



TECHNICAL BULLETIN
Community Development & Planning, Building Inspections
TOPIC: Model Home/Sales Office Conversion Agreement

The City of Arlington provides a mechanism for the construction of a single family residence to be utilized as a model home and/or a sales office on a temporary basis. As such, the model home and/or a sales office may be constructed without satisfying all of the requirements for a single family residence. This Technical Bulletin explains that process.

**CONVERSION AGREEMENT
PROCEDURE**

1. A Conversion Agreement form may be obtained from the Building Inspections Department.
2. Builder and City designee must complete and notarize the agreement.
3. Builder must deliver the completed form to the Tarrant County Courthouse to be filed and recorded.
4. After the form is recorded, the Builder must return the form showing volume and page to the Building Inspections Department. (This should be done well in advance of requesting a final inspection).
5. After the form is returned to Building Inspections, you may request a final inspection. Utilities will be released with the approval of the final inspection.

**RELEASE OF CONVERSION
AGREEMENT**

1. Prior to the sale of the house, the builder must correct the garage, sidewalk/approach, fencing, landscaping as applicable in accordance with the terms of the Conversion Agreement.
2. A building permit must be required to proceed with the work necessary and then request the appropriate inspections.
3. After inspections are completed and approved, the Conversion Agreement release form will be completed by the Building Inspections Department and returned to the Builder. (Building Inspections is the only party's signature required to be on the release form).
4. The Builder must deliver the release agreement form to the Tarrant County Courthouse to be filed and recorded.

THE STATE OF TEXAS § **AGREEMENT TO DELAY CONSTRUCTION OF CITY**
 § **SIDEWALKS, DRIVEWAY & APPROACH, AND/OR**
COUNTY OF TARRANT § **TO CONVERT GARAGE TO SALES OFFICE**

THIS AGREEMENT is made and entered into this the _____ day of _____, 20_____, by and between the City of Arlington, a Texas Municipal Corporation (hereinafter referred to as "CITY") and _____ (Hereinafter referred to as "BUILDER")

RECITALS

WHEREAS, Builder desires to temporarily use this residence as a model home/sales office, such temporary use being located at:
Address _____ on Lot _____
Block _____ Addition _____ to the City of Arlington.

WHEREAS, The CITY and BUILDER desire to enter into this Agreement setting out the conditions for temporary use of a residential house as a (model home/sales office) and the installation and/or deletion of improvements required by City Ordinance of the temporary (model home/sales office), for mutual consideration. Prior to release of this agreement the builder agrees that the temporary modifications made to this building site will be restored or corrected to comply with City Ordinance as follows:

I

The driveway approach and sidewalks must be properly installed as required by the CITY. (Staff only: Drive approach inspected and approved...Yes/No Date _____ by _____)

II

The driveway must be properly installed as required by City Ordinance.

III

Any fencing or landscaping which is in violation of any City Ordinance will be removed or relocated as required by City Ordinance.

IV

For the duration of time the structure is used as a Model Home/Sales Office, the facility must be Accessible to the handicapped.

V

All violations of current and adopted Building, Energy, Mechanical, Electrical, and Plumbing Codes will be corrected.

Upon the execution of the Agreement by both parties hereto, BUILDER shall cause same to be **filed** of record in the Deed Records of Tarrant County, Texas. BUILDER shall thereafter return a file-stamped copy of said Agreement to CITY. Upon receipt of a file-stamped copy of the Agreement, CITY shall release the final inspection of the premises described herein to the utility companies.

January 18, 2008

WHEREAS, The use of any gender includes the other genders, and the use of either the singular or the plural includes the other.

WHEREAS, BUILDER agrees to notify CITY at the time the temporary model home/sales office is discontinued and the site is modified to comply with this agreement. Prior to the sale and closing of the property BUILDER or Title Company will obtain a release instrument prepared by the City of Arlington and designated as Exhibit "A". This instrument shall be filed with Tarrant County Deed of Records Department.

WHEREAS, This agreement shall be binding on and shall inure to the benefit of successors and assigns of the parties thereto.

WHEREAS, This agreement shall be governed and construed under and in accordance with the laws of the State of Texas.

EXECUTED the day and year first above written.

City of Arlington

Builder

BY: _____

BY: _____

TITLE: _____

NOTE: Complete appropriate acknowledgement only

THE STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this ____ day of _____ in the year _____, personally appeared _____, known to me to be a credible person and one of the signers of the foregoing certification, and who, after being by me duly sworn, did upon his/her oath, state that the information contained in such application is true and correct to the best of his/her knowledge and belief.

Notary Seal:

Notary Public in and for the State of Texas

Texas Penal Code Section 37.10 states; that a person commits a Class A misdemeanor if they knowingly make false entries in, or false alteration of, a governmental record or makes, presents or uses any record document, or thing with knowledge of its falsity and with intent that it be taken as a genuine governmental record.

THE STATE OF TEXAS §

COUNTY OF TARRANT §

BEFORE ME, the undersigned authority, on this ____ day of _____ in the year _____, personally appeared _____, known to me to be a credible person and one of the signers of the foregoing certification, and who, after being by me duly sworn, did upon his/her oath, state that the information contained in such application is true and correct to the best of his/her knowledge and belief.

Notary Seal:

Notary Public in and for the State of Texas

Texas Penal Code Section 37.10 states; that a person commits a Class A misdemeanor if they knowingly make false entries in, or false alteration of, a governmental record or makes, presents or uses any record document, or thing with knowledge of its falsity and with intent that it be taken as a genuine governmental record.

THE STATE OF TEXAS §

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BEFORE ME, the undersigned authority, on this ____ day of _____ in the year _____, personally appeared _____, known to me to be a credible person and one of the signers of the foregoing certification, and who, after being by me duly sworn, did upon his/her oath, state that the information contained in such application is true and correct to the best of his/her knowledge and belief.

Notary Seal:

Notary Public in and for the State of Texas

Texas Penal Code Section 37.10 states; that a person commits a Class A misdemeanor if they knowingly make false entries in, or false alteration of, a governmental record or makes, presents or uses any record document, or thing with knowledge of its falsity and with intent that it be taken as a genuine governmental record.

RELEASE OF CONVERSION AGREEMENT
EXHIBIT "A"

THE STATE OF TEXAS §

COUNTY OF TARRANT §

Pursuant to a Conversion Agreement ("Agreement") entered into between the City of Arlington ("CITY") and _____ ("BUILDER"), on the ____ day of _____, 20____, the City has inspected the re-conversion of the Property known as Lot____, Block____, Addition_____.

The re-conversion meets all of the standards set out in the Agreement between the parties; and, by execution of this release, the CITY acknowledges that the re-conversion satisfies all applicable ordinances and regulations. The CITY accepts the property and releases BUILDER from all claims that may have occurred, prior to the date hereof, with respect to the use by BUILDER of the premises as a sales office.

EXECUTED this ____ day of _____, 20_____.

CITY OF ARLINGTON

BY: _____

THE STATE OF TEXAS §

COUNTY OF TARRANT §

This instrument was acknowledged before me on the ____ day of _____, 20_____, by _____ of the City of Arlington, Texas, a Texas Municipal Corporation, on behalf of said City.

Notary Public, State of Texas