

RESOLUTION NO. R-2020-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS DECLARING CERTAIN REAL PROPERTY LOCATED AT LOT 2A, BLOCK 3, TYLER, SMITH COUNTY, TEXAS, AS SURPLUS PROPERTY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS NECESSARY TO ACCOMPLISH THE SALE OF SAID PROPERTY TO SMITH COUNTY IN ACCORDANCE WITH STATE LAW; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Tyler is the owner of certain real property located at Lot 2A, Block 3, also known as 218 E. Elm Street, Tyler, Smith County, Texas (former Fire Station No. 1) which is no longer necessary, appropriate or profitable to the City of Tyler; and

WHEREAS, Tex. Local Gov't Code Section 272.001(b) states that notice and bidding requirements provided by Subsection (a) do not apply to a sale made under this subsection. Section 272.001(b)(5) states that a city may sell a real property interest conveyed to a governmental entity that has the power of eminent domain. Additionally, Section 272.001(b) states that the land and interests described thereunder may not be sold for less than the fair market value of the land or interest; and

WHEREAS, the City has been requested to sell the above described property to Smith County, which is a taxing entity with the power of eminent domain, as allowed by Section 272.001(b)(5) of the Tex. Local Gov't Code; and

WHEREAS, it is the City's intent to sell the above described property to Smith County for fair market value, as determined by the May 13, 2019 appraisal of said property, in accordance with the requirements of Section 272.001(b) of the Tex. Local Gov't Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1: That the City Council declares that certain real property located at, Lot 2A, Block 3, also known as 218 E. Elm Street, Tyler, Smith County, Texas, as surplus property, and authorizes the City Manager to execute all documents necessary to accomplish the sale and conveyance of said property to Smith County for the fair market value of \$320,000, in accordance with Section 272.001 of the Tex. Local Gov't Code.

PART 2: That this resolution shall take effect immediately upon adoption.

ADOPTED this 26th day of August, 2020.



MARTIN HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK



APPROVED:


DEBORAH G. PULLUM,
CITY ATTORNEY