

ORDINANCE NO. 1582-11-2024

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, ABANDONING CERTAIN STREETS AND RIGHTS-OF-WAY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 82 AND NORTH GRAND AVE., WITHIN THE CITY OF GAINESVILLE, TEXAS; AUTHORIZING THE CONVEYANCE OF SAID PROPERTY; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS REQUIRED TO COMPLETE THE CONVEYANCE.

WHEREAS, the City Council of the City of Gainesville, Texas entered into a Performance Agreement and Chapter 380 Economic Development Agreement by and between the City of Gainesville, Texas, the Gainesville Economic Development Corporation, and CCR SE Grand 82, LLC. at their October 1, 2024 City Council Meeting; and

WHEREAS, the City of Gainesville, Texas, is the owner of certain streets and rights-of-way within the City of Gainesville; and

WHEREAS, Section 311.001 of the Texas Transportation Code provides that the City has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, Section 311.007 of the Texas Transportation Code provides that the City Council has the authority to vacate, abandon, or close a street or alley within the City; and

WHEREAS, Section 3.2 of the Economic Development Agreement provides that the full appraised value of the streets and rights-of-way to be abandoned is accounted for as a credit in the 380 program grant; and

WHEREAS, the City of Gainesville, Texas, recognizes the importance of fostering economic development within the community; and

WHEREAS, the City Council of the City of Gainesville, Texas has determined that said streets and rights-of-way are not needed for public use and that the abandonment of the property described in the attached legal descriptions is in the best interest of the City of Gainesville and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS:

Section 1. Abandonment of Streets and Rights-of-Way

The City of Gainesville, Texas, hereby abandons the streets and rights-of-way described in the following legal descriptions:

TRACT 1: ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE REUBEN ALEXANDER SURVEY, ABSTRACT NUMBER 13, CITY OF GAINESVILLE, TEXAS, AND BEING A PART OF A TRACT OF LAND DESCRIBED IN THE DEED TO THE CITY OF GAINESVILLE, TEXAS, AS RECORDED IN VOLUME 200, PAGE 530, OF THE OFFICIAL PUBLIC RECORDS OF COOKE COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH CORNER OF THE TRACT BEING DESCRIBED HEREIN AT A CAPPED IRON ROD SET (LABELED 4857 TYPICAL) FOR CORNER AND BEING AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF NORTHEAST GRAND AVENUE COMMON TO THE EASTERNMOST EAST LINE OF A CALLED 5.9229 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO THE CITY OF GAINESVILLE TEXAS AS RECORDED IN VOLUME 2592, PAGE 495 OF SAID PUBLIC RECORDS AND THE WEST RIGHT-OF-WAY LINE OFF OF A AND UNDER OF A ROAD UNDER APPARENT PUBLIC USE POSTED AS NORTH CLEMENTS STREET;

THENCE SOUTH 01 DEGREES 15 MINUTES 30 SECONDS WEST WITH SAID WEST LINE A DISTANCE OF 172.84 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE NORTHEAST CORNER OF LOT 9, BLOCK D OF ERNWOOD ADDITION, AN ADDITION IN THE CITY OF GAINESVILLE, ACCORDING TO THE PLAT THEREOF RECORDED IN CABINET B, PAGE 79 OF THE PLAT RECORDS OF COOKE COUNTY, TEXAS;

THENCE NORTH 88 DEGREES 44 MINUTES 30 SECONDS WEST A DISTANCE OF 79.77 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE NORTHWEST CORNER OF SAID LOT 9 AND IN SAID COMMON LINE;

THENCE WITH SAID COMMON LINE AND A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 190.60 FEET, WITH A RADIUS OF 1095.92 FEET, WITH A CHORD BEARING OF NORTH 26 DEGREES 01 MINUTES 59 SECONDS EAST, WITH A CHORD LENGTH OF 190.36 FEET TO THE POINT OF BEGINNING AND ENCLOSING 0.170 OF AN ACRE MORE OR LESS.

TRACT 2: ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE REUBEN ALEXANDER SURVEY, ABSTRACT NUMBER 13, CITY OF GAINESVILLE, TEXAS, AND BEING A PART OF NORTH CLEMENTS STREET AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE SOUTH 01 DEGREES 15 MINUTES 30 SECONDS WEST A DISTANCE OF 48.26 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE SOUTHWEST CORNER OF SAID HAMILTON APPRAISALS, INC. TRACT;

THENCE SOUTH 89 DEGREES 59 MINUTES 30 SECONDS WEST A DISTANCE OF 31.97 FEET TO A CAPPED IRON ROD SET FOR CORNER TO SAID EASTERNMOST, EAST LINE;

THENCE WITH SAID EASTERNMOST, EAST LINE AND WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 58.48 FEET, WITH A RADIUS OF 1095.92 FEET, WITH A

CHORD BEARING OF NORTH 34 DEGREES 23 MINUTES 33 SECONDS EAST, WITH A CHORD LENGTH OF 58.47 FEET TO THE POINT OF BEGINNING AND ENCLOSING 0.018 OF AN ACRE MORE OR LESS.

TRACT 3: ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE REUBEN ALEXANDER SURVEY, ABSTRACT NUMBER 13, AND THE JAMES HARDIN SURVEY, ABSTRACT NUMBER 460, CITY OF GAINESVILLE, TEXAS, AND BEING A PART OF A CALLED 5.9229 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO THE CITY OF GAINESVILLE, TEXAS, AS RECORDED IN VOLUME 2592, PAGE 495, OF THE OFFICIAL PUBLIC RECORDS OF COOKE COUNTY, TEXAS, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EASTERNMOST, SOUTHWEST CORNER OF THE TRACT BEING DESCRIBED HEREIN AT A CAPPED IRON ROD FOUND (LABELED 1896) FOR CORNER AND BEING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF NORTHEAST GRAND AVENUE COMMON TO THE EASTERNMOST, WEST LINE OF SAID 5.9229 ACRE TRACT AT THE NORTHEAST CORNER OF A CALLED 0.5602 ACRE TRACT OF LAND DESCRIBED IN THE DEED TO THE SOMETHING VENTURED, LLC AS RECORDED IN VOLUME 2047, PAGE 282 OF SAID PUBLIC RECORDS AND THE SOUTHEAST CORNER OF A CALLED 28,511 SQUARE FEET TRACT OF LAND DESCRIBED IN THE DEED TO THE RODNEY B. TYLER AS RECORDED IN VOLUME 2557, PAGE 263 OF SAID PUBLIC RECORDS;

THENCE WITH SAID COMMON LINE AND A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 510.77 FEET, WITH A RADIUS OF 1195.92 FEET, WITH A CHORD BEARING OF NORTH 29 DEGREES 42 MINUTES 44 SECONDS EAST, WITH A CHORD LENGTH OF 506.89 FEET TO A CAPPED IRON ROD FOUND (LABELED 1896) FOR CORNER AT THE NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN THE DEED TO BILL BRANNON AS RECORDED IN VOLUME 827, PAGE 497 OF SAID OFFICIAL PUBLIC RECORDS;

THENCE SOUTH 85 DEGREES 29 MINUTES 13 SECONDS WEST A DISTANCE OF 101.11 FEET TO A CAPPED IRON ROD SET (LABELED 4857 TYPICAL) FOR CORNER AT THE NORTHWEST CORNER OF SAID BRANNON TRACT AND A RE-ENTRANT CORNER OF SAID 5.9229 ACRE TRACT;

THENCE WITH THE WESTERNMOST, EAST LINE OF SAID 5.9229 ACRE TRACT AND A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 555.73 FEET, WITH A RADIUS OF 991.74 FEET, WITH A CHORD BEARING OF SOUTH 30 DEGREES 31 MINUTES 03 SECONDS WEST, WITH A CHORD LENGTH OF 548.49 FEET TO A CAPPED IRON ROD SET FOR CORNER IN THE EAST RIGHT-OF-WAY LINE OF N. GRAND AVENUE;

THENCE NORTH 01 DEGREES 27 MINUTES 33 SECONDS EAST, WITH THE EAST RIGHT-OF-WAY LINE OF N. GRAND AVENUE, A DISTANCE OF 383.82 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE NORTHERNMOST, NORTHWEST CORNER OF SAID 5.9229 ACRE TRACT;

THENCE NORTH 51 DEGREES 08 MINUTES 06 SECONDS EAST, WITH A NORTH LINE OF SAID 5.9229 ACRE TRACT, A DISTANCE OF 170.75 FEET TO A CAPPED IRON ROD SET FOR CORNER;

THENCE NORTH 73 DEGREES 04 MINUTES 03 SECONDS EAST, WITH A NORTH LINE OF SAID 5.9229 ACRE TRACT, A DISTANCE OF 139.18 FEET TO A CAPPED IRON ROD SET FOR CORNER;

THENCE NORTH 67 DEGREES 06 MINUTES 26 SECONDS EAST, WITH A NORTH LINE OF SAID 5.9229 ACRE TRACT, A DISTANCE OF 163.69 FEET TO A CAPPED IRON ROD SET FOR CORNER;

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THENCE NORTH 77 DEGREES 10 MINUTES 19 SECONDS EAST, WITH A NORTH LINE OF SAID 5.9229 ACRE TRACT, A DISTANCE OF 159.29 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE NORTHEAST CORNER OF SAID 5.9229 ACRE TRACT;

THENCE SOUTH 47 DEGREES 30 MINUTES 15 SECONDS EAST, WITH A NORTH LINE OF SAID 5.9229 ACRE TRACT, A DISTANCE OF 22.08 FEET TO A CAPPED IRON ROD SET FOR CORNER IN THE WEST LINE OF HILLCREST BOULEVARD;

THENCE SOUTH 01 DEGREES 16 MINUTES 50 SECONDS EAST, WITH THE WEST LINE OF SAID HILLCREST BOULEVARD, A DISTANCE OF 38.00 FEET TO A CAPPED IRON ROD SET FOR CORNER AT THE NORTHERNMOST, SOUTHEAST CORNER OF SAID 5.9229 ACRE TRACT AND IN THE NORTH LINE OF LOT 5, BLOCK 2 OF HILLCREST ADDITION AS RECORDED IN CABINET B, SLIDE 94, PLAT RECORDS, COOKE COUNTY, TEXAS;

THENCE WITH THE EASTERNMOST, EAST LINE OF SAID 5.9229 ACRE TRACT, AND WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 781.64 FEET, WITH A RADIUS OF 1095.92 FEET, WITH A CHORD BEARING OF SOUTH 38 DEGREES 32 MINUTES 19 SECONDS WEST, WITH A CHORD LENGTH OF 765.18 FEET TO A CAPPED IRON ROD SET FOR CORNER;

THENCE NORTH 79 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 100.79 FEET TO THE POINT OF BEGINNING AND ENCLOSING 3.349 ACRES MORE OR LESS.

Section 2. Conveyance of Property

The City of Gainesville, Texas, hereby authorizes the conveyance of the abandoned streets and rights-of-way described in **Attachment A** to CCR SE Grand 82, LLC. The conveyance shall be made upon execution of all necessary documents by the Mayor and completion of the required procedures.

Section 3. Authorization for Mayor to Execute Documents

The City Council of the City of Gainesville, Texas, hereby authorizes the Mayor of the City of Gainesville to execute all documents, agreements, and conveyances necessary to complete the conveyance of the abandoned streets and rights-of-way described in Section 1 to CCR SE Grand 82, LLC., as shown in **Attachment B**; and to take any further actions necessary to effectuate the abandonment and conveyance of the property.

Section 4. Effective Date

This Ordinance shall take effect immediately upon its passage and approval.

INTRODUCTION. FIRST READING. CHARTER SUSPENSION:

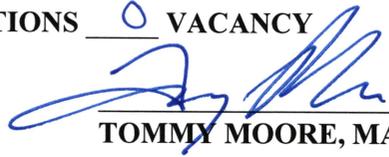
INTRODUCED AND READ FOR THE FIRST TIME BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 19TH DAY OF NOVEMBER 2024, AT WHICH THE CHARTER PROVISION OF THE CITY OF GAINESVILLE REQUIRING THE READING OF THE ORDINANCE ON THREE SEPARATE OCCASIONS WAS SUSPENDED BY A VOTE OF

6 AYES 0 NAYS 1 ABSENT 0 ABSTENTIONS 0 VACANCY

ADOPTION

READ FOR THE THIRD TIME AND ADOPTED BEFORE THE CITY COUNCIL OF THE CITY OF GAINESVILLE ON THE 19TH DAY OF NOVEMBER 2024.

6 AYES 0 NAYS 1 ABSENT 0 ABSTENTIONS 0 VACANCY



TOMMY MOORE, MAYOR



DIANA ALCALA, CITY SECRETARY



EXHIBIT "A"

LEGAL DESCRIPTION

TRACT 1:

ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE REUBEN ALEXANDER SURVEY, ABSTRACT NUMBER 13, CITY OF GAINESVILLE, TEXAS AND BEING A PART OF A TRACT OF LAND DESCRIBED IN THE DEED TO THE CITY OF GAINESVILLE, TEXAS AS RECORDED IN VOLUME 200, PAGE 530, OF THE OFFICIAL PUBLIC RECORDS OF COOKE COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE NORTH 79 DEGREES 23 MINUTES 00 SECONDS WEST A DISTANCE OF 100.79 FEET TO THE POINT OF BEGINNING AND ENCLOSING 3.349 ACRES MORE OR LESS.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DEED WITHOUT WARRANTY

STATE OF TEXAS

§

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF COOKE

§

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Pursuant to that certain **Chapter 380 Economic Development Agreement and Performance agreement by and between The City of Gainesville, Texas, Gainesville Economic Development Corporation, and CCR SE Grand 82, LLC, as approved by the City Council of the City of Gainesville, Texas under its Resolution No. 10-01-2024C**, for and in consideration of the sum of Ten Dollars (\$10.00) and other valuable consideration, the receipt and adequacy of which are hereby acknowledged, **CITY OF GAINESVILLE, TEXAS (“Grantor”)**, hereby grants, bargains, sells and conveys to **CCR SE GRAND 82, LLC**, a Texas limited liability company (**“Grantee”**), that certain real property located in the County of Cooke, State of Texas, more particularly described on Exhibit “A” attached hereto and incorporated herein by this reference (the **“Land”**), together with all of Grantor’s right, title and interest in and to the fixtures and improvements located on the Land (the **“Improvements”**), and together with all rights, privileges and easements appurtenant to the Land, all water, wastewater and other utility rights relating to the Land and any and all easements, rights-of-way and other appurtenances used in connection with the beneficial use and enjoyment of the Land, in each case to the extent assignable (the **“Appurtenances”**) (the Land, Improvements and Appurtenances collectively referred to as the **“Property”**).

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, to Grantee and Grantee’s successors and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

Grantee assumes responsibility to pay all ad valorem taxes on the Property for 2024 and all subsequent years.

Grantee’s mailing address:

CCR SE Grand 82, LLC
P.O. Box 170
Gainesville, TX 76241
Attn: Steve Schmitz

[Signature Page Follows]



Fidelity National Title Agency, Inc.

221 W Southlake Blvd, Ste 150

Southlake, TX 76092

Phone: (817)442-1111 Fax: (817)442-9997

Seller's Settlement Statement

Settlement Date: November 22, 2024
GF Number: 9001182300654
Buyer: CCR SE Grand 82, LLC
P.O. Box 170
Gainesville, TX 76241
Seller: City of Gainesville, Texas
200 S. Rusk
Gainesville, TX 76240
Property: 1317 Clement
Gainesville, TX 76240
ALEXANDER R 0013 Parcel ID(s): 25308 Tax/Map ID(s):

| | Seller | |
|--|----------|-----------------|
| | Debit | Credit |
| Title Insurance - Fidelity National Title Agency, Inc. (35.7% to Baker Firm & 34% to WW Howeth Co.) | | |
| Owner's Policy Premium Coverage: \$702,556.00 Version: Owner's Policy of Title Insurance (T-1) - 2024 | 4,007.00 | |
| T-3 SurveyAmend-OP-NonRsd R-16(1) | 601.05 | |
| T-19.1 Restrictions, Encroachments, Minerals Endorsement-Owner's Policy - 2024 | 400.70 | |
| Guaranty Fee | 2.00 | |
| Other Title Charges - Baker Firm PLLC | | |
| Tax Certification | 77.00 | |
| Escrow Fee | 250.00 | |
| Recording Charges | | |
| Recording Charges to Baker Firm, PLLC | 50.00 | |
| E-File Fee to Baker Firm, PLLC | 4.80 | |
| Subtotals | 5,392.55 | 0.00 |
| Balance Due FROM Seller | | 5,392.55 |
| Totals | 5,392.55 | 5,392.55 |

See signature page to follow

Seller's Settlement Statement

APPROVED AND ACCEPTED

The Seller's signatures hereon acknowledge their approval and signify their understanding that tax and insurance proration and reserves are based on figures for the preceding year or supplied by others or estimated for the current year, and in the event of any change for the current year, all necessary adjustments will be made between Borrower and Seller directly. Any deficit in delinquent taxes or mortgage payoffs will be promptly reimbursed to the Settlement Agent by the Seller. In the event a Real Estate Agent negotiated the transaction such Agent may be furnished a copy of this statement.

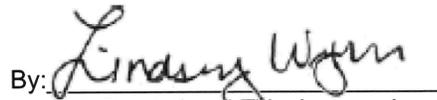
I have carefully reviewed the Settlement Statement and to the best of my knowledge and belief, it is a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction. I further certify that I have received a copy of the Settlement Statement.

SELLER

City of Gainesville, Texas

Y: 
Tommy Moore, Mayor

To the best of my knowledge, the Settlement Statement which I have prepared is a true and accurate account of the funds which were received and have been or will be disbursed by the undersigned as part of the settlement of this transaction.

By: 
Fidelity National Title Agency, Inc.
Lindsey Wynn

TAX PRORATION AGREEMENT AND DISCLOSURES

Date: November 8, 2024
Buyer: CCR SE Grand 82, LLC
P.O. Box 170, Gainesville, TX 76241
Seller: City of Gainesville, Texas
200 S. Rusk, Gainesville, TX 76240
Property: 1317 Clement, Gainesville, TX 76240

Seller has sold the Property to Buyer and as part of the settlement of this transaction,

1. Ad valorem real property taxes for the current year have have not been prorated between the parties.
2. Personal property taxes, if any, as to any inventory, mobile home or other personal property situated on the Property have have not been prorated between the parties.
3. *Disclosures:*
 - Proration of taxes, if any, is based on tax information for the current year.
 - Proration of taxes, if any, is based on tax information from the prior year, the current year's tax status not yet being available.
 - Taxes on the Property for the prior year did not include the value of any NEW CONSTRUCTION. Proration of taxes for the current year is based on information provided by the appraisal district that the property will be taxed as
 - Unimproved Partially improved Fully improved
 - Taxes on the property are currently based on an OVER 65 exemption which will not be allowed for the remainder of the current year. Proration of taxes is based on the exemption through settlement, but should not be used to estimate taxes for the full current year, nor for subsequent years.
 - Taxes on the property are currently based on an AGRICULTURAL, OPEN SPACE OR FOREST LAND valuation and may be subject to ROLLBACK, with additional taxes becoming due for the current and/or prior years.
 - Taxes on the Property are currently based on a description that appears to contain more land area than the Property, as conveyed, appears to contain. This could result in the imposition of a SUPPLEMENTAL TAX BILL for the current and/or prior years.
 - Some or all of the Property is not currently being taxed.
4. Fidelity National Title Agency, Inc. (Settlement Agent) can neither guarantee the accuracy of the tax information provided to it by third parties, nor of any good-faith estimates upon which tax prorations may have been made.
5. The amount of escrow collected at closing for future payment of taxes (Tax Escrow) is determined by Lender, not by Settlement Agent.
6. Settlement Agent assumes no responsibility for notifying taxing entities of this transaction, nor for assisting Buyer with application for any exemptions or special valuations.
7. *Personal property.* Neither title to nor taxes on items of personal property are covered by title insurance.

TAX PRORATION AGREEMENT AND DISCLOSURES

(Continued)

Agreement:

- Buyer and Seller agree and hereby instruct Settlement Agent to use the following amount(s) for proration of taxes for the current year: \$_____
- Seller and Buyer agree and hereby instruct Settlement Agent to perform NO PRORATION of taxes for the current year - AND -
 - SELLER AND BUYER AGREE TO COOPERATE to pay the taxes for the current year on the Property at such time as the tax bills are issued and before they become delinquent, each paying their prorated portion, Settlement Agent having no liability therefor.
 - Seller and Buyer agree that SELLER WILL BE FULLY RESPONSIBLE for payment of taxes for the current year on the Property at such time as the tax bills are issued and before they become delinquent, Settlement Agent having no liability therefor.
 - Seller and Buyer agree that BUYER WILL BE FULLY RESPONSIBLE for payment of taxes for the current year on the Property at such time as the tax bills are issued and before they become delinquent, Settlement Agent having no liability therefor.
- 8. In the event actual taxes for current year are determined to be more or less than the figures used by Settlement Agent for estimates or prorations or by lender for Tax Escrow, Seller and Buyer agree to adjust any differences between and among themselves and/or Lender, and to hold Settlement Agent harmless from any liability therefor.
- 9. Should a bill for Supplemental Tax(es) for prior years be issued on the Property, Seller agrees to immediately pay such taxes and to indemnify and hold harmless Fidelity National Title Agency, Inc. (Settlement Agent), Fidelity National Title Insurance Company (Underwriter), and its Agent.
- 10. Buyer and Seller agree to indemnify and hold harmless Fidelity National Title Agency, Inc. (Settlement Agent), Fidelity National Title Insurance Company (Underwriter), and its Agent with regard to any Rollback Tax(es) for prior years.

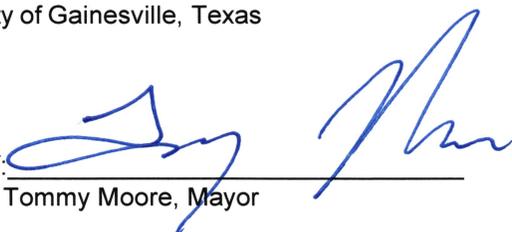
CCR SE Grand 82, LLC,
a Texas limited liability company

11/20/24
Date

BY: 
Steve Schmitz, President

City of Gainesville, Texas

11/19/2024
Date

BY: 
Tommy Moore, Mayor



**DEBTS LIENS AND
POSSESSION AFFIDAVIT**

Date: November 21, 2024
GF#: FT-24411-9001182300654
Title Company: Fidelity National Title Agency, Inc.
(including address) 221 W Southlake Blvd, Ste 150, Southlake, TX 76092
Underwriter: Fidelity National Title Insurance Company
(including address) P.O. Box 45023, Jacksonville, FL 32232-5023
Seller: City of Gainesville, Texas
Affiant: Tommy Moore
Property: 1317 Clement, Gainesville, TX 76240

Affiant on oath swears that the following statements are true:

- Entity** I am the Mayor of City of Gainesville, Texas, the Owner/Borrower. I am over the age of 18 years and I am fully competent to execute this affidavit. I am executing this affidavit as an individual and in my representative capacity on behalf of Owner/Borrower.
1. There are no parties occupying, renting, leasing, residing or possessing the Property or any portion thereof, nor is Affiant aware of any parties claiming title to the subject Property or any portion thereof by reason of adverse possession, except the following (if none, insert none below):
-
2. There are no unpaid debts for any personal property or fixtures that are located on the Property, and no such items have been purchased on time payment contracts, and there are no security interests on such property secured by financing statements, security agreements, or otherwise, except the following (if none, insert none below):
-
3. There have been no improvements or repairs constructed on the Property within the preceding five (5) months.
- There have been improvements or repairs constructed on the Property within the preceding five (5) months, but said improvements or repairs have been completed and all labor and materials used in the construction of improvements or repairs on the Property have been fully paid and satisfied, except the following (if none, insert none below):
-
4. There are no loans or liens (including federal tax liens, state tax liens and judgment liens), unpaid taxes (ad valorem, state or federal), assessments, and/or homeowners' association dues, or other charges of any kind on or against the Property, except the following (if none, insert none below):
-



DEBTS LIENS AND POSSESSION AFFIDAVIT

(Continued)

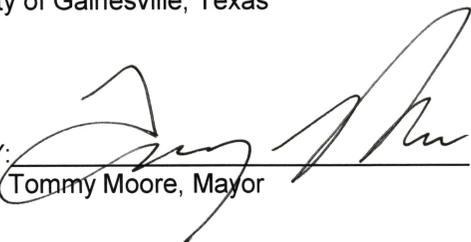
AFFIANT UNDERSTANDS THAT THE PAYOFF AMOUNT(S) ON LOANS AND LIENS LISTED ABOVE ARE IN ACCORDANCE WITH STATEMENTS GIVEN BY THE SECURED PARTY AND SHOULD THE SECURED PARTY REQUIRE ANY ADDITIONAL AMOUNT IN ORDER TO RELEASE SAID LOANS, AFFIANT (AND OWNER/BORROWER IF OWNER/BORROWER IS AN ENTITY) AGREES TO PAY THAT ADDITIONAL AMOUNT AND HOLD ESCROW AGENT AND ITS UNDERWRITER HARMLESS FROM SUCH ADDITIONAL AMOUNT AND ANY OTHER LIEN NOT SPECIFICALLY REFERENCED ABOVE.

- 5. There are no paving liens of any kind or character or paving claims outstanding against the Property, and no petitions have been signed for the paving of any street or alley adjoining the Property, and Affiant knows of no petitions being circulated for pavement of the streets, alley or sidewalks adjacent to the Property.
- 6. There are no lawsuits or claims pending against Owner/Borrower, except the following (if none, insert none below):

- 7. Affiant realizes these representations are made to induce the Title Company and its underwriter to insure the title to the subject Property and that the Title Company and its underwriter are relying upon the truth of said statements. In consideration thereof, Affiant/Owner/Borrower hereby agrees to indemnify and hold harmless Title Company and its underwriter, their successors and assigns, from any claims, costs, damages, causes of action, expenses and attorney fees in any way arising from the inaccuracy of the above representations. Affiant further recognizes that any false or fraudulent representations knowingly made in this Affidavit may subject Affiant/Owner/Borrower to criminal liability.
- 8. For the purposes of this affidavit, where the context requires: (i) the singular shall include the plural; (ii) the plural shall include the singular; and (iii) the use of any gender shall include all genders.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

City of Gainesville, Texas

BY: 

 Tommy Moore, Mayor

State of TEXAS

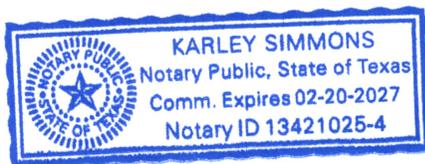
County of Cooke

Sworn to and subscribed before me on November 21, 2024 by Tommy Moore as Mayor of City of Gainesville, Texas.

(Personalized Seal)



 Notary Public's Signature



Fidelity National Title Agency, Inc.
5430 LBJ Freeway, Suite 260
Dallas, TX 75240

AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE STATEMENT

Date: November 21, 2024
To: City of Gainesville, Texas
Property: 1317 Clement, Gainesville, TX 76240

This letter is to give you notice that the Baker Firm, PLLC has a business relationship with BFT Tax Services, LLC. The company listed below is One Hundred Percent (100%) owned directly or indirectly by Baker Firm, PLLC, its principals or employees. Because of this relationship, this referral may provide Baker Firm, PLLC with a financial or other benefit.

Set forth below is the estimated charge or range of charges for the settlement services listed. You are NOT required to use the listed providers as a condition for the consummation of the transaction involving the above referenced property.

| Settlement Service Provider: | Type of Settlement Provided: | Range of Charges: |
|-------------------------------------|-------------------------------------|---|
| BFT Tax Services, LLC | Tax Information | \$65.00 including sales tax and \$2.00 for each additional parcel |

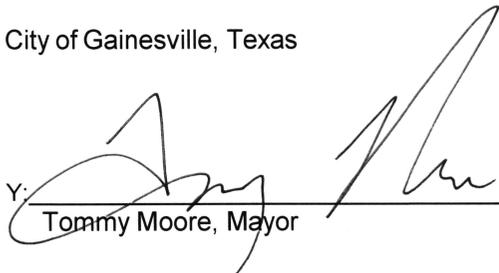
There are frequently other settlement service providers available who offer similar services and you are NOT required to use BFT Tax Services, LLC as a condition for the settlement of your loan on, or the purchase or sale of, the subject property. THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICES AND THE BEST RATE FOR THESE SERVICES.

Acknowledgment

I/We have read this disclosure form and understand that Baker Firm PLLC is referring me/us to purchase the above described settlement services and may receive a financial or other benefit as the result of this referral.

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

City of Gainesville, Texas

y: 

Tommy Moore, Mayor

11-21-2024
Date