

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

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

- Property ID: R13288, Rocksprings, Block 22, Lot 1, Dimensions 83' x 139'

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,

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 reserves the right to reject any and all bids. Should any bid be accepted, payment shall be made by earnest money deposit, subject to closing, and shall be deposited with the City or designated escrow agent by, cashier's check or money order payable to the City of Rocksprings 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 Buyer to pay all fees, commissions and costs associated with closing the sale of the Property;
4. 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;
5. For the development of the Property for residential development, or other project acceptable to the City.
6. Execute Contract for Sale and Purchase of Real Property.

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 Rocksprings, 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 Rocksprings, 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 Rocksprings, 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 Rocksprings, City Secretary, 100 W. Austin, Rocksprings, Texas 7880. All bids shall be plainly marked "SEALED BID TO PURCHASE REAL PROPERTY." Bids must be received before 5:00 p.m. on Friday, March 15, 2019, and any bid received after that time will not be considered.

A bid proposal form is available at City Hall during normal business hours.

City staff will publicly open, read and tabulate the bids at 6:00 p.m. on Monday, March 18, 2019 In a Special Meeting of the Rocksprings City Council in City Council Chambers, City of Rocksprings, 100 W. Austin, Rocksprings, TX 7880.

Bidders may contact the City of Rocksprings, City Secretary at (830) 683-3181 for clarifications and/or questions.