

STATE OF TEXAS §

COUNTY OF COMAL §

**ORDER No. 262
DISPOSITION OF SALVAGE OR SURPLUS PROPERTY**

WHEREAS, the Texas Local Government Code authorizes the Commissioners Court of a county to dispose of "salvage property" and "surplus property" under Section 263.152 of the Texas Local Government Code by donating said property to a civic or charitable organization located in the county;

WHEREAS, the Commissioners Court of Comal County acknowledges that Section 263.151 of the Texas Local Government Code defines "salvage property" as personal property, other than items routinely discarded as waste, that because of use, time, accident, or any other cause is so worn, damaged, or obsolete that it has no value for the purpose for which it was originally intended;

WHEREAS, the Commissioners Court of Comal County acknowledges that Section 263.151 of the Texas Local Government Code defines "surplus property" as personal property that (1) is not salvage property or items routinely discarded as waste; (2) is not currently needed by its owner; (3) is not required for the owner's foreseeable needs; and (4) possesses some usefulness for the purpose for which it was intended;

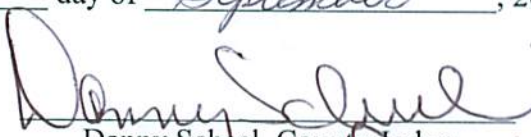
WHEREAS, Section 263.152(a)(4) allows the Commissioners Court to donate to a civic or charitable organization located in the County "salvage property" and "surplus property" if the Court determines that: (1) undertaking to sell the property by competitive bid or auction would likely result in no bids or a bid price that is less than the County's expenses required for the bid process; (2) the donation serves a public purpose; and (3) the organization will provide the county with adequate consideration, such as relieving the county of transportation or disposal expenses related to the property; and


WHEREAS, the Commissioners Court recognizes that Comal County Public Health possesses medical related items consisting of 3-02 cylinders, size D.

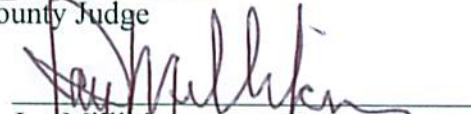
NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County hereby determines that the medical related items are surplus property under Section 263.151 of the Texas Local Government Code; and


BE IT FURTHER RESOLVED THAT the Court determines that said surplus items comply with the requirements of Section 263.152 of the Texas Local Government Code and shall be properly disposed of by donating to Bracken Volunteer Fire Department, a civic or charitable organization located in Comal County serving a public purpose.

ADOPTED this 9 day of September, 2010.


Danny Schel, County Judge

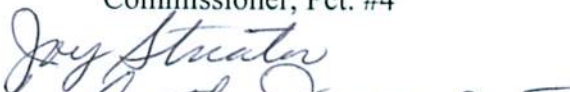

Donna Eccleston
Commissioner, Pct. #1


Jay Millikin
Commissioner, Pct. #2


Gregory Parker
Commissioner, Pct. #3

absent
Jan Kennady
Commissioner, Pct. #4




Joy Streater, County Clerk