

CAUSE NO. «CAUSENO»

TRAVIS COUNTY, ET AL.

§  
§  
§  
§  
§  
§

IN THE DISTRICT COURT OF

V.

TRAVIS COUNTY, TEXAS

«STYLE»

COURT NO. JUDICIAL DISTRICT

**PETITION FOR RELEASE OF EXCESS PROCEEDS**  
**AND NOTICE OF HEARING**

TO THE HONORABLE JUDGE OF SAID COURT:

Now comes, \_\_\_\_\_, as petitioner herein, and pursuant to Section 34.04 of the Texas Property Tax Code, files this PETITION FOR RELEASE seeking distribution of the excess proceeds resulting from a tax sale of real property located in Travis County, Texas. For cause of action, the Petitioner would respectfully show the Court as follows:

Petitioner, \_\_\_\_\_, the/a Defendant in the case. The other parties entitled to notice of this PETITION FOR RELEASE are:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

On \_\_\_\_\_, 200\_\_\_\_, the Court signed its Judgment in this case as part of which it found that \_\_\_\_\_ was the owner of the following property, and the Court ordered the foreclosure and sale of the following property:

Billing Number: \_\_\_\_\_  
Parcel Number: \_\_\_\_\_  
Location: \_\_\_\_\_  
Legal Description:

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

Said property was sold at a tax sale by Order of Sale, pursuant to the Judgment of this Court.

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.

After said payments to the Taxing Authorities, excess tax sale proceeds in the amount of \$ \_\_\_\_\_ were deposited with the Clerk of this Court on \_\_\_\_\_, 2000\_\_\_\_. On \_\_\_\_\_, 200\_\_\_\_ said Clerk delivered a Notice of Excess Funds to Petitioner.

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

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

Respectfully submitted,

Name  
Address  
Telephone Number

**NOTICE OF HEARING**

Please take notice that this Petition is set for hearing on Friday, \_\_\_\_\_, 200\_\_\_\_ at 2:00 p.m. in the District Court of Travis County, Texas

CERTIFICATE OF SERVICE

I certify that a copy of the Petition for Release of Excess Proceeds and Notice of Hearing was served on the parties listed below by certified mail on the \_\_\_\_\_ day of «MONTH», 2008:

[list parties that you are notifying]

\_\_\_\_\_  
[Signed]