

NO. 11 TX 0381

2011 OCT 24 AM 11:42
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Dion E. Murray
DISTRICT CLERK
DISTRICT COURT

SANTA FE INDEPENDENT SCHOOL DISTRICT
VS.
FULLEN, JAMES, ET AL

§ IN THE DISTRICT COURT
§
§ IN AND FOR
§
§ GALVESTON COUNTY, TEXAS

PLAINTIFFS ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT


Now come(s) the taxing districts set out below:

SANTA FE INDEPENDENT SCHOOL DISTRICT

on behalf of themselves and all taxing districts for whom they collect. Each is a political subdivision of the State of Texas, each is legally constituted and authorized to impose and/or collect ad valorem taxes, and each is hereinafter called "Plaintiff", whether one or more, original or intervenor, and for such cause of action would show the following:

1. The name(s) and address(es) of Defendants is/are:

JAMES FULLEN
1403 AVENUE L
SANTA FE, TX 77510

11-TX-0381
DCORPET
Original Petition - OCA
288348


HOMETOWN BANK, N.A., BY SERVING ITS REGISTERED
AGENT: G. WILLIAM RIDER
STE 300 BANKERS SVNGS BLDG 23RD & CHURCH
GALVESTON, TX 77550 (IN REM ONLY)

TEXAS FIRST BANK, BY SERVING ITS PRESIDENT OR VICE
PRESIDENT
3232 PALMER HIGHWAY
TEXAS CITY, TX 77590 (IN REM ONLY)

Said Defendant(s) currently own(s) or claim(s) an interest in the property hereinafter described and/or owned the hereinafter described property on the first day of January of each of the years for which taxes are due and owing. Discovery is intended to be conducted under Level 2 pursuant to Rule 190 of the Texas Rules of Civil Procedure.

2. The taxes in the amounts and for the years shown below were legally imposed on each separately described property and on the respective person named (if known) who owned the property on January 1 of such years. Such taxes are delinquent and owing, along with penalties and interest authorized by law and detailed below:

10/24/11 iss 3 1/2 cit \$245 St

CODED
ST

Property Code: 705500000109001 CPC: 13569

Description: Tract #1 - FABST 1 PAGE 5 N 1/2 OF LOT 109 (109-1) THAMANS 1ST
SUB ACRES 4.95

Year	Taxes	Pen & Int	Total
2010	\$2,625.24	\$1,186.61	\$3,811.85
Total For: SANTA FE INDEPENDENT SCHOOL DISTRICT			\$3,811.85
Total Due For Property			\$3,811.85
Research Fee:			\$250.00
Total for: October, 2011			\$4,061.85

(This amount does not include court costs which must be paid prior to dismissal).

The property is specifically described as follows:

Property Code: 705500000109001

TRACT #1: THE NORTH 1/2 OF LOT ONE HUNDRED NME (109), OF F H THAMAN SUBDIVISION, A SUBDIVISION M GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 231, PAGE 6, OF THE MAP RECORDS AND TRANSFERRED TO PLAT RECORD 10, MAP NO 34, BOTH OF GALVESTON COUNTY, TEXAS.

In addition to the amounts stated above, Plaintiff(s) sue(s) for costs of court, foreclosure sale expenses and research expenses for determining the name, identity and location of necessary parties and in procuring necessary legal descriptions of the property, and other costs, all as authorized by law. Further, Plaintiff(s) sue for all additional taxes which become delinquent on such property prior to judgment, as well as any additional penalties and interest which accrue prior to or after judgment, to the date of sale.

3. Plaintiff(s) would show that all conditions precedent to the right to levy said taxes were performed as required by law; that all of said taxes were authorized by law; and that all things required by law have been duly and legally performed by the proper officials.

4. Plaintiff(s) would further show that the Attorney signing this petition is legally authorized to prosecute this suit on behalf of the taxing unit and Plaintiff(s) therefore request(s) attorney fees as provided by law.

5. Each tract of the said above-described real estate and/or item of personal property was, on January 1st of the aforesaid years and at the time said taxes were imposed, located within the boundaries of each of said taxing units and within the boundaries of GALVESTON COUNTY, TEXAS. Each taxing unit asserts a lien on each separately described property listed above to secure the payment of all taxes, penalties, interest and costs due.

6. Defendant(s) shall take notice of all pleas and interventions which may be filed by Plaintiff(s) or any party intervening.

7. Plaintiff(s) would show that the party or parties who owned the property, described above, on January 1 of the years indicated are indebted to Plaintiff taxing units for said taxes, penalties and

interest, and are liable for all costs herein. Plaintiff(s) seek personal liability against such owners, as well as foreclosure of the tax lien on each separately described property. As to all other Defendants, Plaintiffs' action is a proceeding in rem only, whereby Plaintiff(s) seek(s) to foreclose the tax lien(s) on each separately described property listed in satisfaction of the taxes, penalties, interest and all costs due or to become due herein.

WHEREFORE, Plaintiff(s) pray that Defendant(s) be cited to appear and answer herein and that on final hearing recover the following:

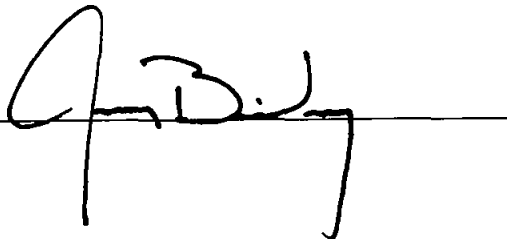
- A. Personal judgment against such Defendant(s) who owned the property described herein on January 1st of the years indicated above, for all taxes, penalties, interest, attorney fees, and costs that are due or will become due;
- B. Foreclosure of the tax lien(s), issuance of an order of sale and/or execution on the property described above and payment of all taxes, penalties, interest, and costs that are due or will become due and that are secured by such tax lien(s), which tax lien(s) is first, prior and/or superior to any other interest in said property; and
- C. Such other and further relief to which Plaintiff(s) may be entitled.

Respectfully submitted,

PERDUE, BRANDON, FIELDER, COLLINS & MOTT, L.L.P.
ATTORNEYS AT LAW
1235 North Loop West
Suite 600
Houston, TX 77008
(713) 862-1860 FAX:(713) 862-1429

BY _____

Jason L. Bailey
Bar # 00790253
R.Gregory East
Bar # 24007138



File #: 110232
Acct#: 16319