Office recommends the City Council approve the strategic priorities that were discussed at the Council Retreat held on February 11, 2021.

FINANCIAL:

No financial impact associated with this item

CITY CONTACT: Mario Canizares, City Manager
canizaresm@nactx.us
 936-559-2501

ATTACHMENTS:

1. City Council Strategic Visioning Retreat Report-Final
2. City Council Priorities PowerPoint - 2021



City of Nacogdoches Council Retreat

Final Report

February 11, 2021

Introduction

The Nacogdoches City Council held a Council Retreat on Thursday, February 11, 2021. The purpose of the retreat was to develop strategic priorities for the City. Dr. Mike Mowery of Strategic Government Resources (SGR) facilitated the retreat. All of the City Council Members and the Mayor were in attendance. The City Manager and the City Secretary were also in attendance. This report is a summary of the key discussion items of the day.

The format that was used throughout the day was to divide the Council Members into small groups and ask them to discuss a series of strategic questions. After they discussed the questions in small groups, each group reported out the most important things that they discussed. These things were written on flip charts and discussed by the larger group. Each time a new set of questions was put forward, the groups were changed.

Reputational Drivers

The Council was asked to identify their reputational drivers. They discussed these in small groups and in the large group. Reputational drivers answer the question, “What do we want to be known for?”

The Reputational Drivers listed by the Council fall into 3 General Categories. (1) The Governing Body’s Reputation (2) The City’s Reputation for Quality of Life (3) The City’s Reputation for Economic Vitality.

1. The Governing Body’s Reputation

- To represent the entire community through thoughtful policy discussions and actions.
- To communicate vision and policy with excellence, consistency, and relevance.
- To make life better for all—not just those with the most means.
- Cultivating community engagement and practicing transparency.
- To be known as a trustworthy City Council.

2. The City's Reputation for Quality of Life

- The opportunity to have high quality of life.
- Low barriers to get involved.
- Striving always to get better.
- To know and be known.
- To create a place that is known for having a vibrant economy, its peaceful setting, and opportunities for attainable housing.

3. The City's Reputation for Economic Vitality

- Sustainable growth with an eye toward environmental health.
- A place to start and stay because there are career opportunities.
- Family friendly with economic viability.
- A place to visit and have memorable experiences.

Pressing Needs

The Council was asked to identify some of the pressing needs of city about which they are concerned. Below is the list of things that the Council identified.

- Address aged infrastructure.
- Be proactive in the planning for the I-69 corridor.
- The renovation/preservation of neglected neighborhoods.
- Support upstream collaboration and community engagement with Nacogdoches ISD.
- The need for livable wage jobs.
- The unemployment and under employment issues in our community.
- Having attainable housing stock.
- Addressing generational poverty.
- The need for community collaboration to address housing, social needs, substance abuse, and other issues detrimental to a high quality of life for citizens.

Strategic Priorities for the Nacogdoches City Council

The Council brainstormed about their priorities for the future as they envisioned their hopes for the City of Nacogdoches. After discussing it in small groups and together as a Council, they identified seven top priorities for the future, listed below in alphabetical order. It is important to note that these are not prioritized. They are all considered crucial to the success of the city's future.

- 1. Create a Downtown Entertainment and Destination District.**
- 2. Focus on Neighborhood Revitalization and Attainable Housing Options.**
- 3. Improve Community Engagement to Foster a Diverse Environment.**
- 4. Improve the City's Infrastructure.**
- 5. Plan to Maximize the Interstate 69 Development.**
- 6. Promote Economic Development.**
- 7. Promote Improved Value-Driven Education and Job Training for the Entire Community.**



City Council Strategic Priorities

April 6, 2021

Background:

On February 11, 2021, City Council participated in a professionally facilitated offsite retreat.

- An open meeting held at the Recreation Center.
- Facilitated by SGR Consultants.
- City Council discussed the following topics:
 1. The City's Reputational Drivers
 2. The City's Pressing Needs
 3. Establish Strategic Priorities to address items 1 & 2

Reputational Drivers:

What do we want to be known for?

Reputational Drivers:

The Governing Body's Reputation:

- To represent the entire community through thoughtful policy discussions and actions.
- To communicate vision and policy with excellence, consistency, and relevance.
- To make life better for all—not just those with the most means.
- To cultivate community engagement and practice transparency.
- To be known as a trustworthy City Council.

Reputational Drivers:

The City's Reputation for Quality of Life:

- The opportunity to have high quality of life.
- Low barriers to get involved.
- Striving always to get better.
- To know and be known.
- To create a place that is known for having a vibrant economy, its peaceful setting, and opportunities for attainable housing.

Reputational Drivers:

The City's Reputation for Economic Vitality:

- Sustainable growth with an eye toward environmental health.
- A place to start and stay because there are career opportunities.
- Family friendly with economic viability.
- A place to visit and have memorable experiences.

Pressing Needs: What are the most pressing needs of the city that is of concern to the City Council.

Pressing Needs:

- Address aged Infrastructure.
- Be proactive in the planning for the I-69 corridor.
- The renovation/preservation of neglected neighborhoods.
- Support upstream collaboration and community engagement with NISD.
- The need for livable wage jobs.
- The unemployment and under employment issues in our community.
- Having attainable housing stock.
- Addressing generational poverty.
- Community collaboration to address housing, social needs, substance abuse, and other issues detrimental to a high quality of life for citizens.

Strategic Priorities: City Council discussed the priorities for the future for of Nacogdoches.

Strategic Priorities for the Nacogdoches City Council:

1. Create a Downtown Entertainment District.
2. Focus on Neighborhood Revitalization and Attainable Housing Options.
3. Improve Community Engagement to Foster a Diverse Environment.
4. Improve the City's Infrastructure.
5. Plan to maximize the Interstate 69 Development.
6. Promote Economic Development.
7. Promote improved Value-driven Education and Job Training for the entire community.

Note: items listed above are in alphabetical order only

Options to Consider:

- Approve the priorities as presented.
- Approve some, but not all the priorities
- Do not approve any priorities: Start over or do nothing.
- Consider other priorities.

Next Steps:

If the Priorities are approved:

- Work on a communications plan.
 - Seek feedback from residents, businesses, and community partners.
 - Communicate with employees.
- Develop work plans through current and future budgets.
- Report progress on a regular basis to City Council.



Thank You!

PRESENTER: Case Opperman, Public Works Asst Director

ITEM/SUBJECT: Consider approval of a contract by and between the City of Nacogdoches and Duplichain Contractors, LLC for the Ford Street Storm Sewer Rehabilitation Project in a not-to-exceed amount of \$317,155.00 (Assistant Director of Public Works)

SUMMARY/BACKGROUND: On March 23, 2021, the City received bids for the Ford Street Storm Sewer Rehabilitation Project. Three (3) contractors submitted base bids as follows:

Duplichain Contractors	\$ 317,155.00
Drewery & Wheaton	\$ 355,890.00
Leland Bradlee Construction	\$ 410,395.00

Duplichain Contractors was the lowest responsible bidder. Duplichain Contractors is a qualified and experienced utility contractor who has successfully completed many projects for the City, including two projects currently under construction.

An existing storm sewer line is in failing condition and has caused sinkholes and other issues to surrounding property. This project will rehabilitate one section of pipe using a cast-in-place liner and relocate another section of this line to prevent any future issues. New storm sewer inlets will be installed to collect storm water from the ground surface and roads, and the existing outfall at the creek on Harris Street will also be improved.

It is recommended that the base bid for this project be awarded to Duplichain Contractors in the amount of \$317,155.00 for this work. A Budget Amendment will be required for this item.

FINANCIAL:

Item is budgeted (*partially funded*):

Account No.: 30 179.03

Account Name: *CIP Ford Street Storm Sewer*

Amount: \$300,000

Item is not fully budgeted (*Budget Amendment required*)

Account No.: 30 179.03

Account Name: *CIP Ford Street Storm Sewer*

Amount: \$100,000

CITY CONTACT: Case Opperman - Assistant Director of Public Works
oppermanc@nactx.us
936-559-2515

ATTACHMENTS: 1. Ford Street Storm Sewer Bid Tab
2. Ford Street Storm Sewer Bid Award PowerPoint

City of Nacogdoches Bid #21-10-118
Construction Services for Ford Street Storm Sewer Rehabilitation
BID TABULATION

March 23rd, 2021 – 2:00 pm @ City of Nacogdoches Engineer Office, 202 E Pilar St., Nacogdoches Texas 75961 (read aloud at City Engineer Office)

Item No.	Description	Unit	Qty	LELAND BRADLEE CONSTRUCTION, INC.		DREWERY & WHEATON, LLC		DUPLICHAIR CONTRACTORS	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Construction Mobilization, Bonds and Insurance	LS	1	\$ 60,000.00	\$ 60,000.00	\$ 84,000.00	\$ 84,000.00	\$ 15,000.00	\$ 15,000.00
2	Erosion Control	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 8,000.00	\$ 8,000.00	\$ 2,000.00	\$ 2,000.00
3	Traffic Control	LS	1	\$ 15,000.00	\$ 15,000.00	\$ 8,000.00	\$ 8,000.00	\$ 2,500.00	\$ 2,500.00
4	OSHA Compliant Trench Safety Systems	LS	1	\$ 10,000.00	\$ 10,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00
5	Construction Staking	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 7,000.00	\$ 7,000.00	\$ 1,500.00	\$ 1,500.00
6	Pre-Construction Location & Confirmation of Existing Utilities	LS	1	\$ 2,500.00	\$ 2,500.00	\$ 7,000.00	\$ 7,000.00	\$ 5,000.00	\$ 5,000.00
7	Remove Existing Curb Inlet (Harris Street)	EA	1	\$ 2,500.00	\$ 2,500.00	\$ 1,200.00	\$ 1,200.00	\$ 10,000.00	\$ 10,000.00
8	6'x6' Drainage Inlet	EA	1	\$ 12,000.00	\$ 12,000.00	\$ 6,000.00	\$ 6,000.00	\$ 8,300.00	\$ 8,300.00
9	Repair of HMAC Pavement	SY	16	\$ 1,000.00	\$ 16,000.00	\$ 400.00	\$ 6,400.00	\$ 220.00	\$ 3,520.00
10	5'x5' Curb Inlet with 5' Extension	EA	1	\$ 10,500.00	\$ 10,500.00	\$ 6,000.00	\$ 6,000.00	\$ 8,500.00	\$ 8,500.00
11	5'x5' Drainage Inlet	EA	4	\$ 9,500.00	\$ 38,000.00	\$ 5,000.00	\$ 20,000.00	\$ 7,500.00	\$ 30,000.00
12	30" RCP Storm Sewer Pipe	LF	179	\$ 150.00	\$ 26,850.00	\$ 100.00	\$ 17,900.00	\$ 135.00	\$ 24,165.00
13	36" RCP Storm Sewer Pipe	LF	419	\$ 180.00	\$ 75,420.00	\$ 130.00	\$ 54,470.00	\$ 175.00	\$ 73,325.00
14	Repair of Gravel Drives	SY	10	\$ 100.00	\$ 1,000.00	\$ 100.00	\$ 1,000.00	\$ 100.00	\$ 1,000.00
15	Abandon Existing Storm Sewer Line In Place and Install Flowable Fill	CY	37	\$ 250.00	\$ 9,250.00	\$ 160.00	\$ 5,920.00	\$ 460.00	\$ 17,020.00
16	Clean and Televiser Existing 24" Storm Water Pipe for Cured in Place (CIPP) Liner Rehabilitation	LF	175	\$ 60.00	\$ 10,500.00	\$ 70.00	\$ 12,250.00	\$ 30.00	\$ 5,250.00
17	Cured In Place Pipe (CIPP) Liner	LF	175	\$ 265.00	\$ 46,375.00	\$ 250.00	\$ 43,750.00	\$ 265.00	\$ 46,375.00
18	6" D50 Riprap Stone	SF	300	\$ 15.00	\$ 4,500.00	\$ 10.00	\$ 3,000.00	\$ 14.00	\$ 4,200.00
19	Permanent Seeding	LS	1	\$ 7,500.00	\$ 7,500.00	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00
20	Owner's Allowance for Material Testing	LS	1	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
21	Owner's Allowance for Field Changes	LS	1	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
Project Total				\$ 410,395.00		\$ 355,890.00		\$ 317,155.00	

Error on Bid Proposal

Ford Street Storm Sewer Rehabilitation

- Approx. 175 linear feet of rehabilitated storm sewer pipe
- Approx. 600 linear feet of storm sewer relocation

Base Bid:

Duplichain Contractors	\$ 317,155.00
Drewery & Wheaton	\$ 355,890.00
Leland Bradlee Construction	\$ 410,395.00



Photo: www.permatile.com



City Council Meeting

Date: April 6, 2021

Agenda Item: 7.D.

PRESENTER: Case Opperman, Public Works Asst Director

ITEM/SUBJECT: Consider ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Ford Street Storm Sewer Rehabilitation) (Assistant Director of Public Works)

SUMMARY/BACKGROUND: City Council previously approved \$300,000 for storm sewer replacement on Ford Street for the current fiscal year. Bids were received for this work on March 23, 2021 with Duplichain Contractors as the low bidder in the amount of \$317,155.00 which exceeds the budgeted amount. Previously, funds had been allocated for design and construction phase services for Schaumburg & Polk, Inc. and ancillary costs for bid advertisement for a combined cost of \$41,300.00. Staff is requesting consideration of a budget amendment in the amount of \$100,000 to fund this construction which would allow for some contingencies for unforeseen change orders during construction. This amount would be from available reserve funds in the Utility Fund.

FINANCIAL:

Item is not budgeted (*Budget Amendment required – see attached*)

Account No.: 30 179.03

Account Name: *CIP Ford Street Storm Sewer*

Amount: \$100,000

CITY CONTACT: Case Opperman – Assistant Director of Public Works
(936) 559-2515
oppermanc@nactx.us

ATTACHMENTS: 1. Ford Street Storm Sewer Budget Amendment Ordinance
2. Ford Street Storm Sewer PowerPoint

AN ORDINANCE AMENDING ORDINANCE NO. 1835-09-20 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

WHEREAS, the City Council of the City of Nacogdoches, Texas has approved and adopted the budget for said city for the ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021.

WHEREAS, the City Council previously approved \$300,000 for Ford Street Storm Sewer Replacement in the budget for fiscal year beginning October 1, 2020 and ending September 30, 2021.

WHEREAS, previously allocated funds for this project in the amount of \$41,300 in the current fiscal year combined with proposed funding of the Ford Street Storm Sewer Rehabilitation Project in the amount of \$317,155 and \$41,545 in contingencies which may be needed in the project exceeds the budgeted amount for the current fiscal year.

WHEREAS, with the adoption of this ordinance, the City is authorized to utilize available reserve funds in the Utility Fund in the amount of \$100,000.

WHEREAS, with the adoption of this ordinance, the Engineering Department is authorized to expend a total of \$400,000 for the Ford Street Storm Sewer Rehabilitation Project.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Nacogdoches that sums of money as herein set forth in said budget are hereby appropriated and amended for the payment of capital outlays of the city government of the City of Nacogdoches as follows:

Fund	Dept.	Acct.	Department	Description	Amt.
30		179.03	Utility CIP	Ford Street Storm Sewer Rehabilitation	\$100,000

PASSED AND APPROVED this the 6th day of April 2021.

Shelley Brophy, Mayor
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form: _____
Robert Davis, Interim City Attorney

Approved as to content: _____
Pamela Curbow, Director of Finance

Budget Amendment Ordinance - Ford Street Storm Sewer Rehabilitation

- Storm sewer lines near Ford Street in need of rehabilitation and relocation
- Current budget - \$300,000
- Previously allocated funds - \$41,300
- Low Bid for Construction - \$317,155
- Possible Contingencies - \$41,545
- Budget Amendment requested for \$100,000 to allow total expenditure of \$400,000
- Utilize available reserve funds in the Utility Fund



Photo: www.permatile.com

PRESENTER: Brian Bray, Community Services Director

ITEM/SUBJECT: Consider interlocal agreement form of contract with Stephen F. Austin State University (SFASU) for beer and wine sales at SFASU home baseball and softball games at the Pete Smith Baseball Complex and authorize the City Manager to execute so long as there are non-substantial changes after review by the interim City Attorney.

SUMMARY/BACKGROUND: Representatives of SFA Athletics approached the City of Nacogdoches with an interest in serving alcohol during home baseball and softball games. SFA utilizes two fields at the Nacogdoches Baseball Complex, known as "Jaycee Field" and "Softball Field"; they provide the equipment and maintenance for the fields while the City maintains ownership of the facility overall. Since the City of Nacogdoches owns the complex, staff brought the request to City Council for approval. If Council approves, SFA will be allowed to serve beer and wine inside the complex at 3715 Old Tyler Road, pursuant to compliance with all state laws and Nacogdoches Code of Ordinances, section 74-62. Both parties will sign the Interlocal Cooperation Contract, attached.

FINANCIAL:

No financial impact associated with this item.

CITY CONTACT: Brian W. Bray, Community Services Director
brayb@nactx.us
936-559-2935

ATTACHMENTS:

1. Interlocal Cooperation Contract
2. Nacogdoches Baseball Complex Map
3. Permitted Alcohol Sales and Consumption Map
4. PowerPoint

INTERLOCAL COOPERATION CONTRACT

This Agreement is entered into by and between Stephen F. Austin State University ("SFA"), an institution of higher education of the State of Texas, and the Local Government Body, City of Nacogdoches ("City of Nac."), pursuant to the authority granted and in compliance with the provisions of the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code.

I. Contracting Parties:

Performing Agency: Stephen F. Austin University

Receiving Agency: City of Nacogdoches

II. Statement of Purpose:

The contracting parties enter into this Interlocal Cooperating Agreement in order to agree on terms and conditions permitting alcohol sales at SFA home baseball and softball games in a manner that is compliant with the Nacogdoches Code of Ordinances, specifically section 74-62: Consumption and Possession of Alcoholic Beverages, and other state and local laws and regulations.

III. Statement of Services to be Performed:

The City of Nacogdoches agrees to allow SFA to sell alcoholic beverages (beer and wine) at SFA home baseball and softball games inside the complex located at 3715 Old Tyler Road, if the following conditions are met:

- A. Alcoholic beverages will only be sold at approved concession locations inside of the complex. Alcoholic Beverages will not be permitted to be sold, consumed or carried outside of the complex.
- B. SFA is required to have law enforcement officers inside of the complex at any games where alcoholic beverages are sold.
- C. Alcoholic beverages may not be sold after the end of the 7th inning or 10:00 PM, whichever occurs first.
- D. The sale and/or consumption of alcoholic beverages shall be limited to the areas described in Section IV: Description of Premises and illustrated in Exhibit A: Permitted Alcohol Sales and Consumption Map attached to this agreement.
- E. No more than 2 alcoholic beverages may be sold to one individual in a single transaction.
- F. No liquor sales will be permitted under this agreement. For purposes of this agreement, alcoholic beverages means beer, wine, seltzers, and wine coolers. In no event beverages with an ABV greater than 25% are permitted to be sold under this agreement.
- G. Alcoholic beverages will be sold and consumed in accordance with TABC standards and other state law, including but not limited to checking ID for all alcoholic

- beverage sales, refusing to sell alcohol to intoxicated persons, opening any bottles and cans containing alcoholic beverages upon sale.
- H. SFA shall acquire and maintain all required licenses and permits and pay any fees mandated by state and local law for the sale of alcoholic beverages.
 - I. No glass bottles or containers will be permitted.
 - J. SFA shall track and inventory all alcoholic beverage sales at SFA home baseball and softball games related to this agreement.

Violation of any of the requirements listed in Section III of this agreement is grounds for immediate termination of this agreement.

IV. Description of Premises

Portions of the Pete Smith Baseball Complex (the "Complex") on NW Stallings Drive and Old Tyler Road in the City of Nacogdoches, Nacogdoches County, Texas, being parts of Lot 16, Block 95 and Lot 1-B, Block 61 of the City of Nacogdoches. Such portions are more particularly described as "Jaycee Field" in Lot 16, Block 95, and the SF ASU softball field ("Softball Field") in Lot 1-B, Block 61. Included in such premises are parking lots presently constructed and to be constructed, roadways, walkways, drainage facilities, and utilities as well as the batting cages, restrooms adjoining the concession stands, the dressing room and restrooms between Hoya Field and the Softball Field, dugouts, stands, bleachers, fencing, lighting, scoreboards, portable buildings, pitching facilities, and appurtenances now existing or to be built by Tenant on and immediately adjacent to such fields.

This agreement is only applicable to alcohol sales at SFA home baseball and softball games played at the Pete Smith Baseball Complex and the SFASU softball field located at 3715 Old Tyler Road. Alcoholic beverages may only be sold and consumed within the bleachers, stands, and concession and walkway areas immediately surrounding the fields during gameplay. Alcoholic beverages will not be permitted to be sold or consumed in adjacent areas and facilities including roadways, parking lots, drainage facilities, batting cages, storage facilities and other walkways, structures and lots located outside of the complex. Law Enforcement should be located at or near entrance and exit facilities to monitor any alcoholic beverages being brought in or taken out of the complex.

The parties agree that "Exhibit A: Permitted Alcohol Sales and Consumption Map" attached to this agreement governs the locations on the premises where alcoholic beverages can be sold and consumed.

V. Term of Contract

This Interlocal Cooperation Contract shall begin when fully executed by both parties and shall continue for one year. Either party, upon written notice, may terminate this contract on thirty (30) days advance written notice.

VI. Automatic Renewal

This Agreement shall be automatically extended for one additional year, unless on or before April 1, 2022 (for the initial term), or thirteen (13) months before the expiration of any extended term, either Party provides to the other written notice of its desire not to automatically renew this Agreement.

VII. Termination

Either party may, by providing written notice to the other party thirty (30) days in advance, terminate this Agreement in whole or in part at any time. Upon notice, SFA shall immediately discontinue all sales of alcoholic beverages permitted under this agreement.

VIII. Hold Harmless

SFA shall indemnify and save harmless the City of Nacogdoches, its officers, agents, employees, and servants from all claims, suits, or actions of every name, kind, and description, brought for, or on account of: (A) injuries to or death of any person, or (B) damage to any property of any kind whatsoever and to whomsoever belonging, (C) any sanctions, penalties, or claims of damages or (D) any other loss or cost relating to alcoholic beverage sale or consumption permitted under this agreement.

IX. General Provisions

This Agreement, as well as the rights of each of the parties, shall be governed by the laws respecting public institutions of higher education and local governmental agencies of the State of Texas.

In case any provision hereof be held illegal, invalid or unenforceable in any respect, such illegality, invalidity or unenforceability shall not affect any other provision of this Agreement, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been included in this Agreement.

This Agreement constitutes the entire agreement hereto with respect to the subject matter hereof, and supersedes any prior understanding or written or oral agreements between the parties with respect to the subject matter of this Agreement. No amendment, modification or alteration of the terms of the Agreement shall be binding on either party unless the same is in writing, dated subsequent to the date hereof, and is duly executed by the party against whom enforcement is sought.

Each person signing this Agreement on behalf of a party hereby confirms for the benefit of the other party to this Agreement that any requisite approvals from the governing body of such party have been obtained, and all prerequisites to the execution, delivery and performance hereof have been obtained by or on behalf of that party.

Any dispute between Performing Agency and Receiving Agency regarding this Agreement will be governed by Alternative Dispute Resolution for Use by Governmental Bodies, Chapter 2009, Texas

Government Code, and any applicable Model Rules promulgated by the Office of the Attorney General and/or the State Office of Administrative Hearing of the State of Texas. Any notice of dispute tendered by Receiving Agency should be addressed to the President of the Performing Agency.

Neither party hereto will be liable or responsible to the other for any loss or damage or for any delays or failure to perform arising out of or caused, directly or indirectly, by circumstances beyond its reasonable control including acts of God, strikes, epidemics, war, riots, flood, fire, sabotage, governmental authority, or any other circumstances ("Force Majeure Occurrence").

The undersigned contracting parties certify that (i) the services specified above are necessary and essential for activities that are properly within the statutory functions of the affected agencies of State Government; (ii) the proposed arrangements serve the interest of efficient and economical administration of State Government; and (iii) the services, supplies, or materials contracted for are not required by the laws of the Constitution of the State of Texas to be supplied under contract given to the lowest responsible bidder.

Receiving Agency
City of Nacogdoches

By:
(Authorized Signature)

Name: _____

Title: _____

Date: _____

Performing Agency
Stephen F. Austin State University

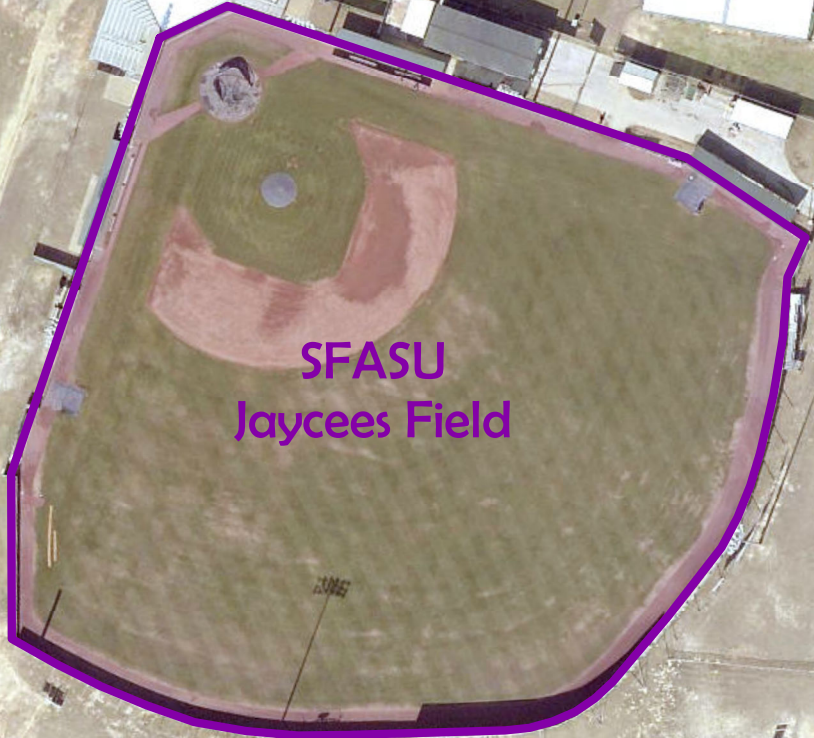
By:
(Authorized Signature)

Name: _____

Title: _____

Date: _____

City Baseball Complex
Nacogdoches, Texas



SFASU
Jaycees Field



SFASU
Softball Field



0 25 50 100 Feet

Legend

 SFASU Fields

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Permitted Alcohol Sales and Consumption Areas
City Baseball Complex
Nacogdoches, Texas

N

0204080 Feet

Legend

Permitted Areas

*

Concession Stands

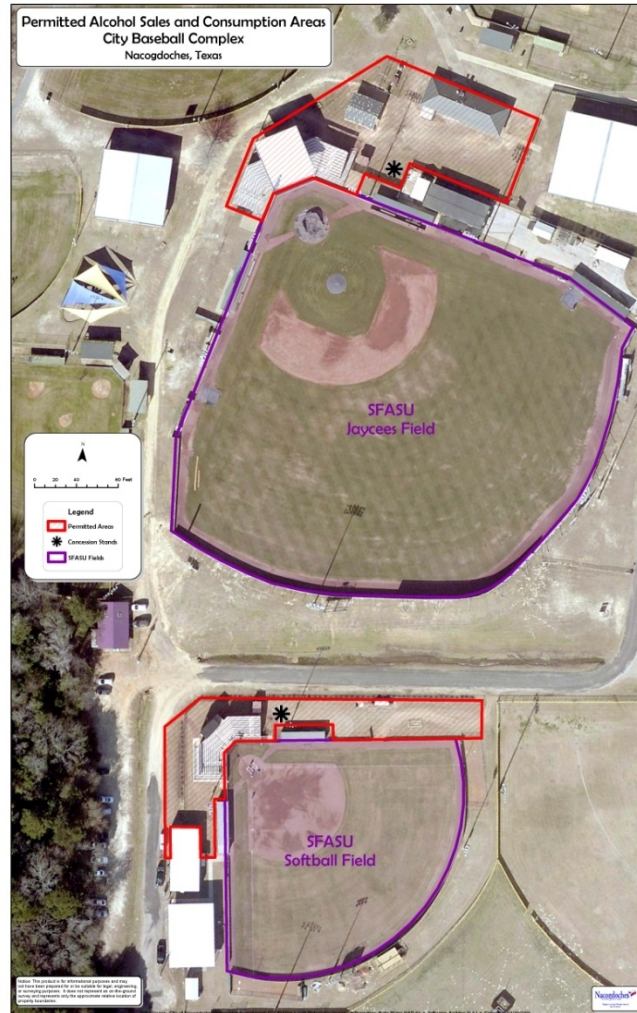
SFASU Fields

Notice: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Nacogdoches Baseball Complex map



Permitted Alcohol Sales and Consumption Map



PRESENTER: Steve Bartlett, Public Works Director

ITEM/SUBJECT: Ratify and approve a time and materials authorization for Ceres Environmental to provide street side brush collection and brush grinding services in an amount not to exceed \$300,000. (City Engineer)

SUMMARY/BACKGROUND: The February ice and snow storm left record amounts of brush and limbs across the City. The initial estimated volume found piled along the curb after the storm, exceeded 40,000 cubic yards (CY). Residents continue to add to that volume as cleanup efforts in backyard areas progress.

The City normally operates one or two brush collection crews that travel a circuit around the City. It would be impossible for these two brush trucks to have ever caught up with the additional brush load from the storm.

In March, Staff initiated a work order for additional brush collection assistance with Ceres Environmental who has an existing annually renewable contract with the City for debris management. Ceres Environmental mobilized their crews immediately and has provided up to 6 trucks with knuckle booms and 50 CY containers. They are currently collecting well over 1,000 CY a day and should be through each of the 21 collection zones by early April.

Ceres Environmental has also mobilized a large tub grinder to the landfill to assist with the disposal of brush as wood chips. Grinding is expected to begin March 29th and last for about two weeks.

Ceres Environmental Services was awarded a Debris Management contract in September 2019 with 5 annually renewable terms. City of Nacogdoches maintains an indefinite-quantity, indefinite-delivery (IDIQ) contract with various firms to provide emergency debris handling services in the event we have a catastrophic event like a hurricane. This contract identifies the processes, equipment, and unit prices that will be used in the event we make a call for disaster assistance, but requires individual work authorizations with not-to-exceed cost limits.

This work authorization was issued by staff as part of an emergency response under a Disaster Declaration issued by Mayor Brophy. Staff is requesting consideration by Council to ratify and approve this work authorization for Ceres Environmental in an amount not to exceed \$300,000.

FINANCIAL:

Item is not budgeted (*Budget Amendment required*)

Account No.: 31.40.630.70

Account Name: *Sanitation Special Services - Debris Collection & Grinding*

Amount: \$300,000

CITY CONTACT: Steve Bartlett, Director of Public Works

ATTACHMENTS: 1. Ceres Environmental Work Authorization PowerPoint

WORK AUTHORIZATION FOR BRUSH COLLECTION AND GRINDING

CERES ENVIRONMENTAL

- Authorized to proceed under emergency order on March 15th
- Provide up to 6 trucks with crews and a supervisor for 6 days a week, 10 hr a day.
- Provide tub grinder with operator at landfill starting March 29th
- Estimated cost \$250,000 to \$300,000



PRESENTER: Steve Bartlett, Public Works Director

ITEM/SUBJECT: Consider an ordinance amending Ordinance No. 1835-09-20 appropriating various amounts in accordance with budget adopted for ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021. (Brush Collection and Grinding) (City Engineer)

SUMMARY/BACKGROUND: In March, Staff initiated a work order for additional brush collection assistance with Ceres Environmental who has an existing annually renewable contract with the City for debris management. Ceres Environmental Services was awarded a Debris Management contract in September 2019 with 5 annually renewable terms. City of Nacogdoches maintains an indefinite-quantity, indefinite-delivery (IDIQ) contract with various firms to provide emergency debris handling services in the event we have a catastrophic event like a hurricane. This contract identifies the processes, equipment, and unit prices that will be used in the event we make a call for disaster assistance, but requires individual work authorizations with not-to-exceed cost limits.

A work authorization was issued by staff as part of an emergency response under a Disaster Declaration by Mayor Brophy but was not included in our current budget. Staff is requesting consideration by Council to approve a budget amendment in the Sanitation fund for \$300,000 to pay for the costs associated with outsourced brush collection and grinding. Adequate funds are available to satisfy this requested amendment.

FINANCIAL:

Item is not budgeted (*Budget Amendment required – see attached*)

Account No.: 31.40.630.70

Account Name: *Sanitation Special Services - Debris Collection & Grinding*

Amount: \$300,000

CITY CONTACT: Steve Bartlett, Director of Public Works
bartletts@nactx.us
936-559-2522

ATTACHMENTS: 1. Debris Budget Amendment Ordinance

AN ORDINANCE AMENDING ORDINANCE NO. 1835-09-20 APPROPRIATING VARIOUS AMOUNTS IN ACCORDANCE WITH BUDGET ADOPTED FOR THE ENSUING FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021.

WHEREAS, the City Council of the City of Nacogdoches, Texas has approved and adopted the budget for said city for the ensuing fiscal year beginning October 1, 2020 and ending September 30, 2021.

WHEREAS, the City of Nacogdoches experienced an extreme weather event in February 2021 that caused extraordinary amounts of brush and limbs to fall on properties across the City, and

WHEREAS, the excess volume of brush and storm debris has created a public nuisance and a risk to health, and

WHEREAS, City Sanitation personnel cannot adequately address the collection and disposal of such a large quantity of debris without additional assistance and equipment, and

WHEREAS, with the adoption of this ordinance, the Sanitation Department is authorized to expend up to \$300,000 for assistance with the collection, grinding, and disposal of debris.

NOW, THEREFORE BE IT ORDAINED by the City Council of the City of Nacogdoches that sums of money as herein set forth in said budget are hereby appropriated and amended for the payment of operations of the city government of the City of Nacogdoches as follows:

Fund	Dept.	Acct.	Department	Description	Amt.
31	40	630.70	Sanitation Collection	Special Services – Debris Collections/Grinding	\$300,000

PASSED AND APPROVED this the 6th day of April, 2021

Shelley Brophy, Mayor
City of Nacogdoches

ATTEST:

Jan Vinson, City Secretary

Approved as to form: _____
Robert Davis, Interim City Attorney

Approved as to content: _____
Pamela Curbow, Director of Finance