

# NOTICE

The Duval County Groundwater Conservation District (“DCGCD”) has issued a Request for Sealed Bids to sell the following property:

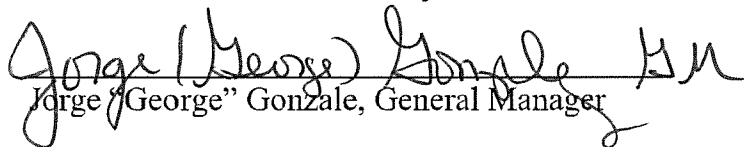
Lots 20, 21, 23 and 24, Block 8, Original Town of Benavides, Duval County, Texas (hereinafter, “Property”)

pursuant to the Sealed Bid provisions of Texas Local Govt. Code §272.001. The deadline for submission of Sealed Bids is Wednesday, February 17, 2021, 4:00 p.m.

A full copy of the Request for Sealed Bids may be obtain from the DCGCD at 231 E. Railroad Ave., Benavides, TX 78341, or by calling 361-256-3589.

Duval County Groundwater Conservation District

By:

  
Jorge "George" Gonzale, General Manager

# Duval County Groundwater Conservation District Request for Sealed Bids

Deadline for Submission: Wednesday, February 17, 2021, 4:00 pm

The Duval County Groundwater Conservation District (“DCGCD”) is seeking Sealed Bids for the purchase of:

Lots 20, 21, 23 and 24, Block 8, Original Town of Benavides, Duval County, Texas (hereinafter, “Property”)

pursuant to the Sealed Bid provisions of Texas Local Govt. Code §272.001.

## 1. Terms.

A. Parties must submit bids on the Property in the form and within the time limits provided herein. The minimum bid that will be considered is \$45,000.

B. The Property will be conveyed with the following disclaimers:

BUYER IS TAKING THE PROPERTY IN AN ARM’S-LENGTH AGREEMENT BETWEEN THE PARTIES. THE CONSIDERATION WAS BARGAINED ON THE BASIS OF AN “AS IS, WHERE IS” TRANSACTION AND REFLECTS THE AGREEMENT OF THE PARTIES THAT THERE ARE NO REPRESENTATIONS OR EXPRESS OR IMPLIED WARRANTIES, EXCEPT FOR THE WARRANTY OF TITLE STATED IN THE DEED CONVEYING THE PROPERTY. GRANTEE HAS NOT RELIED ON ANY INFORMATION OTHER THAN GRANTEE’S INSPECTION AND THE REPRESENTATIONS AND WARRANTIES EXPRESSLY CONTAINED IN THIS DEED.

GRANTEE RELEASES GRANTOR FROM LIABILITY FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY, INCLUDING LIABILITY (1) UNDER THE COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA), THE RESOURCE CONSERVATION AND RECOVERY ACT (RCRA), THE TEXAS SOLID WASTE DISPOSAL ACT, AND THE TEXAS WATER CODE; OR (2) ARISING AS THE RESULT OF THEORIES OF PRODUCT LIABILITY AND STRICT

LIABILITY, OR UNDER NEW LAWS OR CHANGES TO EXISTING LAWS ENACTED AFTER THE EFFECTIVE DATE OF THE PURCHASE CONTRACT THAT WOULD OTHERWISE IMPOSE ON GRANTOR IN THIS TYPE OF TRANSACTION NEW LIABILITIES FOR ENVIRONMENTAL PROBLEMS AFFECTING THE PROPERTY.

C. The Purchase Price and all of Buyer's transaction expenses must be paid in full at closing.

D. The closing of the Sale (should any offer be accepted by the DCGCD) will be through Stewart Title Company, 1708 E. Main, Alice, Texas 78332; 361-668-6024.

E. The Buyer will be responsible for the following Closing Costs:

1. All appraisal fees;
2. One-half of the Title Company Escrow Fee;
3. Any survey of the Property;
4. All realtor commissions;
5. Any charge for a mortgagee title insurance;
6. Buyer's attorneys fees; and
7. All other fees and expenses incurred solely by Buyer.

F. The Seller will be responsible for the following Closing Costs:

1. One-half of the Title Company Escrow Fee;
2. The Owner's Policy of Title insurance;
3. Seller's Attorneys fees; and
4. All other fees and expenses incurred solely by Seller.

G. The DCGCD has the right to refuse all bids.

All questions pertaining to this Request for Sealed Bids shall be directed in writing to Jorge "George" Gonzalez, General Manager of the DCGCD, at 231 E. Railroad Ave., Benavides, Texas 78341. All Sealed Bids must be received by the DCGCD by Wednesday, February 17, 2021 at 4:00 p.m.

## **2. Bid and Selection Procedure.**

A. All Sealed Bids must be received by the DCGCD at 231 E. Railroad Ave., Benavides, Texas, by Wednesday, February 17, 2021, at 4:00 p.m. All Bids must be sealed and unopened, and shall remain sealed and unopened until opened as set forth below.

B. All Sealed Bids will be opened by the General Manager at 231 E. Railroad Ave., Benavides, Texas, beginning February 17, 2021, at 4:01 p.m. The opening of the Sealed Bids will be open to the public.

C. The General Manager shall review and evaluate all Sealed Bids submitted, rank them in order of preference, and make his recommendation to the Board at a subsequent meeting of the DCGCD Board set for that purpose.

D. The Board may either:

1. Accept any Bid submitted; or
2. Designate the top two or three Bids, notify those top Bidders, and solicit a final and best Bid from each, with 14 days in which to respond.

E. The DCGCD Board will make the final decision of which Bid to accept, whether to solicit a final and best bid, or whether to reject all bids. Should the DCGCD and the accepted Bidder be unable to close the sale, the DCGCD may either (1) negotiate with any other Bidders; (2) issue another Request for Sealed Bids; or (3) not take any further action to sell the Property.

**3. Form of Bid.** Sealed Bids shall include the following information:

Introduction: State the name, address, telephone number, fax number, and email address of the Bidder, and any information about the Bidder which may present a conflict of interest between the Bidder, and the DCGCD, its Board members, or its Staff.

Purchase Price: State the gross sales price being offered by the Bidder.

Contract: Provide a written, signed Earnest Money Contract which complies with all requirements set forth above, together with an Earnest Money check in the amount of \$1,000, payable to Stewart Title Company. All such Earnest Money Checks will be returned to the Bidder if their Bid is not accepted.

Deadline for Submittal: Wednesday, February 17, 2021 at 4:00 p.m.

**4. Ownership of Submitted Materials.**

All Sealed Bids and related materials received by the DCGCD may become subject to the Texas Public Information Act.