

ORDINANCE NO. 2025-09-08-D

AN ORDINANCE OF THE CITY OF RANGER, TEXAS, AUTHORIZING THE CONVEYANCE OF CERTAIN REAL PROPERTY KNOWN AS THE RANGER MUNICIPAL AIRPORT TO THE RANGER AIRFIELD FOUNDATION IN EXCHANGE FOR RESTORATION OF THE HISTORIC 1928 AIRPORT HANGAR AND OTHER CONSIDERATION; AUTHORIZING A DEVELOPMENT AGREEMENT WITH RANGER AIRFIELD FOUNDATION; AUTHORIZING A LEASE FOR THE HISTORIC HANGAR PROPERTY; RATIFYING PAST CITY COMMISSION ACTIONS; PROVIDING TERMS OF CONVEYANCE; AUTHORIZING THE NEGOTIATION AND EXECUTION OF CERTAIN DOCUMENTS EFFECTUATING THIS ORDINANCE; MAKING FINDINGS OF PUBLIC PURPOSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Ranger is a Home Rule Texas Municipality located in Eastland County, Texas; and

WHEREAS, the City owns property known as the Ranger Municipal Airport, also known as the Ranger Airfield, located at 1402 Oddie Street, Ranger, Texas, 76470, and being approximately 80.97 acres of land out of and part of the William Frells Survey, Abstract No. 120, City of Ranger, Eastland County, Texas, (the "Property" or "Airfield"), said land not acquired by eminent domain, and being more particularly described by metes and bounds in Exhibit "A", attached hereto and incorporated herein for all purposes; and

WHEREAS, the Ranger Municipal Airport is home to the historic 1928 hangar that stands as a rare and significant example of early 20th-century aviation architecture in Texas, that was constructed during the Golden Age of Aviation, and was one of the first purpose-built hangars in the state, reflecting the rapid expansion of civilian aviation in the post-World War I era; and

WHEREAS, the Texas Department of Transportation's Aviation Division lists Ranger Airfield as the third oldest operating airport in the State of Texas, and the field contains a Texas Historical Commission historic marker as well as the 1928 historic hangar and a grass landing strip; and

WHEREAS, the City Commission finds the Property has a fair market value of \$485,000 based on an appraisal prepared on behalf of the City and the Eastland County Appraisal District indicates the property (Parcel ID 55996) has a 2025 land value of \$466,680; and

WHEREAS, Ranger Airfield Foundation (“RAF”) is a Texas nonprofit corporation recognized under Section 501(c)(3) of the Internal Revenue Code, has maintained and supported the Ranger Airfield since 2008, and is an abutting landowner; and

WHEREAS, per Section 22.002 of the Texas Transportation Code, the planning, improvement, maintenance, operation, and other specified functions of an airport are public functions exercised for a public purpose, and the Ranger Municipal Airport, FAA Identifier F23, is a general aviation airport open to the public; and

WHEREAS, the Ranger City Commission, on July 11, 2022, approved the proposal by the Ranger Economic Development Corporation (“REDC”) to transfer approximately 3.5 acres of land from REDC to the City of Ranger for the purpose of a runway extension for the Ranger Municipal Airport, and the Commission finds said 3.5 acres has an appraised value (fair market value) of approximately \$21,000.00 per the Eastland County Appraisal District; and

WHEREAS, it is the intention of the City Commission to ratify acceptance of the 3.5 acres, finalize that conveyance of property from REDC to the City of Ranger, and to incorporate said land into the Ranger Municipal Airport Property, further, upon transfer of said 3.5 acre runway extension the Ranger Airport will contain approximately 84.47 acres of land with a total fair market value of \$506,480.00; and

WHEREAS, the Mayor or Mayor Pro Tem is expressly authorized to effectuate the transfer of the 3.5 acres from REDC to the City of Ranger; and

WHEREAS, the restoration of the 1928 hangar and establishment of an aircraft and aviation-related museum in that building would preserve and celebrate a significant piece of the city’s heritage, and offers an authentic setting to showcase historic aircraft, artifacts, and stories; and

WHEREAS, the City Commission finds that an aircraft and aviation-related museum in Ranger would serve as a unique cultural and educational asset, preserving the region’s rich aviation history while promoting community engagement and tourism; and

WHEREAS, the City of Ranger solicited sealed bids for the restoration of the historic 1928 airport hangar, three sealed bids were received and opened on Monday, August 11, 2025, in the following amounts: \$623,890, \$608,000, and \$565,500, with RAF submitting the bid in the amount of \$565,500; and

WHEREAS, the City Commission finds that the value of the proposed hangar restoration significantly exceeds the appraised fair market value of the 84.47 acre, more or less, airport property including the runway extension; and

WHEREAS, RAF is uniquely situated as the long term manager and operator of the airport, is an abutting property owner to the airport, and has expressed its interest in acquiring airport property in fee simple in consideration of and in exchange for the restoration work on the 1928 hangar as well as commitment to maintain the airport as a general aviation airport, and the operation of the restored 1928 hangar as an aviation related museum; and

WHEREAS, RAF has indicated its agreement and intent that if the land is conveyed from the City to RAF that the Ranger Airfield would remain a general aviation airport open to the public, that the airfield and facilities would be maintained or improved, and that further aviation related uses would be developed on the property, a copy of said Agreement is attached as Exhibit "B", attached hereto and incorporated herein for all purposes

WHEREAS, RAF submitted the lowest bid to restore the historic hangar, and has expressed its desire to lease the historic hangar site from the city, to restore the 1928 hangar per city requirements, and to develop, maintain, and operate an aviation museum in the restored building, a copy of said Lease is attached as Exhibit "C", attached hereto and incorporated herein for all purposes

WHEREAS, the City Commission desires to enter into said long term lease with RAF for the 1928 hangar site as well as the exchange of certain real estate in consideration of the restoration of the 1928 historic hangar, an agreement to further develop the airport and airfield property for general aviation uses, as well as an agreement to develop and operate a historic aviation related museum open to the public on the leased property; and

WHEREAS, the City Commission finds that the preservation of the grass runway, restoration of the 1928 hangar, and other aviation related improvements by RAF will promote local economic development, stimulate business and commercial activity, attract tourism, encourage investment, and further the public purposes of economic development and community revitalization; and

WHEREAS, the City Commission further finds that the development, preservation, and maintenance of the Ranger Airfield and historic hangar by RAF constitutes a significant return benefit to the City, contributing to cultural heritage, community pride, and local economic vitality; and

WHEREAS, the Mayor or Mayor Pro-Tem is expressly authorized to negotiate and enter into said agreement with RAF concerning the development of the land to be conveyed; and

WHEREAS, the Mayor or Mayor Pro Tem is expressly authorized to negotiate and enter into said long term lease agreement with RAF concerning the restoration of the 1928 Hangar and operation of an aviation related museum on that site; and

WHEREAS, upon the execution of said long term lease agreement with RAF concerning the restoration of the 1928 Hangar and operation of an aviation museum, the City Commission rescinds the award of bid for the 2025 hangar restoration project awarded on August 11, 2025; and

WHEREAS, RAF will assume all costs and risks related to the restoration of the historic hangar, and the City shall bear no cost related to the restoration of the historic hangar, except for any city required inspections related to construction; and

WHEREAS, per Texas Local Government Code Section 272.001(b)(4), the City may enter into a contract for sale of the property to RAF, and the notice and bidding requirements of Section 272.001(a) do not apply because the City desires the land to be developed by an independent foundation, namely RAF; and

WHEREAS, the actual area of land to be conveyed to RAF consists of approximately 84.47 acres, subject to adjustment by final survey, and expressly excluding: (i) the tract of land upon which the 1928 historic hangar is situated, (ii) a fifteen-foot (15') perimeter surrounding the historic hangar, and (iii) a permanent ingress and egress easement from Oddie Street to the historic hangar; and

WHEREAS, the City shall retain a security interest in the conveyed property, as provided in the Development Agreement, conditioned upon RAF's full and timely completion of the restoration of the 1928 historic hangar;

WHEREAS, the actual area to be leased by RAF is to be the land upon which the historic hangar exists plus fifteen (15) feet of land immediately surrounding the historic hangar; and

WHEREAS, the City shall bear no cost related to the land conveyance, that there is no amendment to the city's budget, and that RAF shall pay all closing costs, including surveying, title research, title insurance, document preparation, and any other costs associated with the closing; and

WHEREAS, the Ranger Municipal Airport does not have any federal agreements or grant obligations, and ownership changes are a local matter; and

WHEREAS, all City Commissioners have been requested to submit a conflict of interest affidavit pursuant to Chapters 171 and 176 of the Texas Local Government Code, and no member has declared such a conflict;

WHEREAS, RAF has filed disclosures per §2252.908 of the Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF RANGER, TEXAS, THAT:

1. The City Commission of the City of Ranger, Texas, hereby finds and declares that the statements and recitals set forth in the preamble of this Ordinance are true and correct and are adopted as findings of the City Commission.
2. Authorization of Conveyance and Lease. The City of Ranger hereby authorizes the conveyance of approximately 84.47 acres of land known as the Ranger Municipal Airport to the Ranger Airfield Foundation, and the lease of the site of the 1928 historic hangar and the fifteen (15) feet surrounding the building, in exchange for and consideration of the restoration of the 1928 historic hangar according to agreed plans and specifications, an agreement to maintain and operate the airfield as a general aviation airport, an agreement to further develop the airport and airfield property for aviation related uses, and an agreement to develop and operate a historic aviation related museum open to the public on the leased property.
3. That in consideration of the foregoing premises and the mutual covenants set forth herein, the City and RAF agree that, as a condition of the conveyance of approximately 84.47 acres, the City shall retain a security interest in the conveyed property pursuant to said development agreement.

4. Final Survey. The final area of land to be conveyed to RAF and leased to RAF shall be determined by a professional survey of the property, which shall be subject to mutual acceptance by the City and RAF. Such survey shall include the City's reservation of the land upon which the 1928 historic hangar exists, the fifteen (15) feet of land located immediately around said hangar, as well as a permanent ingress and egress access easement to said hangar from Oddie Street.

5. Public Purpose Findings. The City Commission finds that the conveyance serves a public purpose by preserving historic aviation facilities, developing aviation related uses, promoting economic development, encouraging tourism, and supporting community revitalization.

6. Closing Costs. RAF shall bear all closing costs associated with the transaction, including survey, title research, title insurance, document preparation, and any other related expenses.

7. No Federal Obligations. The City affirms that the property is free of federal grant obligations, and transfer is solely a local matter.

8. Execution of Documents. The Mayor or Mayor Pro Tem is authorized to negotiate and execute any and all documents necessary to carry out the lease, convey and exchange said real estate, secure necessary liens, and to effectuate this ORDINANCE as soon as practicable.

9. Waiver of Immunity as to agreements with RAF. It is the express intent of the City Commission that, to the extent permitted and limited by the Texas Local Government Contract Claims Act, Texas Local Government Code Chapter 271, Subchapter I, the City of Ranger waives governmental immunity from suit for the purpose of adjudicating a claim for breach of this Agreement and any related development agreements between the City and the Ranger Airfield Foundation concerning the Ranger Airfield and associated aviation-related improvements. This waiver applies solely to claims within the scope and monetary limits established by said Act and shall not be construed as a general waiver of the City's immunity or as a waiver of immunity for tort claims or claims for exemplary damages.

10. No Third-Party Beneficiaries. Any Agreement herein contemplated is made solely for the benefit of the City of Ranger and the Ranger Airfield Foundation and is not intended to confer any rights or remedies upon any other person or entity. No third party shall have any right to enforce or rely upon any provision of this Agreement.

11. The July 11, 2022, City Commission approval of the proposal by the Ranger Economic Development Corporation (“REDC”) to transfer approximately 3.5 acres of land from REDC to the City of Ranger for the purpose of a runway extension for the Ranger Municipal Airport is hereby ratified.

12. The bid for the 2025 hangar restoration project awarded on August 11, 2025, is hereby rescinded. All bids are hereby rejected.

13. Severability. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Ranger, Texas, hereby declares that it would have adopted this Ordinance, and each provision, section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more provisions, sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

14. Publication and Effective Date. The City Secretary is hereby directed to cause the caption of this Ordinance to be published in the official newspaper of the City of Ranger, Texas, in accordance with the requirements of the City Charter and state law. This Ordinance shall take effect and be in full force from and after its passage and publication as required by law.

15. Proper Notice and Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public as required and that public notice of the time, date, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

{Signatures on Next Page}

PASSED AND APPROVED this 8 day of September, 2025.



CITY OF RANGER, TEXAS

A handwritten signature in blue ink, appearing to read "Robert Butler", is written over a horizontal line.

Robert Butler, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Hope Delatorre", is written over a horizontal line.

Hope Delatorre, City Secretary