

STATE OF TEXAS §

COUNTY OF COMAL §

**ORDER No. 244
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 competitive bid or auction;

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)(1) allows the Commissioners Court to periodically sell "salvage property" and "surplus property";

WHEREAS, Section 263.152(a)(3) allows property to be destroyed or otherwise disposed of as worthless if the commissioners court undertakes to sell that property under Subdivision (1) and is unable to do so because no bids are made; and

WHEREAS, the Commissioners Court recognizes that Comal County possesses the attached list of "salvage" and "surplus" items.

NOW THEREFORE BE IT RESOLVED THAT the Commissioners Court of Comal County hereby determines that the attached list of personal property is "salvage" or "surplus" property under Section 263.151 of the Texas Local Government Code;


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 online auction through GovDeals.com; and

BE IT FURTHER RESOLVED THAT the Court determines that if no bids are submitted for said surplus items and, therefore, said items cannot be disposed of by online auction through GovDeals.com, said surplus items may be destroyed or otherwise disposed of as worthless.

ADOPTED this 29th day of October, 2009.



Jay Millikin, Acting Judge
Danny Scheel, County Judge

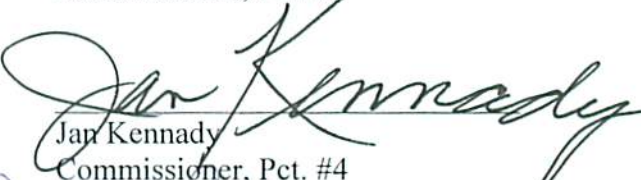


Donna Eccleston
Commissioner, Pct. #1

Jay Millikin
Commissioner, Pct. #2

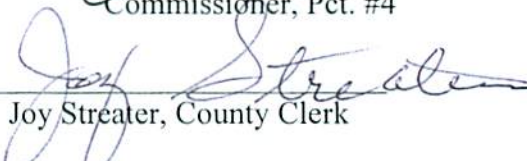


Gregory Parker
Commissioner, Pct. #3



Jan Kennedy
Commissioner, Pct. #4





Joy Streater, County Clerk

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