

RESOLUTION NO. 12-15

A RESOLUTION AUTHORIZING CONVEYANCE OF PROPERTY GRANTING AUTHORITY TO THE MAYOR TO EXECUTE SAID RESOLUTION AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE MAYOR'S SIGNATURE TO SAID RESOLUTION, AND AUTHORIZING CITY MANAGER TO EXECUTE ALL INSTRUMENTS REQUISITE IN IMPLEMENTING SAID RESOLUTION, AND AUTHORIZING CITY SECRETARY TO AUTHENTICATE CITY MANAGER'S SIGNATURE TO THIS RESOLUTION.

A regular meeting of the City Council of the City of Commerce, Texas, was held in Commerce, Texas, at City Hall, on the 15th day of May 2012, at 6:00 p.m.; a majority of Council Member's being present and constituting a quorum, the following Resolution was adopted:

WHEREAS, the City of Commerce is a beneficiary of the interest in subject property; and

WHEREAS, Les Arnold has requested that said property be conveyed by the City of Commerce to him.

WHEREAS, Les Arnold owns all property adjoining the land.

WHEREAS, Texas Local Government Code §272.001 (b) authorizes the sale of narrow strips of land, or land that because of its shape or small area, cannot be used independently under current zoning limitations or subdivision ordinances are the subject property meets such a description; and

WHEREAS, The City Council finds that \$5,000 is fair market value for said property; and

WHEREAS, The City shall, in order to satisfy current state regulations, retains from the property transferred a public utility easement for all property located within 150 feet of the City of Commerce Water Well located at the property adjacent to the conveyed property; and

WHEREAS, In addition to the purchase price, Les Arnold as a condition to the purchase authorized here, shall at his sole costs and expense prepare a survey of the property describing both the property conveyed and the property to be included in the utility easement retained;

BE IT RESOLVED, that after careful consideration, the City Council of the City of Commerce hereby deems it to be in the best interest to the convey property shown as highlighted in Exhibit "A", attached , to Les Arnold, subject to the terms and conditions specified above.

NOW, THEREFORE, BE IT RESOLVED, that upon receipt of survey field notes, the City Attorney for the City of Commerce is hereby authorized to prepare said Quit Claim Deed with required utility easement and present said documentation for signatures.

NOW, THEREFORE, BE IT RESOLVED that the Mayor of the City of Commerce, Texas, be authorized and she is hereby authorized to execute this Resolution;

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

BE IT FURTHER RESOLVED that the City Secretary be authorized and she is hereby authorized to attest to the signature of the City Manager to any and all instruments requisite to implementing this 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 15th day of May 2012.

ATTEST:


Marty Cunningham, City Secretary

(Seal)

CITY OF COMMERCE:

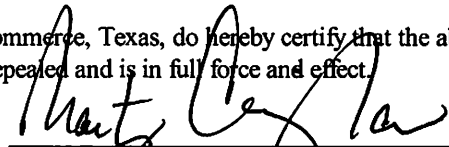

John Ballotti, Mayor

APPROVED AS TO FORM:


Jim McLeary, City Attorney

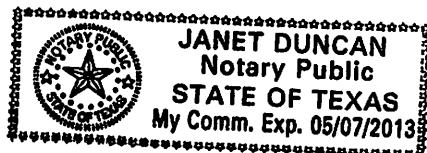
I, Marty Cunningham, City Secretary of the City of Commerce, Texas, do hereby certify that the above is a true and correct copy of a resolution and that the same has not been repealed and is in full force and effect.

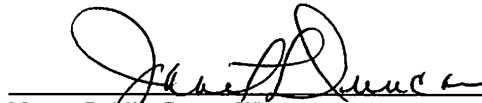
(Seal)


Marty Cunningham, City Secretary

Sworn to and subscribed before me, on this the 20 day of May 2012 to certify which witness my hand and seal of office.

(seal)




Notary Public, State of Texas

WISDOM ENGINEERING, INC.
Engineering and Surveying
2616 Stonewall Street
P.O. Box 848
Greenville, Texas 75403-0848
(903) 455-0202

C.R. #2080



SCALE: 1"=200'

REMAINDER OF
FLOYD PEEK, et al
THIRD TRACT
117/045 D.C.D.R.

13.220 ACRES

LES ARNOLD
261/583 D.C.O.P.R.
75.034 ACRES

P.O.B.
1/2"IRF
3.4' W of PP

F.M. 71

$\Delta = 15^{\circ}47'56''$
 $R = 1323.57'$
 $L = 364.96'$
 $CH = S 82^{\circ}22'02'' W$
 $CH DIST = 363.81'$

CITY OF COMMERCE
HORTON #2
130/488 D.C.D.R.

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