



CITY OF HEATH, TEXAS

COMPETITIVE SEALED BID

Exchange of Real Property

DOCUMENTS ARE DUE TO THE CITY MANAGER PRIOR TO:

MAY 21, 2015 AT 2:00 P.M.

NO LATE BIDS WILL BE ACCEPTED.

ONE ORIGINAL AND ONE COPY OF BID REQUIRED

Bid documents may be obtained in person at the Heath City Hall
or downloaded from the City of Heath Website (www.heathtx.com)

DOCUMENTS MAY BE DELIVERED OR MAILED TO:

CITY OF HEATH
ED THATCHER, CITY MANAGER
HEATH CITY HALL
200 Laurence Drive
Heath, Texas 75032

**FOR ADDITIONAL INFORMATION CONCERNING THIS BID PLEASE CONTACT
ED THATCHER OR KIM DOBBS AT (972) 961-4898**

**PUBLIC NOTICE
REQUEST FOR SEALED BIDS
TO PURCHASE REAL PROPERTY**

The City of Heath is accepting sealed bids for the exchange of City-owned real property described below (the "Property"). The City will consider bids offering exchange of other real property meeting the requirements in these bid documents. Bids must be for all of the real property described below and not just for a portion thereof. No late bids will be accepted. The receipt of responses does not require the City to accept any bid, enter a contract or to complete a sale or exchange. Any and all bids may be rejected.

The City will receive responses to this Sealed Bid at the Heath City Hall, Attention: Ed Thatcher, City Manager, at the hand delivery address of 200 Laurence Drive, Heath, Texas 75032 or mailing address of 200 Laurence Drive, Heath, TX 75032. The bid documents may be obtained in person at the Heath City Hall or downloaded from the City's website at www.heathtx.com. Bid documents are due to the City Manager no later than 2:00 p.m. on May 21, 2015. The bids will be publicly opened and read at the Heath City Hall, 200 Laurence Drive, Heath, Texas 75032 on May 21, 2015 at 2:15 p.m.

Description/Location of City-owned property to be exchanged: 15.011, more or less, acres tract of land situated in the J. Canter Survey, Abstract No. 53 and the J. Canter Survey, Abstract No. 85 in Kaufman County and Rockwall County, Texas, and being the same tract conveyed by Special Warranty Deed with Restrictions and Right of Substitution from Travis Ranch Development, L.P. to City of Heath, Texas as recorded in Volume 2558, page 437, Deed Records, Kaufman County, Texas (D.R.R.C.T.) and presently deed restricted to school, library, YMCA, fire station or park use.

Maps can be reviewed at City Hall. A legal description of the property and a map depicting the general location is attached as Exhibit "A". A plat has not been approved by the City for the property. The property is zoned Temporary Agriculture. The property is in the City limits and subject to all ordinances, rules, regulations and laws of the City and other application jurisdictions and authorities.

Conditions of Exchange:

- The property is being sold/exchanged "as is, where is," with no representations or warranty of any kind, whether express or implied under the Special Warranty Deed conveying title to the property which shall contain a statement to such affect.
- * **Deed restrictions that limit use of the property for an elementary or middle school to be owned and maintained by Rockwall Independent School District, recreational use, a YMCA or fire station to be owned and operated by City of Heath are contained in the conveyance deed and may be found at Volume 2558, page 437-445, Deed Records, Kaufman County, Texas.**

- * Closing on the property must occur within 75 days of a bid offer being accepted.
- The City may accept back-up contracts on the property that allow for a closing date that is after the closing date of the accepted contract.
- Bidder/Purchaser is responsible for obtaining any title history information and title insurance desired by bidder/purchaser.
- The City has no environmental information regarding the property and makes no representations regarding the condition of the property or its fitness for any particular purpose.
- For construction of a building on the subject property, comply with all City of Heath zoning, building and permitting regulations. Such construction may not encroach upon platted easements on the subject property.
- All closing costs shall be paid by bidder/purchaser.

Earnest Money Contract: The successful bidder shall enter into an earnest money contract/exchange contract on terms acceptable to the City as soon as reasonably practical following the opening of the sealed bids.

Minimum Bid Amount: Bids must be for all of the property to be sold. Instead of cash, only bids offering property for exchange will be considered. Any property offered for exchange must be:

1. located in the City limits of Heath;
2. have at least 500 feet of frontage on F.M. 740;
3. be between 15 and 16 gross acres in size;
4. be located within 1 mile of the property to be exchanged; and
5. be acceptable to Rockwall Independent School district as a future school building site.

A bid offering property may be rejected on the basis of the City determining, in its sole discretion, that the property is not in a location where the City can use it for a future City facility or public school facility.

Certification of Ability to convey land to be exchanged free and clear: Certification of ability to pay all liens and remove all encumbrances on the offered land to be exchanged so that property can be received by the City free and clear of all liens and encumbrances is required in the Bid Form. The City reserves the right to find items listed on Schedule B of the Title Commitment to be acceptable or not acceptable.

Brokers or Real Estate Agents Fee: The City is not represented by a broker or real estate agent and no seller's fee will be paid to a broker or real estate agent. If the Bid Form designates a broker or real estate agent representing purchaser, a fee may be paid at closing by bidder to a purchaser's broker or real estate agent representing the successful purchaser, if any, as determined by purchaser and the broker or real estate agent.

[Remainder of page intentionally left blank]

Exhibit "A"

Legal Description and Map of Property

15.011, more or less, acres

LEGAL DESCRIPTION
PROPOSED 15.011 ACRE SCHOOL SITE
TRAVIS RANCH
KAUFMAN COUNTY AND ROCKWALL COUNTY, TEXAS

BEING A 15.011 ACRE TRACT OF LAND SITUATED IN THE J. CANTER SURVEY, ABSTRACT NO. 53 AND THE J. CANTER SURVEY, ABSTRACT NO. 85, IN KAUFMAN COUNTY AND ROCKWALL COUNTY, TEXAS, AND BEING PART OF A 2,399 ACRE TRACT OF LAND DESCRIBED IN DEED TO TRAVIS RANCH DEVELOPMENT, L.P., AS RECORDED IN VOLUME 1991, PAGE 50, DEED RECORDS, KAUFMAN COUNTY, TEXAS (D.R.K.C.T.) AND VOLUME 2518, PAGE 56, DEED RECORDS, ROCKWALL COUNTY, TEXAS (D.R.R.C.T.). SAID 15.011 ACRE TRACT, WITH BEARING BASIS BEING THE EAST LINE OF SAID 2,399 ACRE TRACT, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE CITY OF HEATH ANNEXATION ACCORDING TO ORDINANCE NO. 021217, SAID POINT BEING IN THE EAST LINE OF SAID 2,399 ACRE TRACT AND THE EXISTING WEST RIGHT-OF-WAY (R.O.W.) LINE OF F.M. 740 (A 90 FOOT WIDE R.O.W.);

T HENCE, DEPARTING SAID EAST LINE AND SAID EXISTING WEST R.O.W. LINE OF F.M. 740, OVER AND ACROSS SAID 2,399 ACRE TRACT, THE FOLLOWING COURSES:

S 88°53'33" W, ALONG THE SOUTH LINE OF SAID CITY OF HEATH ANNEXATION, A DISTANCE OF 3247.44 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE POINT OF BEGINNING;

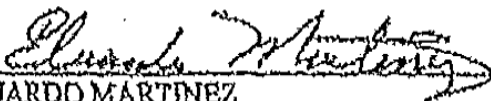
S 88°53'33" W, CONTINUING ALONG SAID SOUTH LINE, A DISTANCE OF 904.64 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET IN THE SOUTHEASTERLY LINE OF A 50 FOOT WIDE GAS LINE EASEMENT, CALLED 2.53 ACRES AND DESCRIBED AS THE SECOND EASEMENT TRACT, DESCRIBED IN DEED TO LONE STAR GAS COMPANY, RECORDED IN VOLUME 514, PAGE 75, D.R.K.C.T., FROM SAID CORNER THE SOUTHWEST CORNER OF SAID CITY OF HEATH ANNEXATION BEARS S 88°53'33" W, A DISTANCE OF 2081.92 FEET, SAID SOUTHWEST CORNER BEING IN THE WEST LINE OF SAID 2,399 ACRE TRACT AND THE COMMON EAST LINE OF PARCEL VI AS DESCRIBED IN AGREED JUDGMENT TO THE CITY OF DALLAS, RECORDED IN VOLUME 10, PAGE 323, D.R.K.C.T.;

N 28°57'31" E, DEPARTING SAID SOUTH LINE, AND ALONG THE SOUTHEASTERLY LINE OF SAID 50 FOOT WIDE GAS LINE EASEMENT, A DISTANCE OF 1228.86 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

S 61°02'29" E, DEPARTING SAID SOUTHEASTERLY LINE, A DISTANCE OF 577.50 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR THE BEGINNING OF A NON-TANGENT CURVE TO THE LEFT;

SOUTHWESTERLY, ALONG SAID NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 630.00 FEET, A DELTA ANGLE OF 48°17'16", A LONG CHORD THAT BEARS S 23°02'11" W, A DISTANCE OF 515.38 FEET, AND AN ARC LENGTH OF 530.95 FEET TO A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER;

S 01°06'27" E, A DISTANCE OF 303.90 FEET TO THE POINT OF BEGINNING, AND CONTAINING 15.011 ACRES OF LAND, MORE OR LESS.


EDUARDO MARTINEZ
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5274

7/1/04



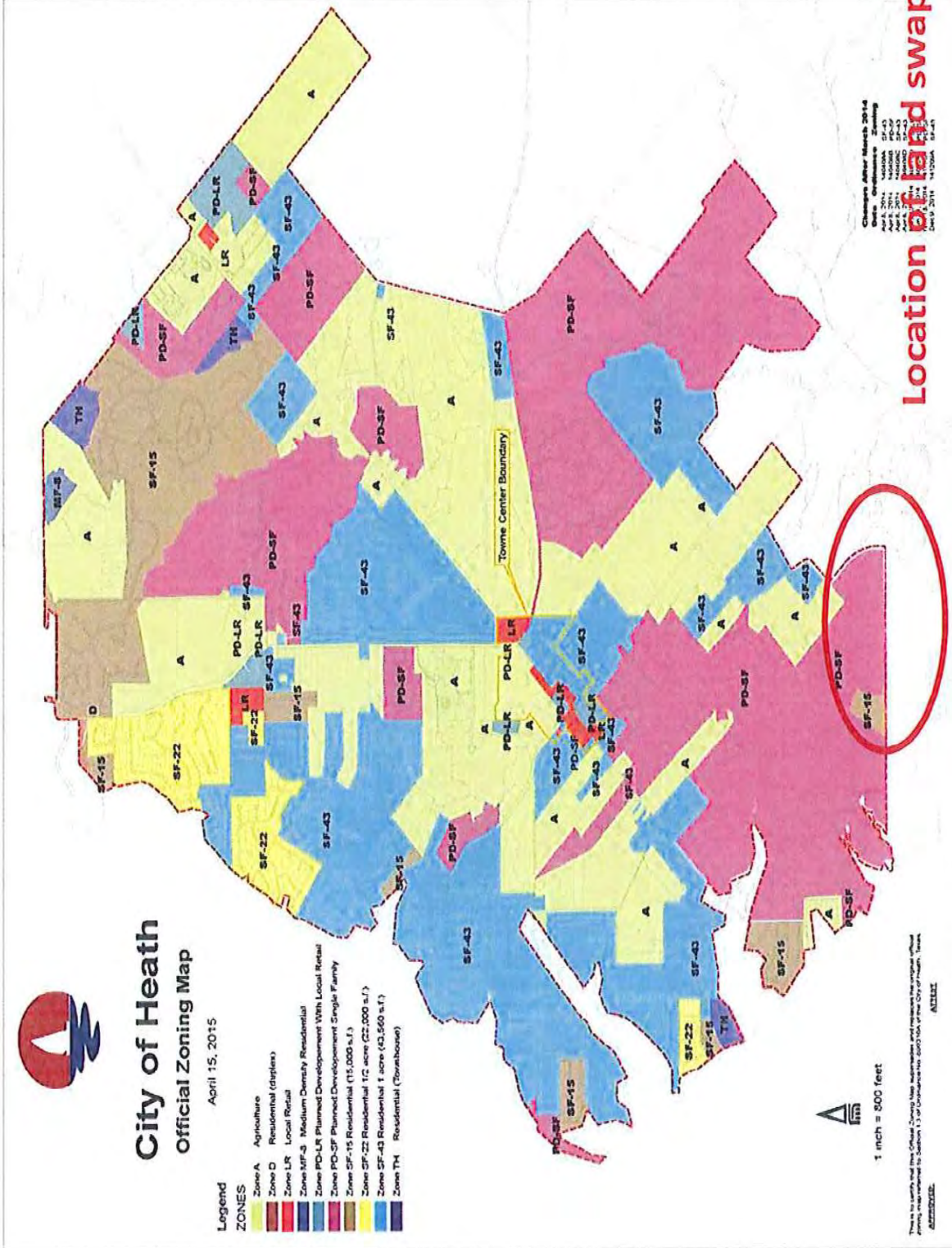


City of Heath Official Zoning Map

April 15, 2015

Legend

- ZONES**
- Zone A Agriculture
 - Zone D Residential (duplex)
 - Zone LR Local Retail
 - Zone MF-3 Medium Density Residential
 - Zone PD-LR Planned Development With Local Retail
 - Zone SF-15 Residential (15,000 s.f.)
 - Zone SF-22 Residential 1/2 acre (22,000 s.f.)
 - Zone SF-43 Residential 1 acre (43,560 s.f.)
 - Zone TH Residential (Townhouse)



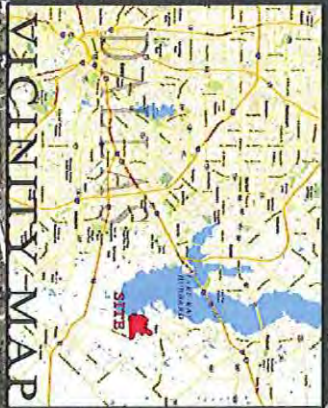
Changes After March 2014
 Date Ordinance Zoning
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF
 April 2014 100000 PD-SF

Location of land swap

 1 inch = 200 feet

This is a public map of the City of Heath, Ohio. It is not intended to be used for legal purposes. The City of Heath is not responsible for any errors or omissions. For more information, contact the City of Heath, Ohio. **ATTENTION:**

Leann O. Lumbert, Mayor
 Stephanie Guarnieri, City Secretary



Trail Scorecard

Trail Type	Length (Miles)	Number of Stations	Number of Trailheads
Concrete Trail	1.2	10	5
Canal Hike/Bike	0.8	8	4
Parcoursse Fitness	0.6	6	3
Water Taxi Trail	0.4	4	2
Trailhead	0.2	2	1
Scenic Trailhead	0.1	1	0

- ### TRAILS LEGEND
- NOTE: NO TRAILS IN GOLD ENVELOPE (DISABILITY)
 - CONCRETE TRAIL
 - CANAL HIKE&BIKE
 - PARCOURSE FITNESS
 - WATER TAXI TRAIL
 - TRAILHEAD
 - SCENIC TRAILHEAD



RANDI WINDHAM, INC. | BRITTON COLPSON | MATTHEW GIBBERN
 11000 WINDYBROOK DRIVE, SUITE 100 | DALLAS, TEXAS 75244 | 972.381.1100
 MAI | F.C. CIVIT CORPORATION | REDSTONE COMPANIES | HEATH Cdf & Yacht Club
 SCALE IN FEET: 5/7/2012 NORTH

CITY OF HEATH

BID FORM

**Exchange of
Real Property**

Property* to be Exchanged

Property size and location:

* for property to be exchanged a legal description, map and appraisal must be attached to this bid form

Check One:

_____ Bidder is not represented by a broker or real estate agent

_____ Bidder is represented by the following broker or real estate agent:

Name: _____

Address _____

License No.: _____

Certifications:

Initial: _____ The undersigned certifies that the property offered for exchange in this bid and all information submitted has been carefully reviewed and are submitted as correct and final. Bidder further certifies and agrees to complete the exchange in compliance the conditions in the specifications of the Invitation for Bid. Further, bidder certifies that it has the cash or pre-approved credit to pay to remove all liens and encumbrances on the property offered and/or is the unencumbered owner of the property offered in exchange.

Initial: _____ The undersigned certifies that the foregoing bid has not been prepared in collusion with any other bidder or other person or persons engaged in the same line of business prior to the official opening of this bid. Further, I certify that the bidder is not now, nor has been for the past six (6) months, directly or indirectly concerned in any pool or agreement or combination to influence any person or persons to bid or not to bid thereon.

Initial: _____ The undersigned acknowledges that receipt of responses does not require the City to accept any bid, enter a contract or to complete a sale or exchange. Any and all bids may be rejected.

Name of Bidder: _____

Address of Bidder: _____

Telephone Number: _____ Fax: _____

E-mail address: _____

By: _____ (Print name)

Title: _____ Federal ID #/SSN #: _____

Signature: _____

Acknowledgement of Agenda:

#1 _____ #2 _____ #3 _____

STATE OF TEXAS §
 §
COUNTY OF _____ §

BEFORE ME, the undersigned authority, on this day personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument, and ACKNOWLEDGED to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2015.

Notary Public, State of Texas