

NOTICE OF PUBLIC MEETING  
THE FREEPORT CITY COUNCIL  
MONDAY, MAY 20TH, 2013, 6:00 P.M.  
FREEPORT MUNICIPAL COURT ROOM  
FREEPORT POLICE DEPARTMENT, 430 NORTH BRAZOSPORT BLVD.  
FREEPORT, TEXAS  
AGENDA  
FORMAL SESSION

1. Call to order.
2. Invocation.
3. Pledge of Allegiance.
4. Consideration of approving the May 6th, 2013 Council Minutes. Pg. 337-340
5. Attending citizens and their business.
6. Consideration of approving Ordinance No. 2013-2037 canvassing the returns and declaring the results of the 2013 Annual Election. Pg. 341-344
7. Administer Oath of Office to duly re-elect Mayor Norma M. Garcia and Fred Bolton Councilman for Ward B and Sandra Barbree Councilwoman for Ward D. Pg. 345-347
8. The selection of the Mayor Pro Tem.
9. **Proclamation:** Proclaim May 2013 Motorcycle Safety and Awareness Month  
Pg. 348
10. Consideration of approving and authorizing the Director of Finance to pay one-half being \$7,500.00 of invoice No. 155-2012-2544 to Integra Realty Resources-Houston for the Freeport Municipal Marina appraisal services. Pg. 349
11. Consideration of approving Resolution No 2013-2408 to executive a Special Warranty Deed conveying, subject to a reservation of all necessary easements for maintaining and utilizing existing utility lines, cables, poles and mains and those that may be needed in the future, one-half of Caldwell Street, between South Ave. H and South Ave. I, vacanted by Ordinance No. 1109, to Raul Perez, being the portion of said street abutting Block 70 of the Velasco Townsite, for the Fair Market Value thereof determined by the appraisal attached hereto in accordance with Section 272.001 of the local government code.  
Pg. 350-367

## Work Session

- A. Consider and discuss the Chief of Police applications:  
Dan Pennington  
Kevin Reaves  
Haril Walpole

## Adjourn

Items not necessary discussed in the order they appear on the agenda. The Council at its discretion may take action on any or all of the items as listed. This notice is posted pursuant to the Texas Open Meeting Act. (Chapter 551, Government Code).

In compliance with the Americans with Disabilities Act, the City of Freeport will provide for reasonable accommodations for persons attending City Council Meetings. Request should be received 48 hours prior to the meeting. Please contact the City Secretary office at 979-233-3526.

I, Delia Munoz City Secretary for the City of Freeport, Texas certify that this agenda was posted on the official bulletin board/glass door of City Hall, facing the rear parking lot of the building, with 24 hours a day public access, 200 West 2nd Street, Freeport Texas, May 17th, 2013 at or before 5:00 p.m.

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Delia Munoz - City Secretary  
City of Freeport, Texas

State of Texas

County of Brazoria

City of Freeport

BE IT REMEMBERED, that the City Council of the City of Freeport, met on Monday, May 6, 2013, at 6:12 p.m., at the Freeport Municipal Court Room, 430 North Brazosport Boulevard, for the purpose of considering the following agenda items:

City Council: Mayor Norma M. Garcia  
Councilwoman Michelle Kent  
Councilman Fred Bolton  
Councilwoman Sandra Loeza  
Councilwoman Sandra Barbree

Planning Commission: Edward Garcia – Absent  
Reuben Cuellar  
Jesse Aguilar  
Tobey Davenport  
Eddie Virgil

Staff: Jeff Pynes, City Manager  
Gilbert Arispe, Asst. City Manager  
Delia Munoz, City Secretary  
Nat Hickey, Property Manager  
Brian Davis, Fire Chief  
Dan Pennington, Interim Police Chief  
Larry Fansher, Parks Director

Visitors: Shannon Daughtry Jim Pirrung  
Manning Rollerson Jerry Meeks  
Beverly Nixon Roy Yates  
Mr. & Mrs. McCollister

Call to order.

Mayor Norma Garcia called the meeting to order at 6:12 p.m.

Invocation.

City Attorney Mr. Wallace Shaw offered the invocation.

Pledge of Allegiance.

Eddie Virgil led the Pledge of Allegiance.

Consideration of approving the April 29th, 2013 Council Minutes.

On a motion by Councilwoman Kent, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved the April 29th, 2013 Council Minutes.

Attending citizens and their business.

Beverly Nixon Chairman of the Brazos Historical Society thanked the Mayor, City Council Members, City Staff and Citizens for attending the ten year restoration of the Schuster Home Museum on April 20, 2013, 1130 West 2nd Street, Freeport, Texas.

Manning Rollerson suggested erecting a stop sign on Hwy. 288 and Gulf Boulevard.

**Joint Public Hearing:** The City Council and the Planning Commission of said City to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City, changing the zoning classification of Lots 2, 3, and 4, Block 35, Velasco Townsite, known as 604 South Gulf Boulevard from its present classification of R-2 Single Family Residential to a new classification of C-2 General Commercial.

**Joint Public Hearing:** The City Council and the Planning Commission of said City to consider a proposed amendment to the Comprehensive Zoning Ordinance and Map of said City, codified as Chapter 155 of the Code of Ordinances of said City, changing the zoning classification of Lots 13 through 24, Block 56, Velasco Townsite, known locally as South Ave. L, from its present classification of R-2 Single Family Residential to a new classification of C-2 General Commercial.

Their being a quorum with the Planning Commission, Mayor Norma Garcia opened the Joint Public Hearings at 6:22 p.m.

Tobey Davenport spokesman for the Planning Commission stated that that the committee had reviewed and discussed the two proposed changes and were in favor of rezoning Lots 2, 3, and 4, Block 35, Velasco Townsite, known as 604 South Gulf Boulevard from its present classification of R-2 Single Family Residential to a new classification of C-2 General Commercial and changing the zoning classification of Lots 13 through 24, Block 56, Velasco Townsite, known locally as South Ave. L, from its present classification of R-2 Single Family Residential to a new classification of C-2 General Commercial.

There being no comments from staff or audience, Mayor Garcia closed the Joint Public Hearings at 6:28 p.m.

Consideration of approving Ordinance No. 2013-2035 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 2, 3, and 4, Block 35, Velasco Townsite, known locally as 604 S. Gulf Boulevard, from its present zoning classification of R-2 single family residential to a new zoning classification of C-2 General Commercial.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2013-2035 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 2, 3, and 4, Block 35, Velasco Townsite, known locally as 604 S. Gulf Boulevard, from its present zoning classification of R-2 single family residential to a new zoning classification of C-2 General Commercial.

Consideration of approving Ordinance No. 2013-2036 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 13 through 24, Block 56, Velasco Townsite, known locally as S. Ave L, from its present present zoning classification if R-2 Single-Family Residential to a new zoning classification of C-2 General Commercial.

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council unanimously approved Ordinance No. 2013-2036 amending the Comprehensive Zoning Ordinance of said City to change the zoning classification of Lots 13 through 24, Block 56, Velasco Townsite, known locally as S. Ave L, from its present present zoning classification if R-2 Single-Family Residential to a new zoning classification of C-2 General Commercial

Consideration of approving a replat request from Mr. Jesse Aguilar Jr, to replat Block 631, Lots 22 through 24 known as 823 North Ave. A; and Block 631, Lots 20 and 21 known as 817 North Ave. A., Velasco Townsite, Freeport Texas.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting "aye", Council unanimously approved Mr. Jesse Aguilar, Jr. request to replat Block 631, Lots 22 through 24 known as 823 North Ave. A; and Block 631, Lots 20 and 21 known as 817 North Ave. A., Velasco Townsite, Freeport Texas.

Consideration of approving and authorizing the Mayor to pay half of \$15,000.00 -Invoice No. 155-2012-2544 to Integra Realty Resources-Houston for the Freeport Municipal Marina appraisal services.

This item was reagendaed.

Consideration of selling the City's interest on Block 40, East 2/3 of Lot 2 and West 2/3 of Lot 3 Freeport Townsite, known as 123 West 6<sup>th</sup> Street, Tax Id. 4200-0434-000.

On a motion by Councilman Bolton, seconded by Councilwoman Loeza, with all present voting "aye", Council unanimously approved selling the City's interest on Block 40, East 2/3 of Lot 2 and West 2/3 of Lot 3 Freeport Townsite, known as 123 West 6<sup>th</sup> Street, Tax Id. 4200-0434-000.

Consideration of selling the City's interest on Block 17, Lots 13 and Lot 14, known as 322 East Broad, Freeport Townsite, Tax. Id 4200-0236-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Loeza, with present voting "aye", Council unanimously rejected selling the City 's interest on Block 17, Lots 13 and Lot 14, known as 322 East Broad, Freeport Townsite, Tax. Id 4200-0236-000.

Consideration of selling the City's interest on Block 64, Lots 18 and 19, Velasco Townsite, known as 313-315 South Ave. H, Tax. Id. 8110-0634-000.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent , with present voting "aye", Council unanimously approved selling the City's interest on Block 64, Lots 18 and 19, Velasco Townsite, known as 313-315 South Ave. H, Tax. Id. 8110-0634-000.

Consideration of selling that portion of Caldwell Street right-of-way between Blocks 63 and 70 between South Ave H and Ave. I, abutting Lots 12 and 13, Block 70, Velasco Townsite.

On a motion by Councilman Bolton, seconded by Councilwoman Kent, with all present voting 4 to 1, Council approved selling that portion of Caldwell Street right-of-way between Blocks 63 and 70 between South Ave H and Ave. I, abutting Lots 12 and 13, Block 70, Velasco Townsite. Councilwoman Barbree opposed.

Consideration of approving a Letter of Intent from The Dow Chemical Company and the City of Freeport for widening and improving Casco Road located in Freeport Texas, related to the Dow Gulfstream Project.

On a motion by Councilwoman Barbree, seconded by Councilwoman Kent , with present voting "aye", Council unanimously approved a Letter of Intent from The Dow Chemical Company and the City of Freeport for widening and improving Casco Road located in Freeport Texas, related to the Dow Gulfstream Project.

Adjourn

On a motion by Councilwoman Kent, seconded by Councilwoman Barbree, with all present voting "aye", Council adjourned at 6:45 p.m.

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Mayor Norma M. Garcia  
City of Freeport, Texas

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City Secretary – Delia Munoz  
City of Freeport, Texas

AN ORDINANCE OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS, MAKING CERTAIN FINDINGS OF FACT REGARDING AND CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE ANNUAL ELECTION HELD ON THE SECOND SATURDAY IN MAY, 2013, BEING MAY 11, 2013, HELD IN AND THROUGHOUT SAID CITY FOR THE PURPOSE OF ELECTING, FOR A TWO (2) YEAR TERM, A PERSON TO THE OFFICE OF MAYOR OF SAID CITY AND, IN WARDS B AND D OF SAID CITY, FOR THE PURPOSE OF ELECTING PERSONS TO COUNCIL POSITION B AND COUNCIL POSITION D ON THE CITY COUNCIL OF SAID CITY, EACH BEING ELECTED FOR A TWO (2) YEAR TERM; PROVIDING FOR RATIFICATION AND CONFIRMATION OF THE ACTION TAKEN BY THIS ORDINANCE BY THE MAYOR OF SAID CITY; AND PROVIDING AN EFFECTIVE DATE FOR THIS ORDINANCE.

BE IT ORDAINED AND ORDERED, RESPECTIVELY, BY THE CITY COUNCIL AND MAYOR OF THE CITY OF FREEPORT, BRAZORIA COUNTY, TEXAS:

SECTION ONE--Scope of Ordinance

This ordinance relates to the annual election called by Ordinance No. 2013-2032 of the City of Freeport, Brazoria County, Texas, heretofore read, passed, adopted and ratified on February 19, 2013, by the City Council and Mayor of said City ordaining and ordering, respectively, that an election be held in and throughout said city on the second Saturday in May, 2013, being May 11, 2013, for the purpose of electing, for a two (2) year term, a person to the office of Mayor of said city and, in Wards B and D of said City, for the purpose of electing to office persons to fill the offices of Council Position B and Council Position D on the City Council of said City, each person to be elected to a two (2) year term.

SECTION TWO--Findings of Fact Regarding Election

The Mayor and City Council of the City of Freeport, Texas, make the following findings of fact with respect to said election, to-wit:

First, that notice of said election was given in the manner and at the time required by law.

Second, that said election was duly called and held in the manner and at the time required by law, and said Ordinance No. 2013-2032, and that only qualified voters were permitted to vote.

Third, that based on the election returns of said election, which are now before the Mayor and City Council and which are found to be in due form and order and to have been regularly made as required by law, at said election a total of 1,075 votes were cast in the election for mayor, a total of 331 votes were cast in the election for Council Position B and a total of 238 votes were cast in the election for Council Position D.

Fourth, that the following named candidates received the number of votes set opposite their names, to-wit:

<u>NAME</u>	<u>POSITION</u>	<u>TOTAL VOTES</u>
NORMA MORENO GARCIA	MAYOR	483
FRED BOLTON	COUNCIL POSITION B	218
SANDRA KAY BARBREE	COUNCIL POSITION D	95

Fifth, that the following named persons received the number of write-in votes for the position set opposite their names, to-wit: NONE.

SECTION THREE--Declaring the Results of Election

The Mayor and City Council of the City of Freeport, Texas, hereby declare and ordain, respectively, that NORMA MORENO GARCIA has been elected Mayor of the City of Freeport for a term of two (2) years and that FRED BOLTON and SANDRA KAY BARBREE have been elected, for a two (2) year term each, to Council Position B and Council Position D on the City Council of the City of Freeport, Texas, respectively.

SECTION FOUR--Qualification

Upon filing the signed statement and taking the Constitutional Oath of Office as required by Article 16, Section 1 of the Texas Constitution, the said NORMA MORENO GARCIA the said FRED BOLTON and the said SANDRA KAY BARBREE shall each be entitled to said office to which he or she has been elected for such term and until his or her successor shall have been duly elected and qualified according to law.

SECTION FIVE--Ratification and Confirmation by Mayor



By signing this ordinance, the undersigned Mayor of the City of Freeport, Texas, hereby ratifies and confirms as his action all matters herein above recited which by law come within his jurisdiction.

SECTION SIX--Effective Date

This ordinance shall be effective immediately upon its passage and adoption.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of May, 2013.

\_\_\_\_\_  
Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

\_\_\_\_\_  
Delia Muñoz, City Secretary,  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

\_\_\_\_\_  
Wallace Shaw, City Attorney,  
City of Freeport, Texas

C\Freeport.Elc\2013Electn-Can

# City of Freeport Annual General Election Cumulative Report — Unofficial

## Brazoria County — Joint Local Election — May 11, 2013

Page 1 of 1

05/16/2013 12:53 PM

Total Number of Voters : 13,036 of 176,546 = 7.39%  
 Number of District Voters: 1,081 of 5,183 = 20.86%

Precincts Reporting 71 of 71 = 100.00%  
 District Precincts Reporting 7 of 7 = 100.00%

Party	Candidate	Early	Election	Total
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<b>Mayor, Vote For 1</b>							
	Ty Morrow	272	38.10%	128	35.46%	400	37.21%
	Clan Allen Cameron	5	0.70%	5	1.39%	10	0.93%
	Manning Rollerson, Sr.	7	0.98%	1	0.28%	8	0.74%
	Jim Barnett	47	6.58%	11	3.05%	58	5.40%
	Norma Moreno Garcia	302	42.30%	181	50.14%	483	44.93%
	Tobery L. Davenport	81	11.34%	35	9.70%	116	10.79%

<b>Cast Votes:</b>	714	99.44%	361	99.45%	1,075	99.44%
<b>Over Votes:</b>	0	0.00%	0	0.00%	0	0.00%
<b>Under Votes:</b>	4	0.56%	2	0.55%	6	0.56%

**City Council Position B, Vote For 1**

	Fred Bolton	147	65.33%	71	66.98%	218	65.89%
	Loren Eric Hayes	36	16.00%	19	17.92%	55	16.62%
	Stoney Burke	42	18.67%	16	15.09%	58	17.52%
<b>Cast Votes:</b>	225	91.46%	106	91.38%	331	91.44%	
<b>Over Votes:</b>	0	0.00%	0	0.00%	0	0.00%	
<b>Under Votes:</b>	21	8.54%	10	8.62%	31	8.56%	

**City Council Position D, Vote For 1**

	Sandra Kay Bartrise	61	37.89%	34	44.16%	95	39.92%
	Michael Shane Vandergrift	50	31.06%	24	31.17%	74	31.09%
	Mike "Kenny" Kouchas	50	31.06%	19	24.68%	69	28.99%
<b>Cast Votes:</b>	161	90.45%	77	85.66%	238	88.81%	
<b>Over Votes:</b>	0	0.00%	0	0.00%	0	0.00%	
<b>Under Votes:</b>	17	9.55%	13	14.44%	30	11.19%	

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Norma Moreno Garcia, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Mayor of the City of Freeport of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

.....  
State of Texas )  
County of Brazoria )

Sworn to and subscribed before me  
this

20 day of May, 2013.

(seal)

\_\_\_\_\_  
Signature of Notary Public or Other Officer  
Administering Oath

\_\_\_\_\_  
Printed or Typed Name

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Fred Bolton, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Councilman - Ward B of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

.....  
State of Texas )  
County of Brazoria )

Sworn to and subscribed before me  
this

20 day of May, 2013

(seal)

\_\_\_\_\_  
Signature of Notary Public or Other Officer  
Administering Oath

\_\_\_\_\_  
Printed or Typed Name

Submit to:  
SECRETARY OF STATE  
Government Filings Section  
P O Box 12887  
Austin, TX 78711-2887  
512-463-6334



OATH OF OFFICE

Filing Fee: None

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS,  
I, Sandra Barbree, do solemnly swear (or affirm), that I will faithfully  
execute the duties of the office of Councilwoman - Ward D of  
the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws  
of the United States and of this State, so help me God.

\_\_\_\_\_  
Signature of Officer

.....  
State of Texas )  
County of Brazoria )

Sworn to and subscribed before me  
this 20th day of May, 20 13.

(seal)

\_\_\_\_\_  
Signature of Notary Public or Other Officer  
Administering Oath

\_\_\_\_\_  
Printed or Typed Name

**MOTORCYCLE SAFETY AND AWARENESS MONTH**

WHEREAS, today's society is finding more citizens involved in motorcycling on the roads of our country; and

WHEREAS, motorcyclists are roughly unprotected and much more likely to be injured or killed in a crash than other vehicle drivers; and

WHEREAS, campaigns have helped inform riders and motorists alike on motorcycle safety issues to reduce motorcycle related risks, injuries, and most of all fatalities, through a comprehensive approach to motorcycle safety; and

WHEREAS, it is the responsibility of all who put themselves behind the wheel, to become aware of motorcyclists, regarding them with the same respect as any other vehicle traveling the highways of this country; and

WHEREAS, urging all of our community to become aware of the inherent danger involved in operating a motorcycle and give the operator the respect on the road they deserve;

NOW, THEREFORE, I, \_\_\_\_\_, MAYOR OF THE CITY OF \_\_\_\_\_, TEXAS, do hereby proclaim the month of May 2013 as MOTORCYCLE SAFETY AND AWARENESS MONTH in \_\_\_\_\_, Texas.



Integra Realty Resources  
Houston

5 Riverway, Suite 200  
Houston, TX 77056  
Federal Tax ID #36-4506539

T (713)243-3300  
F (713)827-8552  
[www.irr.com](http://www.irr.com)

# Invoice

Invoice Number: 155-2012-2544  
Invoice Date: 3/21/2013  
Page: 1

**Bill To:**

City of Freeport c/o Schiffer,  
Schiffer, Odom, Hicks & Johnson, PLLC  
700 Louisiana, Suite 1200  
Houston, TX 77002  
Attn: Ms. Karen Jewell

Rw: David Dominy; Appraiser: Cindy Williford

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<b>Project No.</b> 155-2012-2544	<b>Project Name:</b> The Freeport Municipal Marina	
Pine St. at Old Brazos River Waterfront Freeport, Brazos County, TX 77541 Appraisal Services		\$15,000.00

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**TOTAL DUE THIS INVOICE:** \$15,000.00

*Please make check payable to: Integra Realty Resources-Houston  
Note Invoice number on check.*

Terms: Net 30

HOUSTON

RESOLUTION NO. 2013-2408

AN ORDINANCE OF THE CITY OF FREEPORT, TEXAS, AUTHORIZING THE MAYOR OR, IN HER ABSENCE, THE MAYOR PRO-TEMP, TO EXECUTE A SPECIAL WARRANTY DEED CONVEYING, SUBJECT TO A RESERVATION OF ALL NECESSARY EASEMENTS FOR MAINTAINING AND UTILIZING EXISTING UTILITY LINES, CABLES, POLES AND MAINS AND THOSE THAT MAY BE NEEDED IN THE FUTURE, A PORTION OF THE ONE-HALF (.) OF CALDWELL STREET, BETWEEN SOUTH AVENUE H AND SOUTH AVENUE I, VACATED BY ORDINANCES NO. 1109, TO RAUL PEREZ THE PORTION OF SAID STREET ABUTTING BLOCK 70 OF THE VELASCO TOWNSITE, FOR THE FAIR MARKET VALUE THEREOF DETERMINED BY THE APPRAISAL ATTACHED HERETO IN ACCORDANCE WITH SECTION 272.001 OF THE LOCAL GOVERNMENT CODE; FINDING THAT SUCH SALE IS IN THE PUBLIC INTEREST AND THAT IT WILL BENEFIT THE PUBLIC; CONTAINING A SEVERANCE CLAUSE; PROVIDING THAT THIS RESOLUTION SHALL TAKE EFFECT AND BE IN FORCE FROM AND AFTER ITS PASSAGE AND ADOPTION; AND PROVIDING THAT THE ORIGINAL OF THIS RESOLUTION SHALL BE MAINTAINED BY THE CITY SECRETARY IN THE PERMANENT RECORDS OF SAID CITY AND THAT A CERTIFIED COPY THEREOF BE DELIVERED TO THE SAID RAUL PEREZ TOGETHER WITH THE ORIGINAL OF SAID DEED AFTER THE EXECUTION AND ACKNOWLEDGMENT THEREOF.

WHEREAS, Caldwell Street is dedicated as a public street on the map or plat of the Velasco Townsite of the City of Freeport, Texas, hereinafter sometimes "the City", on file in Volume 32, page 14 of the Deed Records of Brazoria County, Texas; and,

WHEREAS, the portion of Caldwell Street lying between South Avenue H and South Avenue I was closed and abandoned as a public street by Ordinance No. 1109 of the City following a Special Election held on October 17, 1964, at which the closing of such portion of said street was approved by a majority of the votes cast at such election; and,

WHEREAS, RAUL PEREZ, hereinafter sometime "the Applicant", is the owner of Lots 12 and 13 of Block 70 of said townsite, which abut the portion of Caldwell Street lying between South Avenue H and South Avenue I closed and abandoned as a public street by Ordinance No. 1109 of the City; and,



WHEREAS, the Applicant has petitioned the City Council of the City to sell to Applicant the one-half (.) of such portion of said street that abut Lots 12 and 13 of Block 70 of said townsite; and,

WHEREAS, such sale would be in the public interest and would benefit the public by placing the portion thereof hereinafter described in Applicant's name on the tax roll of the City, eliminating the obligation of the City to maintain the same and allowing the improvement of such property by Applicant; and,

WHEREAS, an appraisal of the portion of said street closed and abandoned as a public street by Ordinance No. 1109 of the City has been obtained by the City, a copy of such appraisal being attached hereto and incorporated herein by reference, and the City Council of the City finds that, pursuant to Section 272.001 of the Local Government Code, such appraisal is conclusive of the fair market value thereof.

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

First, the City Council of the City finds and declares that the findings of fact and conclusions of law set forth in the preamble to this resolution are true and correct.

Second, the Mayor or, in her absence, the Mayor Pro-Temp, is hereby authorized to execute and acknowledge and the City Clerk to attest a Special Warranty Deed conveying to Applicant the following described portions of the Caldwell Street right-of-way closed by Ordinance No. 1109 of the City, reserving therein an easement for all necessary utility lines, cables, poles and mains presently in use by the City and any of the public utilities serving the City, or any that may be required in the future, upon the payment to the City of Five Thousand Nine Hundred Twelve and no/100 (5,912.00.00) Dollars:

Tract One

Pg. 351

BEGINNING at the point of intersection of the boundary lines of Caldwell Street and South Avenue H with the corner of Lot 12, Block 70 of the Velasco Townsite of the City of Freeport, Texas, all as shown on the map or plat of said townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas;

THENCE, along the boundary line of Lot 12 abutting Caldwell Street to a point for corner in the boundary line of the alley bisecting Block 70 and abutting Lot 12;

THENCE, parallel to the boundary line of South Avenue H to a point for corner in the centerline of Caldwell Street;

THENCE, along the centerline of Caldwell Street to its intersection with the boundary line of South Avenue H;

THENCE, along the centerline of South Avenue H to the PLACE OF BEGINNING.

Tract Two

BEGINNING at the point of intersection of the boundary lines of Caldwell Street and South Avenue I with the corner of Lot 13, Block 70 of the Velasco Townsite of the City of Freeport, Texas, all as shown on the map or plat of said townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas;

THENCE, along the boundary line of Lot 13 abutting Caldwell Street to a point for corner in the boundary line of the alley bisecting Block 70 and abutting Lot 13;

THENCE, parallel to the boundary line of South Avenue I to a point for corner in the centerline of Caldwell Street;

THENCE, along the centerline of Caldwell Street to its intersection with the boundary line of South Avenue I;

THENCE, along the centerline of South Avenue I to the PLACE OF BEGINNING.

Provided, however, with the consent of the City Manager and the appropriate officials of all affected public utility companies, the easement reserved herein may be released by the Mayor, or in her absence, the Mayor Pro-Temp, if all lines, cables, poles and mains are relocated to another duly established easement at the expense of the Applicant.

Third, in the event any section or provision of this resolution is

found to be unconstitutional, void or inoperative by the final judgment of a court of competent jurisdiction, such defective provision, if any, is hereby declared to be severable from the remaining sections and provisions of this resolution and such remaining sections and provisions shall remain in full force and effect.

Fourth, this resolution shall take effect and be in force from and after its adoption.

Fifth, the original of this resolution shall be maintained by the City Secretary in the permanent records of the City and a certified copy hereof shall be delivered to the Applicant, together with the original or such deed after the execution and acknowledgment thereof.

READ, PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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Norma Moreno Garcia, Mayor,  
City of Freeport, Texas

ATTEST:

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Delia Munoz, City Secretary  
City of Freeport, Texas

APPROVED AS TO FORM ONLY:

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Wallace Shaw, City Attorney  
City of Freeport, Texas

C:\Freeport.CtySell\CaldwellSt-Between H & I-Sell W half Abnd ROW-Rs1

**APPRAISAL OF REAL PROPERTY**

**LOCATED AT:**

Caldwell Street Right of Way  
Caldwell Street Right-of-Way between Blocks 63 and 70  
Freeport, Tx 77541

**FOR:**

City of Freeport  
200 West 2nd Street  
Freeport, Tx 77541

**AS OF:**

December 12, 2011

**BY:**

Joseph A. Fischer  
Joseph A. Fischer & Co., Inc.  
54 White Oak Ct.  
Lake Jackson, Texas 77566

LAND APPRAISAL REPORT

File No. 8978

Summary Appraisal Report

Borrower N/A Census Tract 6643.00 Map Reference KM 911 Q  
 Property Address Caldwell Street Right of Way  
 City Freeport County Brazoria State Tx Zip Code 77541  
 Legal Description Caldwell Street Right-of-Way between Blocks 63 and 70  
 Sale Price \$ N/A Date of Sale N/A Loan Term N/A yrs. Property Rights Appraised  Fee  Leasehold  De Minimis PUD  
 Actual Real Estate Taxes \$ N/A (yr) Loan charges to be paid by seller \$ N/A Other sales concessions N/A  
 Lender/Client City of Freeport Address 200 West 2nd Street, Freeport, Tx 77541  
 Occupant N/A Appraiser Joseph A. Fischer Instructions to Appraiser \_\_\_\_\_

Location	<input checked="" type="checkbox"/> Urban	<input type="checkbox"/> Suburban	<input type="checkbox"/> Rural	Good	Avg.	Fair	Poor
Built Up	<input checked="" type="checkbox"/> Over 75%	<input type="checkbox"/> 25% to 75%	<input type="checkbox"/> Under 25%	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Growth Rate	<input type="checkbox"/> Fully Dev.	<input checked="" type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Steady	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Property Values	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Demand/Supply	<input type="checkbox"/> Shortage	<input type="checkbox"/> In Balance	<input checked="" type="checkbox"/> Oversupply	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Marketing Time	<input type="checkbox"/> Under 3 Mos.	<input checked="" type="checkbox"/> 4-6 Mos.	<input type="checkbox"/> Over 6 Mos.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Present Land Use	<input checked="" type="checkbox"/> 80% 1 Family	<input type="checkbox"/> 3% 2-4 Family	<input type="checkbox"/> 2% Apts.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/> 5% Industrial	<input type="checkbox"/> 4% Vacant	<input type="checkbox"/> %	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Change in Present Land Use	<input checked="" type="checkbox"/> Not Likely	<input type="checkbox"/> Likely (*)	<input type="checkbox"/> Taking Place (*)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Predominant Occupancy	<input checked="" type="checkbox"/> Owner	<input type="checkbox"/> Tenant	<input type="checkbox"/> 15 % Vacant	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single Family Price Range	\$ <u>10,000</u> to \$ <u>150,000</u>		Predominant Value \$ <u>60,000</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Single Family Age	<u>20</u> yrs. to <u>90</u> yrs.		Predominant Age <u>50</u> yrs.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise): Freeport is one of four small towns (population 13,000) making up the "Brazosport" area 60 miles south of Houston. The subject neighborhood is an area of older dwellings. Employment centers, shopping and all levels of public schools are within ten miles. Current inventory is 10.9 months. A balanced market has an inventory of 5-7 months.

Dimensions 70' x 270' = 18,900 Sq. Ft. or Acres  Corner Lot  
 Zoning classification None Present Improvements  do  do not conform to zoning regulations  
 Highest and best use  Present use  Other (specify) \_\_\_\_\_  
 Public Other (Describe) \_\_\_\_\_  
 Elec.  Gas  Water  San. Sewer  Underground Elect. & Tel.   
 OFF SITE IMPROVEMENTS  
 Street Access  Public  Private  
 Surface None  
 Maintenance  Public  Private  
 Storm Sewer  Curb/Gutter  
 Sidewalk  Street Lights  
 Topo Level  
 Size Above average  
 Shape Rectangular  
 View Vacant land/Residential  
 Drainage Appears adequate  
 Is the property located in a HUD Identified Special Flood Hazard Area?  No  Yes

Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions): The subject site is a street right-of-way that was never developed. Property is not zoned. The tract is in a residential area and adjacent land is zoned for residential use. Per FIA flood map 48039C 0780 I dated November 17, 1993, the site is in the "AE" flood zone. This is an area within the 100 year flood zone.

The undersigned has recited three recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject.

ITEM	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3
Address	<u>Caldwell Street Right of Way Freeport</u>	<u>Skinner @ Ave. J Freeport</u>	<u>E. 8th Freeport</u>	<u>1702 W 8th St Freeport</u>
Proximity to Subject		<u>0.97 miles NW</u>	<u>1.52 miles SE</u>	<u>1.31 miles SW</u>
Sales Price	\$ <u>N/A</u>	\$ <u>24,500</u>	\$ <u>6,600</u>	\$ <u>8,000</u>
Price SF	\$	\$ <u>0.35</u>	\$ <u>0.47</u>	\$ <u>0.78</u>
Data Source	<u>BCAD-City</u>	<u>MLS #C45328C</u>	<u>MLS #L44978C</u>	<u>MLS #L49206C</u>
Date of Sale and Time Adjustment	<u>12/12</u>	<u>10/09</u>	<u>10/09</u>	<u>07/11</u>
Location	<u>Urban</u>	<u>Urban</u>	<u>Urban</u>	<u>Urban</u>
Site/View	<u>18,900 SF</u>	<u>70,767 SF</u>	<u>14,000 SF</u>	<u>10,207 SF</u>
		<u>+25</u>		<u>-0.10</u>
Sales or Financing Concessions	<u>N/A</u>	<u>Cash</u>	<u>Cash to seller</u>	<u>Cash</u>
Net Adj. (Total)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ <u>0.25</u>	<input type="checkbox"/> + <input type="checkbox"/> - \$	<input type="checkbox"/> + <input type="checkbox"/> - \$ <u>-0.10</u>
Indicated Value of Subject		Net % \$ <u>0.60</u>	Net % \$ <u>0.47</u>	Net % \$ <u>0.68</u>

Comments on Market Data: Sale 1 is a larger tract that brackets the size and net adjustments. Sales 2 and 3 are in areas of older residential dwellings. Sales 3 is an area of older, but relatively larger homes. Sale 5 is on the corner with Velasco Boulevard giving it commercial or light industrial potential.

Comments and Conditions of Appraisal: The indicated value range from \$0.47 PSF to \$0.68 PSF. The lower indicated value is from Sale 2 which is in a slightly inferior neighborhood while the higher indicated value is from Sale 3 which has a slightly superior neighborhood. The other three sales indicate a value range of \$0.54 PSF to \$0.64 PSF.

Final Reconciliation: The indicated value for the subject site is \$0.60 PSF or \$18,900 SF @ \$0.60 PSF = \$11,340, rounded to \$11,000.

I ESTIMATE THE MARKET VALUE, AS DEFINED, OF SUBJECT PROPERTY AS OF December 12, 2011 to be \$ 11,000

*Joseph A. Fischer*  
 Appraiser(s) \_\_\_\_\_ Review Appraiser (if applicable)  Did  Did Not Physically Inspect Property



**FIRREA / USPAP ADDENDUM**

Lender/Client City of Freeport File No. 8978

Property Address Caldwell Street Right of Way

City Freeport County Brazoria State Tx Zip Code 77541

Lender City of Freeport

**Purpose**

The purpose of this appraisal is to estimate market value for a possible sale.

**Scope of Work**

A field review of the subject property was made December 12, 2011 for the purpose of gathering information relevant to the property's value. The field review was limited to readily observable components only. Physical characteristics of the tract was obtained from a plat provided by the City of Freeport. Research for comparable sales included the appraiser's files and MLS. The compiled data was analyzed using traditional direct sale comparison approach to value. Since the property is vacant land, the cost and income approaches were not applicable.

**Intended Use / Intended User**

Intended Use: Possible sale.

Intended User(s): City of Freeport.

**History of Property**

Current listing information: None.

Prior sale: Research did not reveal a sale of the subject property or prior sale of any comparable within the past three years.

**Exposure Time / Marketing Time**

Reasonable Exposure Time - Reasonable exposure time for the subject property is the same as the typical marketing time for the defined subject neighborhood on page 1 unless otherwise noted. Reasonable exposure time occurs prior to the effective date of the appraisal. Marketing time occurs after the effective date.

**Personal (non-realty) Transfers**

None.

**Additional Comments**

**Certification Supplement**

1. This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or an approval of a loan.
2. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result or the occurrence of a subsequent event.

Appraiser: Joseph A. Fischer  
 Signed Date: December 16, 2011  
 Certification or License #: 1320173-G  
 Certification or License State: Tx Expires: 03/31/2013  
 Effective Date of Appraisal: \_\_\_\_\_

Supervisory Appraiser: \_\_\_\_\_  
 Signed Date: \_\_\_\_\_  
 Certification or License #: \_\_\_\_\_  
 Certification or License State: \_\_\_\_\_ Expires: Pg. 357  
 Inspection of Subject:  Did Not  Exterior Only  Interior and Exterior

**DEFINITION OF MARKET VALUE:** The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he considers his own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions\* granted by anyone associated with the sale.

\*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgement.

## STATEMENT OF LIMITING CONDITIONS AND APPRAISER'S CERTIFICATION

**CONTINGENT AND LIMITING CONDITIONS:** The appraiser's certification that appears in the appraisal report is subject to the following conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis of it being under responsible ownership.
2. The appraiser has provided a sketch in the appraisal report to show approximate dimensions of the improvements and the sketch is included only to assist the reader of the report in visualizing the property and understanding the appraiser's determination of its size.
3. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
4. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.
5. The appraiser has estimated the value of the land in the cost approach at its highest and best use and the improvements at their contributory value. These separate valuations of the land and improvements must not be used in conjunction with any other appraisal and are invalid if they are so used.
6. The appraiser has noted in the appraisal report any adverse conditions (such as, needed repairs, depreciation, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the normal research involved in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property or adverse environmental conditions (including the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.
7. The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items that were furnished by other parties.
8. The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice.
9. The appraiser has based his or her appraisal report and valuation conclusion for an appraisal that is subject to satisfactory completion, repairs, or alterations on the assumption that completion of the improvements will be performed in a workmanlike manner.
10. The appraiser must provide his or her prior written consent before the lender/client specified in the appraisal report can distribute the appraisal report (including conclusions about the property value, the appraiser's identity and professional designations, and references to any professional appraisal organizations or the firm with which the appraiser is associated) to anyone other than the borrower, the mortgagee or its successors and assigns, the mortgage insurer, consultants, professional appraisal organizations, any state or federally approved financial institution, or any department, agency, or instrumentality of the United States or any state or the District of Columbia; except that the lender/client may distribute the property description section of the report only to data collection or reporting service(s) without having to obtain the appraiser's prior written consent. The appraiser's written consent and approval must also be obtained before the appraisal can be conveyed by anyone to the public through advertising, public relations, news, sales, or other media.



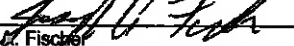
**APPRAISER'S CERTIFICATION:** The Appraiser certifies and agrees that:

1. I have researched the subject market area and have selected a minimum of three recent sales of properties most similar and proximate to the subject property for consideration in the sales comparison analysis and have made a dollar adjustment when appropriate to reflect the market reaction to those items of significant variation. If a significant item in a comparable property is superior to, or more favorable than, the subject property, I have made a negative adjustment to reduce the adjusted sales price of the comparable and, if a significant item in a comparable property is inferior to, or less favorable than the subject property, I have made a positive adjustment to increase the adjusted sales price of the comparable.
2. I have taken into consideration the factors that have an impact on value in my development of the estimate of market value in the appraisal report. I have not knowingly withheld any significant information from the appraisal report and I believe, to the best of my knowledge, that all statements and information in the appraisal report are true and correct.
3. I stated in the appraisal report only my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the contingent and limiting conditions specified in this form.
4. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or the estimate of market value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property.
5. I have no present or contemplated future interest in the subject property, and neither my current or future employment nor my compensation for performing this appraisal is contingent on the appraised value of the property.
6. I was not required to report a predetermined value or direction in value that favors the cause of the client or any related party, the amount of the value estimate, the attainment of a specific result, or the occurrence of a subsequent event in order to receive my compensation and/or employment for performing the appraisal. I did not base the appraisal report on a requested minimum valuation, a specific valuation, or the need to approve a specific mortgage loan.
7. I performed this appraisal in conformity with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place as of the effective date of this appraisal, with the exception of the departure provision of those Standards, which does not apply. I acknowledge that an estimate of a reasonable time for exposure in the open market is a condition in the definition of market value and the estimate I developed is consistent with the marketing time noted in the neighborhood section of this report, unless I have otherwise stated in the reconciliation section.
8. I have personally inspected the interior and exterior areas of the subject property and the exterior of all properties listed as comparables in the appraisal report. I further certify that I have noted any apparent or known adverse conditions in the subject improvements, on the subject site, or on any site within the immediate vicinity of the subject property of which I am aware and have made adjustments for these adverse conditions in my analysis of the property value to the extent that I had market evidence to support them. I have also commented about the effect of the adverse conditions on the marketability of the subject property.
9. I personally prepared all conclusions and opinions about the real estate that were set forth in the appraisal report. If I relied on significant professional assistance from any individual or individuals in the performance of the appraisal or the preparation of the appraisal report, I have named such individual(s) and disclosed the specific tasks performed by them in the reconciliation section of this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in the report; therefore, if an unauthorized change is made to the appraisal report, I will take no responsibility for it.

**SUPERVISORY APPRAISER'S CERTIFICATION:** If a supervisory appraiser signed the appraisal report, he or she certifies and agrees that I directly supervise the appraiser who prepared the appraisal report, have reviewed the appraisal report, agree with the statements and conclusions of the appraiser, agree to be bound by the appraiser's certifications numbered 4 through 7 above, and am taking full responsibility for the appraisal and the appraisal report.

**ADDRESS OF PROPERTY APPRAISED:** Caldwell Street Right of Way, Freeport, Tx 77541

**APPRAISER:**

Signature:   
 Name: Joseph A. Fischer  
 Date Signed: December 16, 2011  
 State Certification #: 1320173-G  
 or State License #: \_\_\_\_\_  
 State: Tx  
 Expiration Date of Certification or License: 03/31/2013

**SUPERVISORY APPRAISER (only if required):**

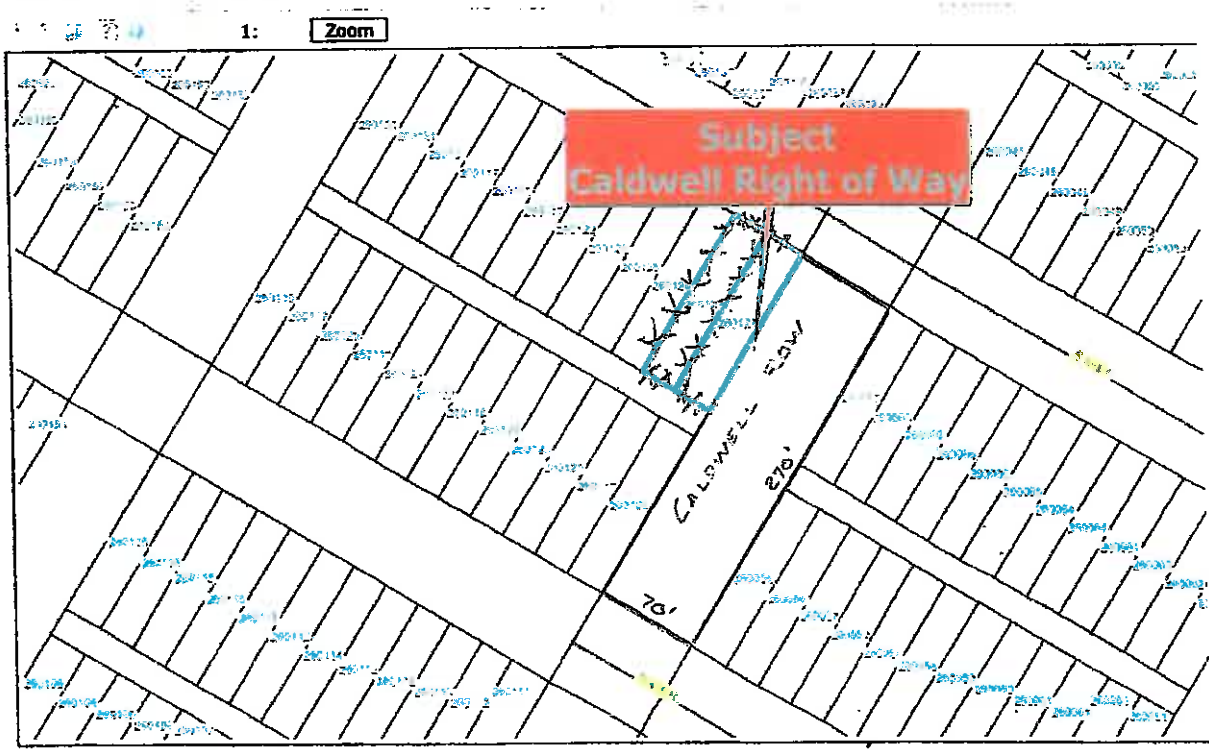
Signature: \_\_\_\_\_  
 Name: \_\_\_\_\_  
 Date Signed: \_\_\_\_\_  
 State Certification #: \_\_\_\_\_  
 or State License #: \_\_\_\_\_  
 State: \_\_\_\_\_  
 Expiration Date of Certification or License: \_\_\_\_\_

Did  Did Not Inspect Property

# CALDWELL ROW BETWEEN AVE H & AVE I

Brazoria CAD

Property Search Results - Property ID: 2004285896 - 2004285896 - 40 - Four 50' x 100'



Website version: 1.22.0  
Disclaimer

Database last updated on: 11/02/2011 5:54 AM

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This site only supports Internet Explorer 6+, Netscape 7+ and Firefox 1.5+.

P.O. 101364

### Subject Site Map

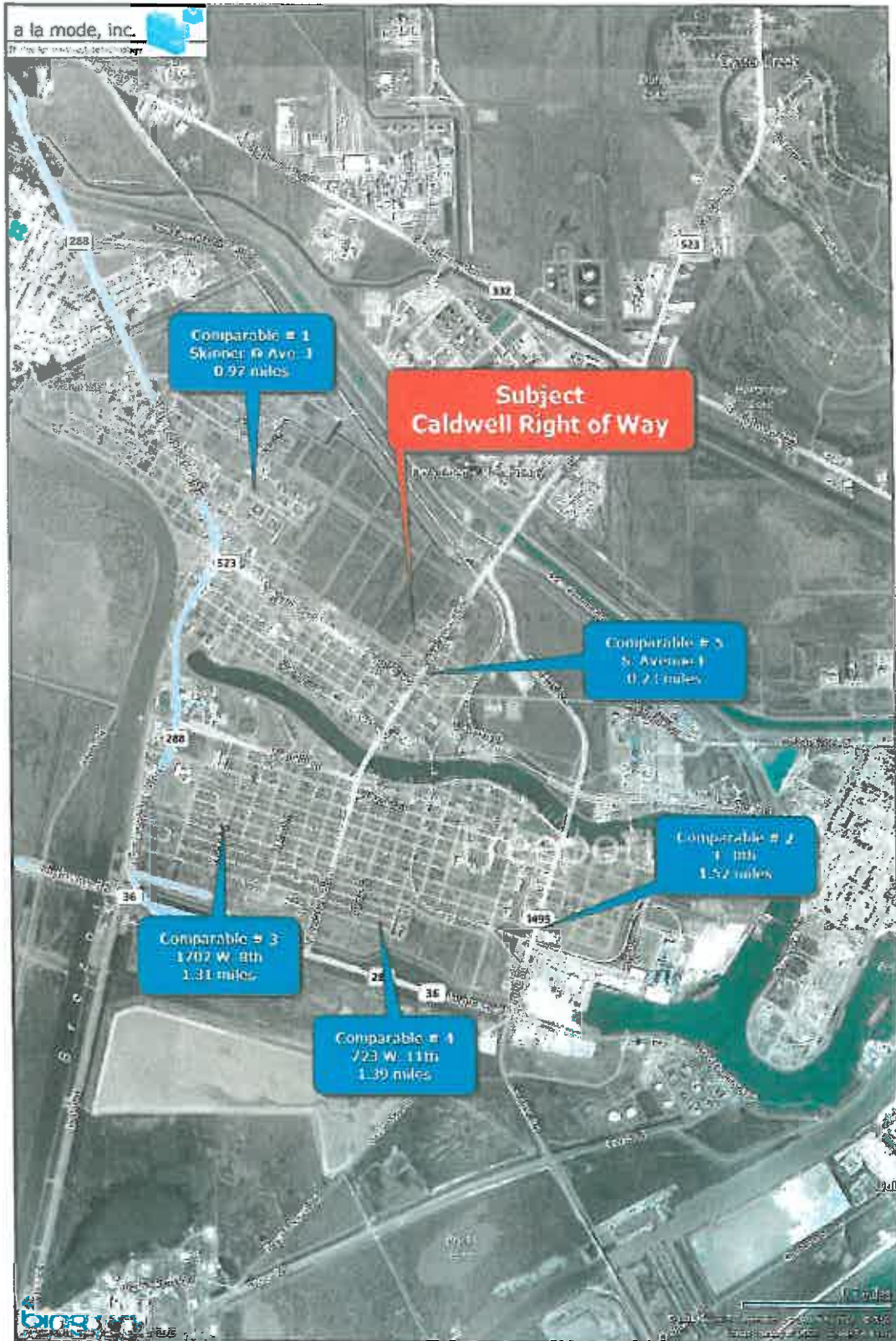
Lender/Client	City of Freeport						
Property Address	Caldwell Street Right of Way						
City	Freeport	County	Brazoria	State	Tx	Zip Code	77541
Lender	City of Freeport						





### Comparable Sales Map

Lender/Client	City of Freeport						
Property Address	Caldwell Street Right of Way						
City	Freeport	County	Brazoria	State	Tx	Zip Code	77541
Lender	City of Freeport						



### Photograph Addendum

Lender/Client	City of Freeport						
Property Address	Caldwell Street Right of Way						
City	Freeport	County	Brazoria	State	Tx	Zip Code	77541
Lender	City of Freeport						



**Subject Site facing south**



**Subject Site facing north**



**N. Avenue I**



**N. Avenue H**

**SPECIAL WARRANTY DEED**

The CITY OF FREEPORT, TEXAS, a municipal corporation lying and situated in Brazoria County, Texas, hereinafter called GRANTOR, duly organized and existing as such under and by virtue of the Constitution and Laws of the State of Texas and its Home Rule Charter, for the valuable consideration hereinafter specified, has GRANTED, SOLD and CONVEYED and by these presents do GRANT, SELL and CONVEY unto RAUL PEREZ of Brazoria County, Texas, hereinafter called GRANTEE, the following described real property lying and situated in the County of Brazoria and State of Texas, to-wit:

**Tract One**

**BEGINNING at the point of intersection of the boundary lines of Caldwell Street and South Avenue H with the corner of Lot 12, Block 70 of the Velasco Townsite of the City of Freeport, Texas, all as shown on the map or plat of said townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas;**

**THENCE, along the boundary line of Lot 12 abutting Caldwell Street to a point for corner in the boundary line of the alley bisecting Block 70 and abutting Lot 12;**

**THENCE, parallel to the boundary line of South Avenue H to a point for corner in the centerline of Caldwell Street;**

**THENCE, along the centerline of Caldwell Street to its intersection with the boundary line of South Avenue H;**

**THENCE, along the centerline of South Avenue H to the PLACE OF BEGINNING.**

Tract Two

**L BEGINNING at the point of intersection of the boundary lines of Caldwell Street and South Avenue I with the corner of Lot 13, Block 70 of the Velasco Townsite of the City of Freeport, Texas, all as shown on the map or plat of said townsite recorded in Volume 32, page 14 of the Deed Records of Brazoria County, Texas;**

**THENCE, along the boundary line of Lot 13 abutting Caldwell Street to a point for corner in the boundary line of the alley bisecting Block 70 and abutting Lot 13;**

**THENCE, parallel to the boundary line of South Avenue I to a point for corner in the centerline of Caldwell Street;**

**THENCE, along the centerline of Caldwell Street to its intersection with the boundary line of South Avenue I;**

**THENCE, along the centerline of South Avenue I to the PLACE OF BEGINNING.**

**This conveyance is made and accepted subject to any and all valid and subsisting easements, rights-of-way, conditions, exceptions, reservations, restrictions, covenants and other encumbrances properly of record affecting the title to the above described property.**

**Notwithstanding any provision herein to the contrary, Grantor makes no warranty of any nature or kind, whether statutory, express or implied, with respect to the physical condition of the above-described property, and by the acceptance of this deed, Grantee accepts such property "AS IS", "WHERE IS", "WITH ALL FAULTS" and without any representations or warranties by Grantor (except the warranty of title expressly set forth below).**

**TO HAVE AND TO HOLD the above described premises, together with all and singular, the rights and appurtenances thereto in anywise belonging, unto GRANTEE, its successors and assigns, forever, SAVE AND EXCEPT, there is hereby reserved unto Grantor, its successors and assigns, all necessary easements in, under, upon and across the above described property hereby conveyed for all utility lines, cables, poles and mains presently in use or that may be required by Grantor in the future.**

**Grantor does hereby bind itself, its successors and assigns, to Warrant and Forever Defend all and singular the said premises unto Grantee, his heirs and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through and under Grantor but not otherwise.**

**The consideration for this conveyance is the following:**

**First, the sum of Ten and no/100 (\$10.00) Dollars and other good and valuable consideration to Grantor cash in hand paid by Grantee, the receipt of which is hereby acknowledged.**

**Second, the assumption by Grantee of any taxes assessed against such premises for the 2013 tax year and all subsequent years.**

**EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.**

**THE CITY OF FREEPORT, TEXAS**

**By \_\_\_\_\_  
Norma Moreno Garcia, Its Mayor**



**ATTEST:**

\_\_\_\_\_  
**Delia Munoz, Its City Secretary**

**THE STATE OF TEXAS                    X**

**COUNTY OF BRAZORIA                    X**

**This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_,  
2013, by NORMA MORENO GARCIA, as Mayor of the City of Freeport, Texas.**

\_\_\_\_\_  
**Notary Public, State of Texas**

**MAILING ADDRESS OF GRANTEE**

**AFTER RECORDING RETURN TO:**

**C/Freeport.CtySell/Caldwell St Btwn H & I Sell W Half-SWD**