

COUNTY JUDGE
Fort Bend County, Texas

Robert E. Hebert
County Judge

June 27, 2017

(281) 341-8608
Fax (281) 341-8609

Raul Tovar
4910 Kendalia Cloud Ln.
Fulshear, TX 77441

Reference: Account Number: 2690-06-001-0040-914
Tax Year 2016, Precinct 3

Dear Mr. Tovar:

The County has received your request to waive penalty and interest on Fort Bend County property taxes. Fort Bend County is also authorized to act on behalf of Katy Independent School District, Fort Bend Emergency Services District #44 and City of Fulshear which represents a total amount of \$150.17 for penalties assessed on the referenced account for tax year 2016. The Tax Assessor's Office has conducted research on your account; a copy of the research is enclosed with this letter, and has also been provided to the Commissioners Court.

The information you provided, along with the Tax Office research, has been placed on the Agenda, becoming part of public record, for the Commissioners Court meeting on Tuesday, July 11, 2017 at 1:00 p.m. Commissioners Court is located at the Historic Courthouse, 401 Jackson Street, 2nd Floor, in Richmond, Texas.

You are not required to appear in order for the Court to consider your request. Action by the Court is governed by guidelines under Texas Tax Code, Chapter 33, Section 33.011*, Commissioners Court cannot waive penalty, interest and/or collection fees unless there is evidence of an error by the appraisal district or the County. However, if you have any new information showing proof of an error that was not researched by the Tax Assessor and wish to discuss, please contact your Commissioner, Andy Meyers, prior to July 11, 2017, at telephone 281-238-1400 or by email at andy.meyers@fortbendcountytexas.gov, to discuss any additional documentation you may wish to provide to the Court when they consider your request.

Sincerely,

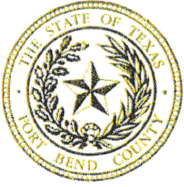
A handwritten signature in blue ink, appearing to read "Robert E. Hebert", is written over a horizontal line.

Robert E. Hebert

Enclosure

Copy: Commissioner Andy Meyers, Precinct No. 3

*Section 33.011(a)(1) of the Texas Tax Code states, "The governing body of a taxing unit: shall waive penalties and may provide for the waiver of interest on a delinquent tax if an act or omission of an officer, employee, or agent of the taxing unit or the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency."



COUNTY TAX ASSESSOR / COLLECTOR

Fort Bend County, Texas

Patsy Schultz, PCC
County Tax Assessor/Collector
1317 Eugene Heimann Circle
Richmond, TX 77469-3623

COUNTY JUDGE
RECEIVED

JUN 27 2017

(281) 341-3710
Fax (281) 341-9267
Email: patsy.schultz@fortbendcountytexas.gov
www.fortbendcountytexas.gov

DATE: June 27, 2017

TO: County Judge Robert E. Hebert
Commissioner Vincent Morales
Commissioner Grady Prestage
Commissioner Andy Meyers
Commissioner James Patterson
Roy Cordes, County Attorney

FROM: Tammy Staton T.S.,
Tax Division Supervisor

Re: Waiver of Penalty and Interest – Raul Tovar: Account # 2690-06-001-0040-914, 2016 Tax Year; Legal Description: Creek Cove at Cross Creek Ranch Sec. 6, Block 1, Lot 4; Mailing Address: 4910 Kendalia Cloud Ln. Fulshear, TX 77441-1645

Precinct 3

Mr. Raul Tovar is requesting a waiver of penalty and interest stating that when he purchased his home in June 2016 his title company did not file the deed correctly until January of 2017. Because of this error the first notice he received of taxes due was a 2016 Name Change Tax Statement.

Tax Office Records Indicate:

1. November 7, 2016 - 2016 Certified Agent Statement mailed to tax agent: Burnitt Property Tax Advisor 16840 Barker Springs Suite 301 Houston, TX 77084. **This statement was not returned by the Post Office.**

2. January 11, 2017- The Warranty Deed was filed at the Fort Bend County Clerks Office in the name of: Raul A. & Paola Tovar 4910 Kendalia Cloud Ln. Fulshear, TX 77441. First American Title originally filed the deed in error in Harris County.
3. February 17, 2017 – 2016 Reminder Notice was mailed to: Trendmaker Homes Inc. 16340 Park Ten Place Suite 250 Houston, TX 77084-5142. **This statement was not returned by the Post Office.**
4. March 2, 2017 – Our office received the Name and Address Change for processing. The name/address was updated and a 2016 supplement statement was sent to: Raul & Paola Tovar 4910 Kendalia Cloud Ln. Fulshear, TX 77441-1645 - **This statement was not returned by the Post Office.**
5. March 6, 2017- Received payment from Raul Tovar in the amount of \$1,668.54, base levy only.
6. March 9, 2017- A short notice was sent to Mr. Tovar stating an additional \$150.17 was due by 03/27/2017. **This statement was not returned by the Post Office.**
7. March 20, 2017- Mr. Tovar called inquiring about remaining balance and stated he never received the original Tax Statement.
8. March 20, 2017- Raul Tovar paid remaining amount due of \$150.17 including the March Penalty and Interest.
9. May 22, 2017- Mr. Tovar called to state that his title company filed the deed incorrectly hence the delay in ownership update. Mr. Tovar feels that because of this error he should not be penalized. The instructions for waiver of penalty and interest were given.
10. There is no evidence of an error by the Fort Bend Central Appraisal District or the Fort Bend County Tax Office.
11. Katy ISD, Fort Bend ESD #4, and the City of Fulshear have authorized Fort Bend County Tax Office to handle the processing of the waiver of penalty and interest and allow the Fort Bend County Commissioners Court to make the determination based on Section 33.011 of the State Property Tax Code.

Breakdown of Taxes Paid:

Account 2690-06-001-0040-914:

2016 Tax Year

Tax Unit	Base	Penalty & Interest	Total Waiver Request
Katy ISD	\$1,125.92	\$101.33	\$101.33
FB ESD#4	\$74.24	\$6.68	\$6.68
City of Fulshear	\$116.48	\$10.49	\$10.49
FBC	\$351.90	\$31.67	\$31.67
Total	\$1,668.54	\$150.17	\$150.17

Total Penalty and Interest: \$150.17

I do not recommend waiver of penalty and interest for **2016** Tax Year. Property Tax Code Section 33.011 (a) (1). "The governing body of a taxing unit: shall waive penalties and may provide for the waiver of interest on a delinquent tax if an act or omission of an officer, employee, or agent of the taxing unit or the appraisal district in which the taxing unit participates caused or resulted in the taxpayer's failure to pay the tax before delinquency..."

To: County Judge Robert E. Hebert
401 Jackson Richmond, Texas 77469-3110

County Judge
Received

MAY 30 2017

Re: Request for WAIVER OF PENALTY AND INTEREST

From: Raul Tovar
4910 Kendalia Cloud Ln
Fulshear TX, 77441
Tel.: 832-244-9020
Account No.: 2690-06-001-0040-914
Legal Description: Creek Cove at Cross Creek Ranch Sec 6, Block 1, Lot 4
Tax Year 2016

May 25, 2017

To County Judge Robert E. Hebert:

I am writing to request an abatement of penalties and interest in the amount of **\$150.17** as assessed in the enclosed Tax Statement dated 3-2-2017.

The reason why I paid late was because this was the **first ever statement** I had received from the Fort Bend County Collector as per the enclosed statement printed on 3-2-2017.

Please note that we bought this home in June 2016. I checked with the home builder and title company on this matter. The Power of Attorney was recorded (6-27-2016) but the Warranty Deed was missed. The Warranty Deed was re-recorded on 1-11-2017 as per the attached copy.

Please accept my petition for waiver/abatement of penalties owed for reasonable cause. If you have any questions or need anymore information, you can reach me at 832-244-9020 during business hours.

Please note that my account was paid in full including the mentioned penalties and interests.

Sincerely,



Raul Tovar

000000R4 371.59 047 000001.A1.A70 000001.A520A 000001.A8544 000001.91.882 9



Laura Richard
Laura Richard, County Clerk
Fort Bend County Texas
Pages: 1 Fee: \$11.00

WARRANTY DEED

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.

Date: JUNE 27, 2016

Grantor: TRENDMAKER HOMES, INC., a Texas corporation

Grantor's Mailing Address: 16340 Park Ten Place, #250, Houston, Texas 77084

Grantee: RAUL A. TOVAR and PAOLA TOVAR

Grantee's Mailing Address: 4910 Kendalia Cloud Lane, Fulshear, Texas 77441

Consideration: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration

Property (Including any improvements):

LOT 4, BLOCK 1, OF CREEK COVE AT CROSS CREEK RANCH, SECTION 6, A SUBDIVISION IN FORT BEND COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT NO. 20140255, OF THE MAP AND/OR PLAT RECORDS OF FORT BEND COUNTY, TEXAS.

Reservations from Conveyance: None

Exceptions to Conveyance and Warranty: All presently recorded restrictions, reservations, covenants, conditions, easements, rights-of-way, oil and gas leases, mineral severances, and other instruments, other than liens and conveyances of the surface fee estate, that affect the Property; and taxes for the current year, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor hereby binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

TRENDMAKER HOMES, INC., a Texas corporation

BY: *Karyn Goertz*

NAME: Karyn Goertz

TITLE: Asst Secretary

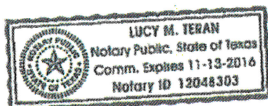
STATE OF TEXAS §

COUNTY OF Harris §

This instrument was acknowledged before me on JUNE 27, 2016, by Karyn Goertz

as Asst Secretary of TRENDMAKER HOMES, INC., a Texas corporation,

on behalf of said corporation.



Lucy M. Teran
Notary Public, The State of Texas

Notary's Printed Name: Lucy M. Teran

Notary's Identification No: 12048303

Commission Expires: 11-13-16

RECORDED AT THE REQUEST
OF FIRST AMERICAN TITLE

2143458-62

COMPOSITE TAX RECEIPT



PATSY SCHULTZ, PCC
 FORT BEND COUNTY TAX ASSESSOR/ COLLECTOR
 1317 EUGENE HEIMANN CIRCLE
 RICHMOND, TEXAS 77469-3623
 (281) 341-3710

Certified Owner:

TOVAR RAUL A & PAOLA
 4910 KENDALIA CLOUD LN
 FULSHEAR, TX 77441-1645

Legal Description:

CREEK COVE AT CROSS CREEK RANCH SEC 6,
 BLOCK 1, LOT 4

Parcel Address: KENDALIA CLOUD LN

Legal Acres: 0.0000

Account No: 2690-06-001-0040-914

Year : 2016

Print Date : 06/20/2017

Operator Code: CANDACEC

Rec Type : Levy

Year	Tax Unit Name	Tax Value	Tax Rate	Levy	Penalty & Interest	Coll. Fee	Refund	Total
2016	KATY ISD	74,240	1.516600	1,125.92	101.33	0.00	0.00	1,227.25
2016	FORT BEND ESD#4	74,240	0.100000	74.24	6.68	0.00	0.00	80.92
2016	CITY OF FULSHEAR	74,240	0.156901	116.48	10.49	0.00	0.00	126.97
2016	FORT BEND CO DRAINAGE	74,240	0.016000	11.88	1.07	0.00	0.00	12.95
2016	FORT BEND CO GEN FND	74,240	0.458000	340.02	30.60	0.00	0.00	370.62
Levy Total :				\$1,668.54	\$150.17	\$0.00	\$0.00	\$1,818.71
GROSS TOTAL :				\$1,668.54	\$150.17	\$0.00	\$0.00	\$1,818.71
Grand Total :				\$1,668.54	\$150.17	\$0.00	\$0.00	\$1,818.71

LAST PAYER:

Raul Tovar
 4910 Kendalia Cloud Ln
 Fulshear, TX 77441

Payment Receipt Dates:

03/06/2017
 03/20/2017

LAST PAYMENT DATE: 03/20/2017