

WHEREAS, the City of Dallas ("City") is the owner of twenty-two (22) tracts of land located in the City of Dallas, Dallas County, Texas, as described on "Exhibit A," attached herein and incorporated by reference, and which are no longer needed for municipal use; and

WHEREAS, most of the tracts have been advertised for sale by sealed bid and have not received bids equal to or greater than the City's appraised value, and the Department of Sustainable Development and Construction, Property Management Division has advised that it is unlikely that the tracts that have not been advertised would, if advertised, receive bids equal to or greater than the City's appraised value; and

WHEREAS, pursuant to Section 253.008 and Section 272.001 of the Texas Local Government Code, in accordance with certain procedures, the City may sell its property by public auction, where the highest bid received reflects the fair market value of the property; and

WHEREAS, on June 4, 2012, the Budget, Finance and Audit Committee was briefed by City staff and recommended reserve amounts to be established on certain of the surplus properties described in Exhibit "A" that have significant value and marketability; and

WHEREAS, certain other surplus properties described in Exhibit "A" have been recommended by the Budget, Finance and Audit Committee and City staff to be sold at absolute sales prices at public auction; and

WHEREAS, on June 22, 2011, the City Council approved Resolution No. 11-1651 authorizing a three-year contract with Hudson & Marshall, a real estate auction firm, for the purpose of marketing and conducting public auctions of improved and unimproved City-owned property; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City-owned property listed on Exhibit "A" are declared unwanted and unneeded by the City Council and are to be advertised for sale by public auction pursuant to state law.

SECTION 2. That each of the reserve amounts and absolute sales prices briefed to the Budget, Finance and Audit Committee on June 4, 2012 are hereby established for the sale of the property tracts listed on Exhibit "A".

SECTION 3. That the Director of Sustainable Development and Construction is authorized to advertise the properties listed on Exhibit A for sale.

SECTION 4. That the advertisement of the property shall state:

- a) that the sale shall be by Deed Without Warranty in a form approved by the City Attorney;
- b) that the sale shall be subject to the terms, covenants, conditions, reservations, restrictions and exceptions of this authorizing resolution, including without limitation the following:
 - i) a restriction prohibiting the placement of industrialized housing on the property;
 - ii) reservation by the City of Dallas of all oil, gas and other minerals in and under the property with a waiver of surface access rights relating to said minerals;
 - iii) any and all visible and apparent easements and encroachments, whether of record or not;
 - iv) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases, or other instruments of record and applicable to the property or any part thereof; and
 - v) standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes, and assessments being assumed by **Grantee**.
- c) that, to the maximum extent allowed by law, the sale shall be strictly on an "AS IS, WHERE IS, WITH ALL FAULTS" basis; and
- d) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 5. That, upon the conclusion of a public auction that has been advertised and conducted pursuant to state law, the highest qualified bid received for a surplus property that is sold absolute or meets or exceeds the reserve amount established by the City shall be deemed the sale price and is the fair market value of such property and shall be accepted by the City.

SECTION 6. That the City Manager or designee is authorized to execute a Purchase and Sale Agreement, approved as to form by the City Attorney, to be entered into with respect to each such surplus property between the City and the highest qualified bidder for such property at such advertised public auction.

SECTION 7. That, upon receipt of the consideration from the highest qualified bidder, the City Manager or designee is authorized to execute a Deed Without Warranty, to be attested by the City Secretary, and other miscellaneous closing documents upon approval as to form by the City Attorney.

SECTION 8. That the sale proceeds shall be deposited into the General Fund 0001, Dept DEV, Bal Sheet 0519 and Department of Sustainable Development and Construction, Real Estate Division shall be reimbursed for the cost of obtaining legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Dept DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Dept BMS, Unit 8888, Revenue Source 8118.

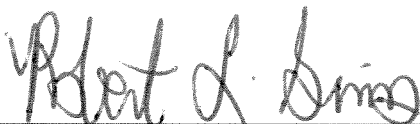
SECTION 9. That if a title policy is desired by **Grantee**, same shall be at the expense of **Grantee**.

SECTION 10. That the sale shall be subject to standby fees, taxes and assessments, if any, by any taxing authority for the year of closing and subsequent years and assessments by any taxing authority for prior years due to changes in land usage or ownership, the payment of said standby fees, taxes and assessments being assumed by **Grantee**.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR.
CITY ATTORNEY

By: _____



Assistant City Attorney

APPROVED BY
CITY COUNCIL

JUN 27 2012


City Secretary

Exhibit A

12 16 48

CITY-OWNED PROPERTY		MAPSCO	COUNCIL DISTRICT	SQ FT OR ACREAGE	ZONING	DCAD ASSESSED VALUE
IMPROVED PROPERTIES (INCLUDES STRUCTURE)						
1	5221 South Westmoreland Road (building shell, deed restricted) Block 4/6951, Lot 2, Dallas, Dallas County, TX	63J	8	1.6829	IM	\$880,340.00
2	1735 South Ewing Avenue (former fire station) Block 8/3680, Lots 3 & 4, Dallas, Dallas County, TX	55N	4	0.89	CR	\$150,450.00
3	1125 South Buckner Boulevard (former library) with 1124 Gardenview Drive (additional parking) Block G/6301, Part of Lots 6 & 7 (75 x 100) and Lots 17-20, Dallas, Dallas County, TX	58L	5	1.056	PD366	\$142,240.00
4	10355 Ferguson Road (former library) Block N/5374, Lots 11-13, Dallas, Dallas County, TX	38M	9	0.7633	D(A)	\$138,140.00
UNIMPROVED LAND						
5	2100 Commerce Street (Parking Lot) Block 20/139, (40x130)	45L	14	0.1193	PD 357	\$104,000.00
6	6701 Westmoreland Road Block 6045, Tract 1, Dallas, Dallas County, TX	63S	8	5.145	R-10(A)	\$223,990.00
7	2317 Lowery Street Block 1/2543, Lots 13&14, Dallas, Dallas County, TX	56G	7	0.1148	PD R-5(A)	\$4,000.00
8	7001 Wheatland Road (aka 7080 Wheatland Road) Block 8604, Tract 1, Dallas, Dallas County, TX	71B-C	3	1.7657	NS(A)	\$230,750.00
9	6501 Greenville Avenue Block 5191, Dallas, Dallas County, TX	26X	14	0.219	MU-3	\$190,800.00
10	2127 Wycliff Avenue Block 15/2268, Lot 26, Dallas, Dallas County, TX	44D	2	0.1721	TH-3	\$60,000.00
11	2203 Wycliff Avenue Block 15/2268, Lot 27, Dallas, Dallas County, TX	44D	2	0.1729	TH-3	\$45,000.00
12	1229 Dalview Avenue Block A/7533 N PT, Lot 4, Dallas, Dallas County, TX	55L	4	0.1532	R-7.5(A)	\$6,650.00
13	550 West Laureland Road Block 6634, Lot 8A, Dallas, Dallas County, TX	64Q	5	0.3732	R-7.5(A)	\$12,000.00
14	562 West Laureland Road Block 19/6634, Lot 8B, Dallas, Dallas County, TX	64Q	5	0.3532	R-7.5(A)	\$12,000.00
15	507 West Laureland Road Block 20/6634, East 60 ft of Lot 1, Dallas, Dallas County, TX	64Q	5	0.2583	R-7.5(A)	\$12,000.00
16	511 West Laureland Road Block 20/6634, West 40 ft of Lot 1, Dallas, Dallas County, TX	64Q	5	0.1722	R-7.5(A)	\$12,000.00
17	515 West Laureland Road Block 20/6634, Lot 2, Dallas, Dallas County, TX	64Q	5	0.4304	R-7.5(A)	\$12,000.00
18	531 West Laureland Road Block 20/6634, Lot 4, Dallas, Dallas County, TX	64Q	5	0.4304	R-7.5(A)	\$12,000.00
19	523 West Laureland Road Block 20/6634, Lot 3, Dallas, Dallas County, TX	64Q	5	0.4304	R-7.5(A)	\$12,000.00
20	512 North Lancaster Avenue Block 61/3042, Lot 2, Dallas, Dallas County, TX	55A	1	0.4189	PD 468	\$27,375.00
21	404 North Lancaster Avenue Block 70/3051, North Part Lot 1 (50 x 132.5), Dallas, Dallas County, TX	55A	1	0.1521	PD 468	\$13,250.00
22	400 North Lancaster Avenue Block 70/3051, South Part Lot 1 (50 x 132.5), Dallas, Dallas County, TX	55A	1	0.1521	PD 468	\$13,250.00