



## **NOTICE OF SEALED BID FOR SALE OF REAL PROPERTY**

The City of White Settlement, Texas (the "City") is accepting sealed bids for the purchase of the following real property (the "Property") for the purpose of commercial development as described in this Notice of Bid Opening:

The Property commonly known as 610 S Cherry Lane consisting of approximately .34 acres of land and 632 S. Cherry consisting of approximately 1.43 acres of land, as more particularly described and depicted in Exhibit "A", attached hereto and incorporated herein.

The sale of the Property shall be awarded, at the discretion of the City Council, to the bidder submitting a bid in accordance with the terms outlined below, and providing the best value to the City.

It is the intention of the City to sell the Property based on the best value bid that is submitted. If in the judgment of the City Council the bids submitted do not represent the fair value of the Property, the Council may reject all bids. Should any bid be accepted, payment shall be made by cashier's check or money order payable to the City of White Settlement within three days of the award notice. Provisions of the sale of the Property shall include:

1. For the purchase of the real property in "as is" condition;
2. For the conveyance of the Property by special warranty deed;
3. For the City to retain all oil, gas, and mineral rights;
4. For the Buyer to pay all fees, commissions and costs associated with closing the sale of the Property;
5. For the Buyer to assume all responsibility or liability for any environmental condition affecting the Property, or any clean-up or remediation that may be required by law;
6. For the development of the Property for commercial development, or other project acceptable to the City.

The Property will be sold "as is" with no warranties or representations as to suitability for any particular use. Conveyance of the Property will be by special warranty deed.

By submitting a bid, each bidder agrees to waive and does hereby waive any claim the bidder has or may have against the City of White Settlement, Texas, and the City's respective employees and representatives for the award of damages or attorney fees, arising out of or in connection with

the administration, evaluation, or recommendation of any bid, waiver, deletion or amendment of any requirements under this Notice of Bid Opening, acceptance or rejection of any bids, and award of the bid. By submitting a bid, the bidder specifically waives any right to recover or be paid attorney fees from the City of White Settlement, Texas, or any of the City's employees and representatives under any of the provisions of the Texas Uniform Declaratory Judgments Act (Texas Civil Practice and Remedies Code, Section 37.001, et. seq., as amended). The bidder acknowledges and agrees that this is the intentional relinquishment of a presently existing known right and that there is no disparity of bargaining power between the bidder and the City of White Settlement, Texas.

By execution and submission of this bid, the bidder hereby represents and warrants to the City that the bidder has read and understands this Notice of Bid Opening and that the bid is made in accordance with the terms stated herein. Bidder acknowledges that it understands all terms herein, which include the waiver provisions, and that it had the right to consult with counsel regarding all applicable documents.

The City reserves the right to waive, delete or amend any of the requirements connected with this bid.

Bids shall be delivered in writing on the attached bid proposal form, signed by the bidder or an authorized representative, and enclosed in a sealed envelope to the City of White Settlement, City Secretary, 214 Meadow Park Drive, White Settlement, Texas 76108. All bids shall be plainly marked "**SEALED BID TO PURCHASE REAL PROPERTY.**" Bids must be received before 2:00 p.m. on Tuesday, May 17, 2011, and any bid received after that time will not be considered.

City staff will publicly open, read and tabulate the bids at 2:00 p.m. on May 17, 2011, City Council Chambers, City of White Settlement, 214 Meadow Park Drive, White Settlement, TX 76108.

Bidders may contact the City of White Settlement, Purchasing Agent at (817) 367-0168 for clarifications and questions.



**CITY OF WHITE SETTLEMENT, TEXAS  
BID PROPOSAL FORM**

I hereby submit my proposal for the purchase of the property at:

Property Address: 610 S. Cherry Lane, White Settlement, TX 76108

Legal Description: Bbb & C Ry Survey A224 Tr 1G

Bid Amount: \_\_\_\_\_

Property Address: 632 S. Cherry Lane, White Settlement, TX 76108

Legal Description: Bbb & C Ry Survey A224 Tr 1A

Bid Amount: \_\_\_\_\_

**THE CITY OF WHITE SETTLEMENT RESERVES THE RIGHT TO REJECT ANY  
AND ALL BIDS AND/OR WAIVE ANY INFORMALITIES.**

I understand that the property is purchased “as is, where is, with all faults”. I further understand that that if my bid is accepted by the White Settlement City Council, the bid amount shall be paid in full by cashier’s check or money order, made payable to the City of White Settlement within three calendar days of the award notification. I hereby certify that I have read and understand the terms of this agreement as specified in the notice of sealed bid for sale of real property. I hereby approve and accept all of the conditions of this agreement.

\_\_\_\_\_  
(Bidder’s Signature)

\_\_\_\_\_  
(Bidder’s Name)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Telephone Number) (Date)