

AN ORDINANCE 2016-05-19-0361

**AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION, OF INTERESTS IN LAND SUFFICIENT FOR PROJECT PURPOSES TO APPROXIMATELY 2.819 ACRES OF PRIVATELY-OWNED REAL PROPERTY IN NCB 16626, BLOCK 1, LOT 101, FOR FIRE STATION #53 AND AUTHORIZING UP TO \$290,000.00 PAYABLE TO THE SELECTED TITLE COMPANY FOR LAND AND ASSOCIATED TITLE FEES.**

\* \* \* \* \*

**WHEREAS**, the public health, safety and best interest of the City of San Antonio and its citizens require the acquisition of 2.819 acres of privately owned real property, for Fire Station No. 53 as part of the Fire Station No. 53 Project; and

**WHEREAS**, City Council Ordinance No. 2009-01-09-0001 provided for the extension of the San Antonio City Limits by the limited purpose annexation of approximately 18,729 acres of land known as South San Antonio Limited Purpose Annexation Area 1, Area 2, Area 3 and Area 4, which was authorized on January 9, 2014; and

**WHEREAS**, this acquisition will allow the San Antonio Fire Department to build a new fire station; and

**WHEREAS**, this Ordinance authorizes the acquisition of one parcel consisting of approximately 2.819 acres located at the intersection of Donop Road and Southton Road, in Council District 3 at a fair market value through negotiation; and

**WHEREAS**, this Ordinance authorizes the appropriation of \$290,000.00 for the acquisition of fee simple title and for other expenses associated with acquiring this property as authorized under the Fire Station No. 53 Project; and

**WHEREAS**, funds are currently available in the FY 2016 Tax Notes and included in the 2016-2017 Capital Improvement Program Budget; **NOW THEREFORE**,

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

**SECTION 1.** A public necessity is hereby declared for the City of San Antonio to acquire fee simple title to 2.819 acres of privately owned real property out of Lot 101, Block 1, New City Block 16626, San Antonio, Bexar County, Texas, graphically depicted in **EXHIBIT "A"** and in Plat in **EXHIBIT "B"** incorporated herein for all purposes, for the construction, operation, improvement, and maintenance of Fire Station No. 53 under the Fire Station No. 53 Project.

**SECTION 2.** The City Manager, and/or her designee, severally, are authorized and directed to do all things necessary and convenient to acquire the tract described as Lot 101, Block 1, New City Block 16626.

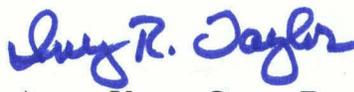
**SECTION 3.** A payment not to exceed \$290,000.00 is authorized for payment through negotiation in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 20-00045, City South Annexation - Fire Equipment, and should be encumbered and made payable to the selected title company for land and associated title fees of approximately 2.819 acres, of privately owned real property in NCB 16626, Block 1, Lot 101, for Fire Station #53 in Council District 3 in Bexar County, Texas. Payments for services are contingent upon the availability of funds and the sale of future City of San Antonio, tax notes in accordance with the adopted capital budget. Payment is limited to the amounts budgeted in the Operating and/or Capital Budget funding sources identified. All expenditures will comply with approved operating and/or capital budgets for current and future fiscal years.

**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

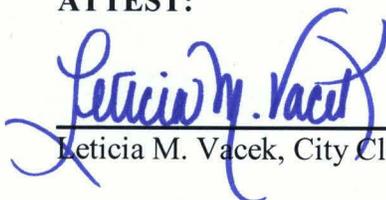
**SECTION 5.** The City staff is hereby directed to negotiate with the owner(s) of the respective parcels for the acquisition of the Property at fair market value, to execute sales agreements purchasing the property from the owners as the owners are identified by a Commitment for Issuance of Title Insurance issued by a title insurance company authorized to conduct such practice in the State of Texas and in Bexar County or by Order of a Court of competent jurisdiction and to finalize such purchases on behalf of the City of San Antonio. The City Council finds that it is in the best interest to obtain the Property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

**SECTION 6.** This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

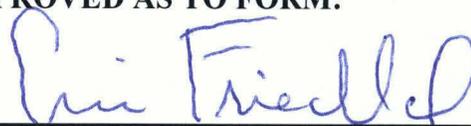
**PASSED and APPROVED** this 19<sup>th</sup> day of May, 2016.

  
M A Y O R  
Ivy R. Taylor

**ATTEST:**

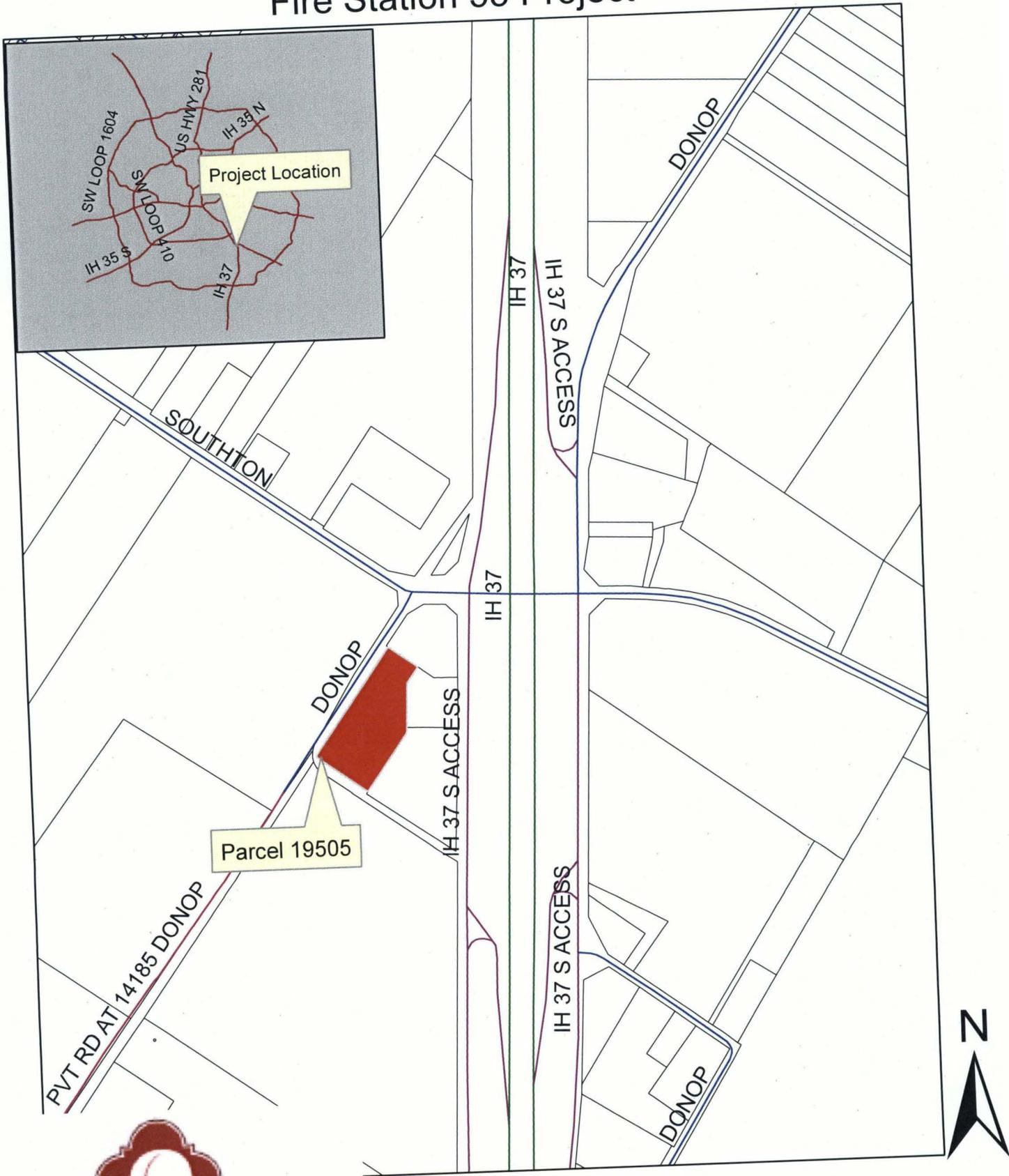
  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
for  
Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	<b>15B ( in consent vote: 15A, 15B )</b>						
<b>Date:</b>	05/19/2016						
<b>Time:</b>	10:03:50 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing the acquisition, through negotiation, of interests in land sufficient for project purposes to approximately 2.819 acres of privately-owned real property in NCB 16626, Lot 101, for Fire Station #53 and authorizing up to \$290,000.00 payable to the selected title company for land and associated title fees.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x			x	
Rey Saldaña	District 4		x				x
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8	x					
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

# Fire Station 53 Project



CITY OF SAN ANTONIO  
TRANSPORTATION & CAPITAL IMPROVEMENTS

 Property to be acquired

**EXHIBIT A**

Book 9553 Page 7899  
 Filed 10/15/01 at 11:58 AM  
 COUNTY CLERK  
 BEAR COUNTY  
 RECORDING INSTRUMENTS  
 COURTHOUSE SEED

The City of San Antonio as part of its electric and gas system (City Public Service Board) is hereby dedicated the easements and right-of-way for electric and gas distribution and service facilities to the extent depicted on this plat as "Electric Easement", "Gas Easement", "Water Easement", "Service Easement", "Overhead Easement", "Utility Easement", and "Transformer Easement" for the purpose of installing, constructing, reconstructing, maintaining, repairing, inspecting, protecting, and servicing poles, conduits or burling wires, cables, conduits, pipes or transformers, each with its necessary appurtenances together with the right of ingress and egress over operator's adjacent land the right to relocate said facilities within said easement and right-of-way areas and the right to remove from said land all lines or wires thereof, or other obstructions which endanger or may interfere with the affixing of said lines or appurtenances thereon. It is understood that no underground electric, gas, water, or waste lines or pipes shall be placed within said easement areas.

Any CPE necessary lines resulting from modifications required of CPE equipment located within said easement, due to grade changes or ground settlement conditions shall be changed to the person or persons responsible for said grade changes or ground settlement.

This plat does not amend, alter, release, or otherwise affect any existing electric, gas, water, sewer, drainage, telephone, cable, or any other easements for utilities unless the changes to such easements are described below.

Concrete driveway approaches are allowed within the five (5) foot wide electric and gas easement when lots are served only by rear lot underground electric and gas facilities.

Roof overhangs are allowed within five (5) foot wide electric and gas easement when only underground electric and gas facilities are proposed or installed within three (3) foot wide easement.

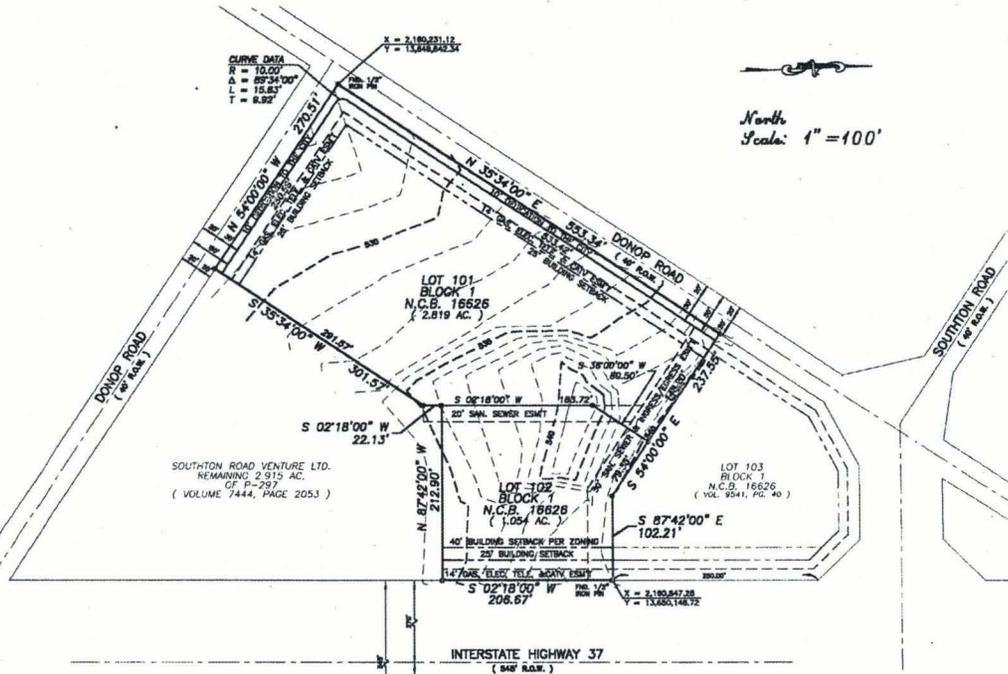
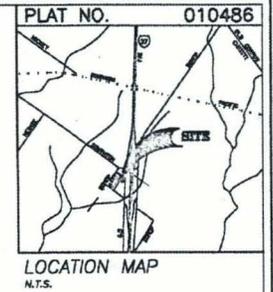
- TxDOT NOTES**
- For residential development directly adjacent to State right-of-way the Developer shall be responsible for adequate set-back and/or sound abatement measures for future noise mitigation.
  - Owner/ Developer is responsible for preventing any adverse impact to the existing drainage system within the highway right-of-way.
  - Maximum access points to State highway from this property will be regulated as directed by "Regulations for Access Driveways to State Highways". This property is eligible for a maximum combined total of 2 access points, based on overall platted highway frontage of 206.67.
  - If sidewalks are required by appropriate City ordinance, a sidewalk permit must be approved by TxDOT, prior to construction within State right-of-way. Locations of the sidewalks within State right-of-way shall be as directed by TxDOT.

**WASTEWATER EDU NOTE**  
 THE NUMBER OF WASTEWATER EQUIVALENT DWELLING UNITS (EDU'S) PAID FOR THIS SUBDIVISION PLAT ARE KEPT ON FILE AT THE SAN ANTONIO WATER SYSTEM UNDER THE PLAT NUMBER ISSUED BY THE DEVELOPMENT SERVICES DEPARTMENT.

**Flores & Company, Inc.**  
 Consulting Engineers  
 12915 Forbes Mallburgan, Suite 401  
 San Antonio, Texas 78241 (210) 650-2988

OWNER: FORUM CONSTRUCTION COMPANY  
 10721 GULFDALE  
 SAN ANTONIO, TEXAS 78218

NOTE:  
 IRON PINS SET AT ALL CORNERS, EXCEPT AS OTHERWISE NOTED.  
 RE: S.A. RRP  
 PID: AY 2157  
 HORIZONTAL DATUM: NAD 83(1993)



North  
 Scale: 1" = 100'

STATE OF TEXAS  
 COUNTY OF BEXAR

I HEREBY CERTIFY THAT PROPER ENGINEERING CONSIDERATION HAS BEEN GIVEN THIS PLAT TO THE MATTERS OF STREETS, LOTS, AND DRAINAGE LAYOUT, AND TO THE BEST OF MY KNOWLEDGE THIS PLAT CONFORMS TO ALL REQUIREMENTS OF THE SUBDIVISION ORDINANCE, EXCEPT FOR THOSE VARIANCES THAT MAY HAVE BEEN GRANTED BY THE PLANNING COMMISSION OF THE CITY.

*Thomas Flores*  
 REGISTERED PROFESSIONAL ENGINEER



SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF JUNE A.D. 2001

*Thomas Flores*  
 NOTARY PUBLIC  
 BEXAR COUNTY, TEXAS



STATE OF TEXAS  
 COUNTY OF BEXAR

THE OWNER OF THIS LAND SHOWN ON THIS PLAT IN PERSON OR THROUGH A DULY AUTHORIZED AGENT, DEDICATES TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

*Ralph C. Bradford*  
 OWNER

*Karen L. Merchant*  
 DULY AUTHORIZED AGENT



STATE OF TEXAS  
 COUNTY OF BEXAR

BEFORE ME, THE UNDERSIGNED AUTHORITY ON THIS DAY PERSONALLY APPEARED RALPH C. BRADFORD KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXERCISED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 18th DAY OF OCTOBER A.D. 2001

*Karen L. Merchant*  
 NOTARY PUBLIC  
 BEXAR COUNTY, TEXAS

SUBDIVISION OF  
**BRADFORD II SUBDIVISION**

ESTABLISHING LOTS 101 & 102, BLOCK 1, N.C.B. 16626, CONSISTING OF 4.060 ACRES OF LAND OUT OF P-297 & P-297A, N.C.B. 16375, OUT OF JUAN MONTES GRANT SURVEY No. 6, ABSTRACT No. 11, SAN ANTONIO, BEXAR COUNTY, TEXAS.

THIS PLAT OF BRADFORD II SUBDIVISION HAS BEEN SUBMITTED TO AND CONSIDERED BY THE PLANNING COMMISSION OF THE CITY OF SAN ANTONIO, TEXAS AND IS HEREBY APPROVED BY SUCH COMMISSION.

DATED THIS 18 DAY OF October A.D. 2001

BY: *Jim Jones*  
 CHAIRMAN

BY: *Rob J. Sear*  
 SECRETARY



STATE OF TEXAS  
 COUNTY OF BEXAR

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND.

*Thomas Flores*  
 REGISTERED PROFESSIONAL LAND SURVEYOR

SWORN TO AND SUBSCRIBED BEFORE ME THIS 20th DAY OF JUNE A.D. 2001

*Thomas Flores*  
 NOTARY PUBLIC  
 BEXAR COUNTY, TEXAS

STATE OF TEXAS  
 COUNTY OF BEXAR

I, *Caroly Beckwith* COUNTY CLERK OF SAID COUNTY, DO HEREBY CERTIFY THAT THIS PLAT WAS FILED FOR RECORD IN MY OFFICE ON THE 20th DAY OF JUNE A.D. 2001 AT 11:58 AM, AND DULY RECORDED THE 20th DAY OF JUNE A.D. 2001 IN BOOK VOLUME 9553 OF PLATS & PARTS OF SAID COUNTY, IN THE 2001 OF 169 ON PAGE 169 IN TESTIMONY WHEREOF I HAVE SET MY HAND AND OFFICIAL SEAL OF OFFICE, THIS 20th DAY OF JUNE A.D. 2001

COUNTY CLERK, BEXAR COUNTY, TEXAS

BY: *Conner Wiley* DEPUTY

EXHIBIT B