

RESOLUTION 11-21

A RESOLUTION RELATING TO THE LEASE FOR MOWING THE OLD COMMERCE LANDFILL, COMMERCE, TEXAS, GRANTING AUTHORITY TO THE MAYOR TO EXECUTE THE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, AND AUTHORIZING CITY MANAGER TO EXECUTE ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO ANY AND ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas at City Hall on the 21st day of June 2011, at 6:00 p.m.; a majority of Council being present and constituting a quorum, the following Resolution was adopted.

WHEREAS, a proposal for the mowing lease of the Old Commerce Landfill has been submitted to the City Council of the City of Commerce by Tammy Giles. Said proposal being incorporated in a proposed lease agreement, a copy of which being marked Exhibit "A", attached hereto and made a part hereof just as if copied herein verbatim; and

WHEREAS, after careful consideration of said proposal the City Council deems it to be in the best interest and general welfare of the City of Commerce that said proposal be accepted and hereby accepted.

NOW, THEREFORE, BE IT RESOLVED, that the City of Commerce enter into the lease agreement marked Exhibit "A", attached hereto and made a part hereof just as if copied herein verbatim.

BE IT FURTHER RESOLVED, that the Mayor be and he is hereby authorized to execute said Resolution; and

BE IT FURTHER RESOLVED, that the City Secretary be and she is hereby authorized to attest to the signature of the Mayor to said Resolution; and

BE IT FURTHER RESOLVED, that the City Manager be and he is hereby authorized to execute any and all instruments requisite in implementing said Resolution;

BE IT FURTHER RESOLVED, that the City Secretary be and she is hereby authorized to attest to the signature of the City Manager to any and all instruments requisite to implementing said Resolution.

PASSED BY THE GOVERNING BODY of the City of Commerce, Texas at a regular meeting of the City Council of the City of Commerce, Texas on the 21st day of June 2011.

ATTEST

Marty Cunningham

Marty Cunningham, City Secretary

CITY OF COMMERCE, TEXAS

Quay Throgmorton

Quay Throgmorton, Mayor

(seal)

APPROVED AS TO FORM

Jim McLeroy

Jim McLeroy, City Attorney

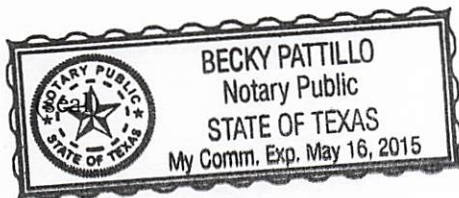
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a Resolution, and that the same has not been repealed and is in full force and effect.

Marty Cunningham

Marty Cunningham, City Secretary
City of Commerce

(seal)

Sworn to and subscribed before me on this the 22nd day of June, 2011 to certify which witness my hand and seal of office.



Becky Pattillo

Notary Public
State of Texas

AGREEMENT

THE STATE OF TEXAS,

COUNTY OF HUNT:

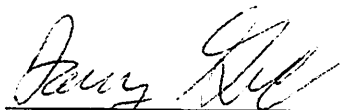
KNOW ALL MEN BY THESE PRESENTS:

This agreement made and entered into this the 12th day of July 2011 by and between Tammy Giles and the City of Commerce, a municipal corporation, acting through its City Manager, he being duly authorized by Resolution by the City Council of said City of Commerce, Texas.

WITNESS that Tammy Giles hereby covenants and agrees to mow the Old Commerce Landfill for the sole purpose hay. The amount paid to said City will be \$400.00 annually for the term of this agreement.

The term of this agreement is a three year agreement, renewable each following year thereafter.

Provided however, that if either party desires for any reason whatsoever to terminate the agreement it may do so by giving the other party thirty (30) days written notice.

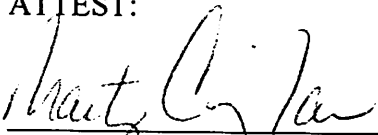


Tammy Giles



Marc Clayton, City Manager
City of Commerce

ATTEST:



Marty Cunningham, City Secretary
City of Commerce