

RESOLUTION # 147-19-20

**RESOLUTION TO CONDUCT PUBLIC AUCTION SALE
OF REAL PROPERTY NOT NEEDED BY TEXAS COUNTY
FOR COURTHOUSE OR JAIL PURPOSES**

NOW on this 24th day of February, 2020, the County Commissioners of Texas County meeting in regular session do hereby find the following, to-wit:

WHEREAS, the County Commissioners adopted Resolution #81-17-18 on the 12th day of February, 2018, whereby it was resolved that the property described below (hereinafter referred to as subject property) was not needed for use by Memorial Hospital of Texas County and was not needed for courthouse or jail purposes by Texas County and should be sold at public auction;

WHEREAS, the subject property is commonly known as the Texas County High Plains Clinic located at 706 Medical Drive, Hooker, Texas County, Oklahoma, and is more particularly described as:

Surface and surface rights only in and to Lot One (1) and Lot Two (2), Block One (1), Mayer Addition to the Town of Hooker, Texas County, Oklahoma, according to the duly recorded plat thereof, together with all improvements thereon and appurtenances thereunto belonging.

WHEREAS, the County Commissioners of Texas County have proceeded to have the property and improvements thereon appraised as required by law, and the appraisal has been duly and properly returned by the appraisers appointed by the District Court and filed with the County Commissioners; and

WHEREAS, the County Commissioners have and do hereby resolve to proceed with the sale of the subject property by means of public auction:

IT IS THEREFORE UNANIMOUSLY RESOLVED BY THE COUNTY COMMISSIONERS OF TEXAS COUNTY as follows, to-wit:

1. The appraisal report of the appraisers appointed by the District Court establishing the fair market value of the subject property to be \$125,000.00 is hereby confirmed and approved by the County Commissioners.
2. The subject property should be and is hereby scheduled for sale to the highest bidder at a price of not less than eighty percent (80%) of the appraised value by means of public auction to be held at 1:00 p.m. on the 21st day of March, 2020, at 706 Medical Drive in Hooker, Oklahoma, the location of the property.
3. The sale shall be subject to the right of the County Commissioners to reject any and all bids.

4. The auctioneer services and compensation agreement with and for Bill E. Newman Real Estate, LLC, to conduct the public auction at the date and time stated above is hereby approved.

5. The County Clerk is hereby authorized and directed to publish notice that the subject property is scheduled to be sold pursuant to and in accordance with the provisions of this resolution as required by Oklahoma Statutes Title 19, Section 343, by publication in a newspaper of general paid circulation in the county for two (2) consecutive weekly issues.

6. The provisions of paragraph 9 of Resolution 81-17-18 should be and are hereby amended and modified to provide that the Buyer of the subject property at the public auction shall be required to pay ten percent (10%) of the purchase price to Texas County at the conclusion of the auction sale; said down payment shall be deposited with and held by the County Treasurer in escrow pending closure of the contract of sale following Buyer's examination of title and curing of title requirements.

7. The following terms and conditions of sale are hereby approved and adopted, to-wit:

a. The property, including improvements thereon, shall be sold "AS IS" without warranty of title or any other warranties, and shall be conveyed to the purchasers thereof by Quit Claim deed at the time of closing of the sale.

b. The property must bring 80% of appraised value, and Commissioners shall have the power to reject any and all bids.

c. The Buyer will be required to execute a "Contract of Sale" to be approved by the County Commissioners prior to the sale, and will be required to deposit a down payment of 10% of purchase price at time of sale to be held in escrow as provided above. The Contract of Sale is available for review and a copy may be obtained at the office of County Clerk of Texas County in Guymon, Oklahoma.

d. Buyer shall submit and make payment with certified funds at the time of closing of the full balance of contract together with all of Buyer's costs as provided herein.

e. Buyer will be responsible for one half of closing fees charged by Guaranty Abstract & Title Company and all costs of title examination and recording fees to file Deed of record with the County Clerk.

f. The provisions of paragraph 11 of Resolution 81-17-18 should be and are hereby modified to the following extent, to-wit: At the time of the sale, Texas County will provide the Buyer with an abstract of title certified within 15 days of the sale date. Buyer will have 15 days to examine title and present title requirements, if any, to Texas County. Texas County will have reasonable time to cure requirements **or may, in its sole and unrestricted discretion, elect to rescind the sale and return down payment if the County Commissioners choose to do so.**

g. Following satisfaction of title requirements, if elected to do so by the County, Buyer will be solely responsible for recertification of abstract of title, including all costs thereof, if requested by Buyer.


h. Ad valorem taxes on the subject property will be prorated to the date of closing, with Buyer being responsible for all ad valorem taxes accruing a payable from and after the date of closing.

i. Closing will be scheduled and conducted at Guaranty Abstract & Title Company in Guymon, Oklahoma, as soon as possible after expiration of Buyer's 15 day title examination period or after satisfaction of title requirements, if any.

j. The Chairman of the Board of County Commissioners of Texas County, with the seal of the County Clerk, is hereby approved and authorized to execute and deliver a Quit Claim Deed conveying the subject property to the Buyer at the time of closing without further authorization or approval of the Board of County Commissioners.

THE ABOVE AND FOREGOING IS HEREBY UNANIMOUSLY RESOLVED by the Board of County Commissioners of Texas County, State of Oklahoma, on this 24th day of February, 2019.

**BOARD OF COUNTY COMMISSIONERS
TEXAS COUNTY, STATE OF OKLAHOMA**



**Ted Keeling, Dist. 1 Commissioner
Chairman**



Richard Bryan, Dist. 2 Commissioner

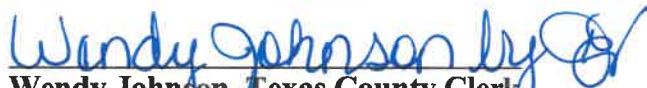


Jack Strain, Dist. 3 Commissioner

Attest:

(S E A L)





Wendy Johnson, Texas County Clerk