

**BILL NO. 2024-027**

**ORDINANCE NO. 8653**

**A SPECIAL ORDINANCE OF THE CITY OF NEVADA, MISSOURI, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH CURTIS AND SONS AUCTIONS FOR THE SALE OF CERTAIN SURPLUS REAL PROPERTY BY AUCTION**

**WHEREAS**, Real property owned by the city which, as determined by the city council by Ordinance 8609 on November 7, 2023, has outlived its usefulness, has become inadequate for the public purpose to which it has formerly been dedicated, or has been purchased or otherwise obtained and never dedicated or used for a public service, has been declared surplus, or is held by the municipality in its private or proprietary capacity, and;

**WHEREAS**, the City Council has determined to sale surplus properties by Auction, and;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEVADA, MISSOURI, THAT:**

**Section 1.** The agreement between the City of Nevada, Missouri, and Curtis and Sons Auctions, Nevada, Missouri attached hereto and incorporated herein by reference is hereby approved.

**Section 2.** The City Manager or his designee is authorized and directed to execute the same on behalf of the City of Nevada, Missouri, and is authorized to take all reasonable steps necessary to comply with the terms of the agreement.

**Section 3.** This ordinance shall be in full force and effect from and after its passage and adoption.

**PASSED, APPROVED and ADOPTED** by the City Council of the City of Nevada, Missouri, this 7th day of May 2024.



**CYNTHIA DYE, CITY CLERK**

*George C. Knox*

**GEORGE C. KNOX, MAYOR**

**AGENDA ITEM**

April 16, 2024

Subject: Auction of Surplus Property

Department: Administration

Proposals were requested by licensed Auction companies with only Curtis & Sons Auction submitting a proposal.

Curtis and Sons Auction proposal includes the City of Nevada is responsible for:

- Advertising cost of \$1,666.39
- Title searches

**Recommendation:** Disposal of 3 properties by Auction.

Parcel	Description	Acres	Year Owned
18-3.0-07-000-000-017.000	17818 S. 1400 Rd. Animal Shelter	18.3	1957
18-2.0-09-001-010-005.000	213 E. Sycamore	.156	2022
13-8.0-27-000-000-002.000	E Lady Rd. Landfill and Croplands	Approx. 80	1981

**Curtis and Sons, Inc  
Auction Contract**

**AGREEMENT FOR THE SALE REAL PROPERTY BY AUCTION**

This agreement made this 8 day of May, 2024 by and between

City of Nevada (Seller). Hereinafter called Seller, and Curtis and Sons, Inc hereinafter called Auctioneer.

The auction is to be held at 110 S. Ash Nevada, MO on June 8, 2024 at Noon.

- In case of postponement, due to weather or government mandate auction will take place on a later date agreeable to both parties.
- Real Estate shall consist of the following tracts.
  - 18-3.0-07-000-000-017.000 - 17818 S. 1400 Rd. - Animal Shelter**
  - 18-2.0-09-001-010-005.000 - 213 E. Sycamore**
  - 13-8.0-27-000-000-002.000 - E. Lady Road - Landfill/Croplands**
- Auctioneer hereby agrees to use his professional skill, knowledge and experience to the best advantage of both parties in preparing for and conducting the sale.
- Seller agrees not to interfere with, prevent or prohibit Auctioneer in any manner prior to or during auction from carrying out his duties and obligations of this agreement.
- Seller acknowledges the efforts and endeavors of Auctioneer to procure a buyer. Seller agrees to refer all inquiries and prospects, from any source, to Auctioneer to avoid the possibility of confusion and misunderstandings about agency relationship and liability for compensation. Auctioneer is compensated by the Buyer's Premium of 5%. If the Seller rejects the bid, they agree to list the property with Curtis and Sons, Inc. for a traditional 90-day period under the terms outlined in the attached document.
- The Seller covenants and agrees that they have good title and right to sell, and said goods are free from all encumbrances except as follows:  

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- Seller agrees to provide merchantable title to all items sold and deliver title to purchasers. Seller agrees to hold harmless the auctioneers against any claims of the nature referred to in this contract.

# Curtis and Sons, Inc Auction Contract

## AGREEMENT FOR THE SALE REAL PROPERTY BY AUCTION

- It is agreed that the property is to be sold to the highest bidder.
- It is mutually agreed that the property will be sold to any in attendance, with the exception of items specified by the seller in writing to be protected at time booking agreement is entered into.
- Seller acknowledges that it is impossible for Curtis and Sons, Inc. to screen and/or monitor all such individuals. Accordingly, Seller assumes the risk or, and hereby releases and agrees to hold Curtis and Sons, Inc., its employees, officers, agents, contractors and vendors, harmless from and against, all claims and liability resulting from exposure to disease-causing organisms and objects.
- Seller agrees to pay all sale expenses and Auctioneer's Fees including but not limited to:

Digital & Print Advertising	\$1666.39
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*John Curtis*

dotloop verified  
05/13/24 11:52 AM  
CDT  
CIGC-MBJS-LLVZ-UDLF

Auction Manager Signature

Date

  
Seller Signature

417-448-5101  
Phone Number

5/13/24  
Date