







Abstract Report

Issued to: City of Benbrook
Your Ref No.
Our File No **19-09-18766**

Start Date: 5/1973
Certification Date: **9/11/2019**

We have searched the real property records which impart constructive notice of **Tarrant** County, Texas with respect to the following land:

Lot 13 Tract 1A, in Block 33, of Revision of the Benbrook Lakeside Addition, an addition to the Village of Benbrook, Tarrant County, Texas, according to the Map or Plat thereof recorded in Volume 388-P, Page 48, Plat Records, Tarrant County, Texas.

The following is the chain of deeds;

Warranty Deed Amelia Ruth Jarrard, to Edgar R. Miller and Bonita M. Miller, Filed 10/31/1974, recorded in Volume 5733, Page 97.

Warranty Deed Edgar R. Miller and wife, Bonita M. Miller, to Clara Warren, filed 7/11/1978, recorded in Volume 6524, Page 431.

Trustee's Deed, to K & M Leasing Company, filed 8/11/1982, filed 7338, Page 2142.

Quitclaim Deed from K & M Leasing Company, to Aramela Ruth Jarrard, filed 4/27/1983, recorded in Volume 7496, Page 723.

Warranty Deed from Aramela Ruth Jarrard aka Ruth A. Cook, to Robert C. Roe, Jr., filed 4/27/1983, recorded in Volume 7496, Page 725.

Affidavit of Heirship for Clara Warren, filed 8/12/1999, recorded in Volume 13958, Doc. No. 270.

Special Warranty Deed from Olen Lee Berry to Bonnita Stutts, filed 8/12/1999, recorded in Volume 13958, Doc. No. 271.

Special Warranty Deed from Armelia Ruth Jarrard to Bonnita Stutts, filed 8/12/1999, recorded in Volume 13958, Doc. No. 272.

Warranty Deed 50% from Bonnita Jarrard Stutts, to Armelia Ruth Jarrard, with terms, filed 1/28/2005, recorded under Clerk's File No. D205028473.

The outstanding mortgages or outstanding statutory monetary liens purporting to affect said land are as follow: NO COURT CASES ARE REVIEWED ONLY INFORMATION IS SHOWN

Paving Lien, payable to the City of Benbrook, filed 4/12/1990, recorded in Volume 9896, Page 1023, no amount specified

Paving Lien, payable to the City Benbrook, filed 5/3/1991, recorded in Volume 10245, Page 1038, no amount specified

Tax Suit filed 12/5/2000 Cause No. 17887

Civil Suit filed 2/20/2001, Cause No. 186576, Bonnita Stutts, Vs. HouseHold Financial. Corp

Tax Suit filed 9/29/2004, Cause No. 480

Tax Suit filed 12/9/2004, Cause No. 22089

Privileged Lien by the City of Benbrook, for labor performed to secure structure in the amount of \$234.00, filed 7/16/2019 recorded in Clerk's File No. D219153703.

Liability hereunder is limited to the amount paid for same. This report is furnished solely as an accommodation to the party requesting same and should not be relied upon, as a warranty or representation as to the title to the property described herein and may not be given to or used by any third party. **McKnight Title**, (hereinafter called "Title Company") assumes no liability whatsoever for the accuracy of this report, nor for any omission or error with respect hereto. YOU AGREE TO RELEASE, INDEMNIFY AND HOLD HARMLESS TITLE COMPANY BECAUSE OF ANY NEGLIGENCE BY TITLE COMPANY (WHETHER SOLE, JOINT OR OTHERWISE) FOR ANY CLAIM, LOSS, LIABILITY OR DAMAGES ARISING OUT OF THIS REPORT. This report is not title insurance. If a policy of title insurance is purchased, any liability there under shall be determined solely by the terms of such policy.

STATE OF TEXAS)
COUNTY OF TARRANT)(

**ORDER OF THE APPEALS COMMISSION OF THE CITY OF BENBROOK, TEXAS,
CONCERNING A SUBSTANDARD BUILDING AT 1033 USHER STREET, BENBROOK, TEXAS**

ORDER

WHEREAS, Chapter 15.44 of the Municipal Code of the City of Benbrook provides a just, equitable and practical method, to be cumulative with and in addition to any other remedy provided by the Building Code, Chapter 214 of the Local Government Code, or otherwise available at law, whereby buildings and other improvements, that from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants, may be required by the City to be repaired, vacated, demolished, removed or secured; and

WHEREAS, the Building Official of the City of Benbrook, after inspection, has determined the dwelling located at 1033 Usher Street, Benbrook, Texas is a dangerous and substandard building, and has further commenced proceedings pursuant to Chapter 15.44 to cause the repair, removal, demolition of all structures at 1033 Usher Street, Benbrook, Texas; and

WHEREAS, on October 22, 2019 at 7:30 p.m., the Appeals Commission held a public hearing at the Benbrook City Hall, 911 Winscott Road, Benbrook, Texas, concerning whether such improvements are dangerous and/or substandard and should be repaired or demolished; and

WHEREAS, the City has used its best efforts to determine the identities and addresses of the owner(s), mortgagees and lien holders of the improvements through public records and other sources reasonably available to the City; and

WHEREAS, evidence introduced at the hearing shows that the record owner(s) of the improvements is/are: Bonnita Stutts and Jarrard Armelia; the mortgagees are: HouseHold Financial Corp; the lien holders are: the City of Benbrook, and the Tarrant Appraisal District; and

WHEREAS, notice of the hearing was mailed by the Building Official to the record owner(s) of the improvements and to all mortgagees and lien holders.

NOW, THEREFORE, the Appeals Commission hereby enters the following Order:

1. The recitals contained in the preamble of this Order are hereby approved and are found to be true and correct. Based on the evidence presented at the public hearing, the Commission finds that the property located at 1033 Usher Street, Benbrook, Texas, and legally described as Lot 13, 1-A, Block 33, Benbrook Lakeside Addition, is in violation of Section 15.44.040 Subsection (A), Any building that is dilapidated, substandard or unfit for human habitation and a hazard to the health, safety and welfare; Subsection (B), Any building that, regardless of its structural condition, is unoccupied by its owners, lessees or invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; Subsection (G), Whenever any portion of the building is damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location, it shall be deemed substandard.

2. The above-named owner(s), mortgagee and/or lien holders of the improvements shall, within thirty (30) days from the date of this Order obtain the proper permits and complete the repair, remove, or demolition

of all structures at 1033 Usher Street.

3. In accordance with Section 15.44.080 of the Municipal Code of the City of Benbrook, the Building Official shall, within 10 days from the date of this order:

- (a) mail copies of this Order, by certified mail, return receipt requested, to the record owner(s) of the improvements, and each identified lien holder and mortgagees of the improvements; and
- (b) file a copy of this Order with the City Secretary; and
- (c) publish a notice concerning this Order in a newspaper of general circulation.

4. If the improvements are not repaired, removed, or demolished within the time specified in 30 days of this Order, the City of Benbrook will remove or demolish the improvements at the City's expense.

5. The cost of any repair or demolition work, or securing of the improvements, that are performed by the City of Benbrook, or is paid for by the City, shall be recovered by the City in the manner provided for in Chapter 15.44 of the Municipal Code of the City of Benbrook.

Signed and entered this _____ day of _____, 2019.

APPEALS COMMISSION OF THE CITY OF BENBROOK, TEXAS.

Chairperson

City Secretary