

AN ORDINANCE 84229

ACCEPTING DONATION OF THE TITLE TO LOTS 5, 6, 7, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, AND 29, BLOCK 1, NEW CITY BLOCK 6679, INDUSTRY CENTER SUBDIVISION, PORTIONS OF WHICH FRONT ON FRIO CITY ROAD, TO BE USED FOR THE DEVELOPMENT OF AFFORDABLE HOUSING IN CONNECTION WITH THE 1996 FALL PARADE OF HOMES; AND AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS TO FACILITATE THIS TRANSACTION.

* * * * *

WHEREAS, on March 30, 1995 City Council approved an affordable housing policy for the City of San Antonio (hereinafter referred to as "CITY"); and

WHEREAS, this policy gives priority to programs which encourage the development of single-family and multi-family residential units which are affordable to families which meet very low, low, and moderate income guidelines; and

WHEREAS, in connection therewith, CITY staff has undergone an extensive selection process for a site which will ultimately be used for construction of affordable housing for the 1996 Fall Parade of Homes; and

WHEREAS, CITY staff has recommended selection of a site including property that is legally described as Lots 5, 6, 7, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29, Block 1, New City Block 6679, INDUSTRY CENTER SUBDIVISION, City of San Antonio, Bexar County, Texas, according to the plat thereof recorded in Volume 642, Page 161, Plat Records of Bexar County, Texas, being the same property conveyed to Kirkpatrick Joint Venture by instrument recorded in Volume 6215, Page 786 of the Real Property Records of Bexar County, together with all personal property of any sort or character whatsoever which may be located in, on, under or near such (hereinafter referred to as "the Property"); and

WHEREAS, Habitat for Humanity of San Antonio, Inc. is the current owner of the Property and it is their desire to donate the Property to CITY for the development of affordable housing in the City of San Antonio; and

WHEREAS, it is now necessary to accept the donation of the Property by deed from Habitat for Humanity of San Antonio, Inc.; and

WHEREAS, it is in the best interests of CITY to accept this donation in order to expedite the assembly of land for the 1996 Parade of Homes; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The City of San Antonio does hereby accept the donation of title to Lots 5, 6, 7, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29, Block 1, New City Block 6679, INDUSTRY CENTER SUBDIVISION, portions of which front on Frio City Road, from Habitat for Humanity of San Antonio, Inc. by deed, to be used for the development of affordable housing in connection with the 1996 Fall Parade of Homes. A copy of said deed will be attached hereto and incorporated herein by reference for all purposes as Attachment I.

SECTION 2. The City Manager or, in his stead, either the Assistant City Manager or an Assistant to the City Manager, is hereby authorized to execute any and all documents, as first reviewed and approved by the City Attorney, to facilitate this transaction.

SECTION 3. This ordinance shall be effective on and after the tenth (10th) day after passage hereof.

PASSED AND APPROVED this 6th day of June, 1996.


M A Y O R

ATTEST:


ASSISTANT City Clerk

APPROVED AS TO FORM:


for the City Attorney

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ATTACHMENT I

TO

ORDINANCE NO. 8422A

PASSED AND APPROVED ON JUNE 6, 1996

DEED FROM HABITAT FOR HUMANITY OF SAN ANTONIO, INC.

DEED WITHOUT WARRANTY

DATE: June 27, 1996

GRANTOR: Habitat for Humanity of San Antonio, Inc.

GRANTOR'S MAILING ADDRESS (INCLUDING COUNTY):

311 Probandt
San Antonio, Bexar County, Texas 78204-1745

GRANTEE: City of San Antonio, a Texas Municipal Corporation

GRANTEE'S MAILING ADDRESS (INCLUDING COUNTY):

P.O. Box 839966, City Hall, 3rd Floor
San Antonio, Bexar County, Texas 78283-3966
Attention: Hollis D. Young, Assistant City Attorney

CONSIDERATION:

The Property is being donated to Grantee to effect Grantor's desire that Grantee establish an affordable housing residential subdivision, and for other good and valuable consideration, the sufficiency of which is acknowledged by Grantor. As a material part of the consideration for this Agreement, Grantor and Grantee agree that Grantee is taking the Property "AS IS" with any and all latent and patent defects and that there is no warranty by Grantor that the Property is fit for a particular purpose. Grantee acknowledges that it is not relying upon any representation, statement or other assertion with respect to the Property condition, but is relying upon its examination of the Property. Grantee takes the Property under the express understanding there are no express or implied warranties. Provisions of this section shall survive Closing.

Handwritten signature and date:
10-6-69

PROPERTY:

The land and improvements described as Lots 5, 6, 7, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, and 29, Block 1, New City Block 6679, INDUSTRY CENTER SUBDIVISION, City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 642, Page 161, Plat Records of Bexar County, Texas, being the same property conveyed to Kirkpatrick Joint Venture, predecessor in title to the Grantor herein, by instrument recorded in Volume 6215, Page 786 of the Real Property Records of Bexar County, together with all personal property of any sort or character whatsoever which may be located in, on, under or near such.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE:

1. Grantee assumes payment for all ad valorem taxes for 1996 and thereafter.

DEED RESTRICTION:

For independent, good and valuable consideration, the Property shall be restricted to use for affordable housing as defined in City of San Antonio Ordinance No. 81973 passed and approved on March 30, 1995, for a period of five (5) years from June 4, 1996. The right to enforce this restriction shall rest in Grantor, their legal successors and assigns.

GRANTING CLAUSE:

Grantor, for the consideration expressed above and subject to the Deed Restriction, the Reservations From and Exceptions to Conveyance, and all other recorded encumbrances, conveys to Grantee the Property without express or implied warranty, and all warranties that might arise by common law and the warranties in Section 5.023 of the Texas Property Code (or its successors) are excluded.

Grantor acknowledges and agrees that the personal indemnity agreement referenced as consideration in the Deed Without Warranty from Kirkpatrick Joint Venture, a Texas Joint Venture, to Habitat for Humanity in Volume 6776, Page 1220 of the Real Property Records of Bexar County, Texas, is a personal indemnity agreement between Kirkpatrick Joint Venture and Habitat for Humanity of San Antonio, Inc. and that the City of San Antonio is not in anyway obligated to indemnify Kirkpatrick Joint Venture or Grantor, nor is such personal indemnity agreement a condition of conveyance in this instrument.

EXECUTED this 27 day of June, 1996.

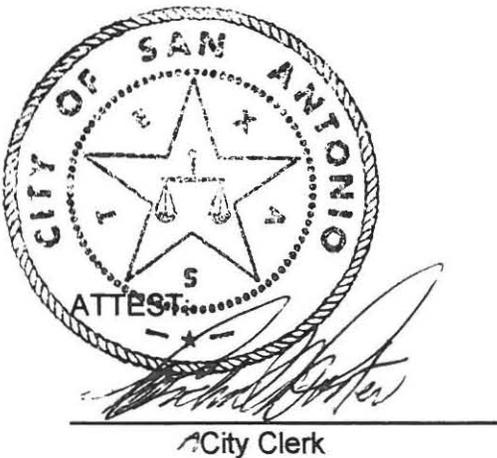
GRANTOR:
Habitat for Humanity of San Antonio, Inc.
a non-profit corporation

BY: Duane Beachey
NAME: Duane Beachey
TITLE: Executive Director

By signature below, Grantee accepts title to this property subject to all of the terms and conditions contained herein.

GRANTEE:
CITY OF SAN ANTONIO,
a Texas Municipal Corporation

BY: J. M. Bishop
NAME: Tiberis M Bishop
TITLE: Assistant to the City Manager
City Manager



City Clerk

APPROVED AS TO FORM: _____
City Attorney

ACKNOWLEDGMENTS

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on the 27 day of June, 1996 by Duane Beachey, the Executive Director of Habitat for Humanity of San Antonio, Inc., a non-profit corporation on behalf of said corporation.



Natalie Griffith
NOTARY PUBLIC
State of Texas

Notary's Commission Expires: _____

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the 9th day of July, 1996, by TRAVIS M. BISHOP, ASST. TO THE City Manager, on behalf of the City of San Antonio, a Texas municipal corporation.



Mary Alice Ramirez
NOTARY PUBLIC
State of Texas

Notary's Commission Expires: 03-30-00

After Recording:
Please return to:
City of San Antonio, Texas
City Hall, 3rd Floor
P.O. Box 839966
Attention: Hollis D. Young,
Assistant City Attorney

CITY OF SAN ANTONIO

OFFICE OF THE CITY MANAGER

INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Mayor and City Council

FROM: Frances A. Gonzalez, Special Projects Manager

COPIES TO: Alexander E. Briseño, City Manager; Lloyd Garza, City Attorney; Roland A. Lozano, Director, Asset Management Department; File

RE: ACCEPTING DONATION OF PROPERTY FROM HABITAT FOR HUMANITY IN CONNECTION WITH THE 1996 FALL PARADE OF HOMES

Date: May 28, 1996

SUMMARY AND RECOMMENDATION

An ordinance accepting donation of the title to lots 5, 6, 7, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, Block 1, New City Block 6679 Industry Center Subdivision, (hereinafter referred to as the "Property") portions of which front on Frio City Road, to be used for the development of affordable housing in connection with the 1996 Fall Parade of Homes.

Staff Recommends Approval.

POLICY ANALYSIS

On March 30, 1995 City Council approved an affordable housing policy for the City of San Antonio. This policy gives priority to programs which encourage the development of single-family and multi-family residential units which are affordable to families which meet very low, low and moderate income guidelines. The City has implemented this policy through its development of Coliseum Oaks and the 1995 Parade of Homes. The action requested is a continuation of this policy and is a concerted effort towards redevelopment of the inner-city.

Per City Council direction, City staff has undergone an extensive site selection process to identify the 1996 Fall Parade of Homes site. The criteria identified by staff is attached and included such factors as socio-economic

data, housing and ownership trends, and current and future values. Various sites were reviewed across our community. Staff is recommending the Frio City Road Site for various reasons:

1. Property is within Loop 410 and is a Community Development Block Grant eligible area.
2. The area has been vacant for over 72 years and is unlikely to experience any development or redevelopment.
3. The adjacent neighborhood and housing stock while stable could accommodate a resurgence and upgrading.
4. The property is adjacent to schools and commercial areas.
5. The adjacent neighborhood has no formalized neighborhood association, however, it is characterized by high homeownership (over 77%).

This parcel is being donated to the City of San Antonio by Habitat for Humanity. The property was originally donated to Habitat through a private donation. The organization suggested to City staff that it consider the property as Habitat would not be developing it in the near future. Staff has conducted an Expanded Phase One Environmental on the property and the report indicated no findings that would affect the long-term single-family use of the property. Additionally, the Planning Department is currently analyzing the current zoning of the area and has been working with Councilman Solis on the rezoning of the property to R-1.

The project as currently proposed includes the assembly of three parcels. City Council will be authorizing staff to accept the donation of 2 of the 3 parcels. The staff is working with the San Antonio Independent School District on the donation of the third parcel and will be bringing that back as an action item at a later date. The three parcels combined total 15 acres.

FINANCIAL IMPACT

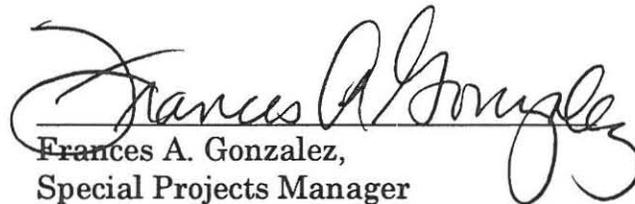
The project is not expected to adversely impact the General Fund. The City of San Antonio will be providing significant in-kind support by various City departments to this project. Staff has proposed a request for Community Development Block Grant funds to support infrastructure and other site development expenses. Staff will be presenting this request to the Housing Task Force at its next scheduled meeting.

SUPPLEMENTAL INFORMATION

After the City accepts the donation of the property, the City assumes the role of developer and coordinates the design, platting and infrastructure improvements to the property, and subsequently conveys it to the San Antonio Housing Trust. The San Antonio Housing Trust would then convey individual lots to individual builders through a quitclaim with a deed restriction requiring that the property be used for affordable housing for a period of five (5) years.

COORDINATION

Staff has presented this project to the Housing and Neighborhood Action Team and received favorable review. The project will be presented in full detail to the Housing Task Force at its next scheduled meeting.



Frances A. Gonzalez,
Special Projects Manager

APPROVED:



Alexander E. Briseño
City Manager

AD-HOC TASK FORCE FOR SITE SELECTION

1. Purpose - To identify criteria for selecting sites for affordable housing projects to be developed by the City in partnership with other community stakeholders.

2. Ideas for Criteria:

Primary criteria:

- Property with a delinquent tax history
- Surplus property
- Donated Property
- Existing infrastructure property
- Underserved Census Tracts - Census tracts identified by HUD as being critically low in the creation of new mortgages.
- Concentration of Code Compliance complaints.

Secondary criteria:

- Declining neighborhoods.
- Areas of substandard conditions
- Strong or existing neighborhood association.
- Stability of surrounding neighborhoods.
- Percentage of households below poverty level.
- Percentage of households less than 80% of median family income.
- Propensity for overcrowding (Census Tracts).
- Presence of job sites.
- Access to mass transportation.
- Proximity to retail/shopping markets.
- Proximity to schools and churches.
- Proximity to recreation facilities.
- Proximity to social services.
- Other City capital and housing projects in the area

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|---|
| ALAMODOME |
| ARTS & CULTURAL AFFAIRS |
| ASSET MANAGEMENT |
| AVIATION |
| BUDGET & MANAGEMENT ANALYSIS |
| BUILDING INSPECTIONS |
| BUILDING INSPECTIONS-HOUSE NUMBERING |
| CITY ATTORNEY |
| MUNICIPAL COURT |
| REAL ESTATE (FASSNIDGE) |
| REAL ESTATE (WOOD) |
| CITY MANAGER (FRANCES GONZALEZ, SPECIAL PROJECTS) |
| CITY PUBLIC SERVICE-GENERAL MANAGER |
| CITY PUBLIC SERVICE-MAPS & RECORDS |
| CODE COMPLIANCE |
| COMMUNITY INITIATIVES |
| CONVENTION & VISITORS BUREAU |
| CONVENTION CENTER EXPANSION OFFICE |
| CONVENTION FACILITIES |
| ECONOMIC DEVELOPMENT |
| FINANCE DIRECTOR |
| FINANCE-ASSESSOR |
| FINANCE-CONTROLLER |
| FINANCE-GRANTS |
| FINANCE-RISK MANAGEMENT |
| FINANCE-TREASURY |
| FIRE DEPARTMENT |
| HOUSING & COMMUNITY DEVELOPMENT |
| HUMAN RESOURCES (PERSONNEL) |
| INFORMATION SERVICES |
| INTERGOVERNMENTAL RELATIONS |
| INTERNAL REVIEW |
| INTERNATIONAL AFFAIRS |
| LIBRARY |
| MARKET SQUARE |
| METROPOLITAN HEALTH DISTRICT |
| MUNICIPAL COURTS |
| OFFICE OF COMMUNITY RELATIONS |
| OFFICE OF DEFENSE TRANSITION |
| PARKS & RECREATION |
| PLANNING DEPARTMENT |
| DISABILITY ACCESS OFFICE |
| LAND DEVELOPMENT SERVICES |
| POLICE DEPARTMENT |
| POLICE DEPARTMENT-GROUND TRANSPORTATION |
| PUBLIC WORKS DIRECTOR |
| CAPITAL PROJECTS |
| CENTRAL MAPPING |
| ENGINEERING |
| PARKING DIVISION |
| REAL ESTATE DIVISION |
| SOLID WASTE |
| TRAFFIC ENGINEERING |
| PURCHASING & GENERAL SERVICES |
| SAN ANTONIO WATER SYSTEM (SAWS) |
| YOUTH INITIATIVES |

ITEM NO. 40
 DATE: JUN 06 1996

MEETING OF THE CITY COUNCIL
 MOTION BY: Harmon SECONDED BY: Solis

ORD. NO. 84229 ZONING CASE _____

RESOL. _____ PETITION _____

| | ROLL CALL | AYE | NAY |
|---------------------------------|-----------|---------------|-----|
| ROGER FLORES DISTRICT 1 | | ✓ | |
| RUTH MC-CLENDON DISTRICT 2 | | ABSENT | |
| LYNDA BILLA BURKE DISTRICT 3 | | ✓ | |
| HENRY AVILA DISTRICT 4 | | <i>Absent</i> | |
| JUAN F. SOLIS III DISTRICT 5 | | ✓ | |
| ROBERT HERRERA DISTRICT 6 | | <i>Absent</i> | |
| BOB ROSS DISTRICT 7 | | ✓ | |
| ROBERT MARBUT DISTRICT 8 | | ✓ | |
| HOWARD PEAK DISTRICT 9 | | ✓ | |
| JEFF WEBSTER DISTRICT 10 | | ✓ | |
| BILL THORNTON MAYOR | | ✓ | |

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