

SUIT NO. _____

VS.

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IN THE DISTRICT COURT

_____ JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

PETITION TO WITHDRAW EXCESS PROCEEDS
FROM THE REGISTRY OF THE COURT

This motion is brought for the recovery of post-judgment ad valorem taxes under Tex. Tax Code § 34.04 by the following named movants:

_____.

I.

Plaintiffs filed suit against defendants for delinquent taxes on a real property. A judgment for foreclosure was signed and pursuant to the said judgment the subject property was sold on _____. Excess proceeds from the sale, in the amount of \$_____ were deposited into the registry of the Court. *See* District Clerk's Registry Printout attached hereto and incorporated herein as Exhibit "A". Movants are entitled to excess proceeds because _____. At this time Movants are requesting excess proceeds in the amount of \$_____:

II.

Per Section 34.04 of the Texas Property Tax Code, Movants are entitled to excess proceeds and request the Court to order the District Clerk to pay the amount due from the Registry of the Court to Movants.

III.

WHEREFORE, PREMISES CONSIDERED, Movants request the Court to enter an Order directing the District Clerk to pay the amount due from the Registry of the Court to Movants.

Respectfully submitted,

CERTIFICATE OF SERVICE

I hereby certify that a complete and correct and a true and correct copy of the attached documents were sent on the _____ day of _____, 20__ in accordance with Rules 21 and 21(a) of the Texas Rules of Civil Procedure to:

Attorney or Pro Se Certifying

SAMPLE