

Cause No. \_\_\_\_\_

COUNTY OF JEFFERSON

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IN THE DISTRICT COURT OF

VS.

JEFFERSON COUNTY, TEXAS

\_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

MOTION TO RELEASE EXCESS PROCEEDS

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW \_\_\_\_\_, as Movant in the above styled and numbered cause and pursuant to Section 34.04 of the Texas Property Tax Code would respectfully submit to the court its Motion to Release seeking distribution of the excess proceeds resulting from a tax sale of real property located in Jefferson County, Texas. For cause of action, the Movant would respectfully show the Court as follows:

I.

Movant, \_\_\_\_\_, the/a Defendant in the case. The other parties entitled to notice of this Motion to Release Excess Proceeds are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

II.

The property identified in the Order of Sale issued by this Court on \_\_\_\_\_, was sold in accordance with that order, pursuant to the Judgment of this Court.

III.

As a result of said tax sale, the Taxing Authorities were paid all delinquent taxes, penalties, interest, attorney's fees, and costs of sale in this case.

IV.

After payment of the judgment plus interest and cost of sale as allowed by law, there remains excess proceeds in the amount of \$\_\_\_\_\_ which have been deposited with the Clerk of this Court.

V.

Said excess tax sale proceeds rightfully belong to Movant, and Movant is entitled to recover same pursuant to Section 34.04 of the Texas Property Tax Code.

WHEREFORE, PREMISES CONSIDERED, Movant prays that the Court enter its Order directing the Clerk of this Court to disburse the sum of \$\_\_\_\_\_ to Movant as the excess tax sale proceeds from the sale of the aforesaid property, and for such other and further relief to which Movant may be justly entitled.

Respectfully submitted,

\_\_\_\_\_  
Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone No. \_\_\_\_\_

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IN THE DISTRICT COURT OF

VS.

JEFFERSON COUNTY, TEXAS

\_\_\_\_\_

\_\_\_\_\_ JUDICIAL DISTRICT

ORDER TO RELEASE EXCESS PROCEEDS

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ came on to be heard the above-entitled and numbered cause, and appeared \_\_\_\_\_ and Defendants, \_\_\_\_\_.

(choose one:)

\_\_\_\_\_ having been duly cited and served to appear and notified of this hearing, failed to appear herein individually or by attorney of record, and it appearing to the Court and the Court finds \_\_\_\_\_.

\_\_\_\_\_ by and through their respective attorneys of record, and announced ready, and after consideration of all matters of record at this hearing, the Court is of the opinion and finds \_\_\_\_\_.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the excess proceeds, from the sale of property which was the original subject of this cause of action in the amount of \$\_\_\_\_\_ which are now deposited with the Clerk of the Court, be released to \_\_\_\_\_.

\_\_\_\_\_  
Judge Presiding

CERTIFICATE OF SERVICE

I, \_\_\_\_\_, do certify that a true and correct copy of the foregoing Motion to Release Excess Proceeds was mailed, by certified mail return receipt requested, to the following on this date, \_\_\_\_\_ to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Name: \_\_\_\_\_