

AN ORDINANCE 2008-01-31-0076

DECLARING 1308.4 BAILEY AVENUE, LOCATED IN DISTRICT 3, AS SURPLUS TO THE CITY'S NEEDS AND AUTHORIZING ITS SALE TO HSBC MORTGAGE SERVICES, INC. FOR A TOTAL APPROXIMATE PRICE OF \$5,500, THE CITY'S SHARE BEING APPROXIMATELY \$2,585 AND THE BALANCE GOING TO OTHER TAXING AUTHORITIES

\* \* \* \* \*

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

SECTION 1. The following property is declared surplus to the needs of the City of San Antonio: Lot 12, Block 6, NCB 3181, San Antonio, Bexar County, Texas.

SECTION 2. The City Manager and her designee, severally, are authorized and directed to execute and deliver a deed in favor of HSBC Mortgage Services, Inc. or its assignee and otherwise to do all things necessary or convenient to effectuate transfer of the City's title to the properties.

SECTION 3. Funds generated by this ordinance will be deposited into Fund 76002000 Building Maintenance, Internal Order 224000000010 Sale of Land, General Ledger 4903101 Sales - Land.

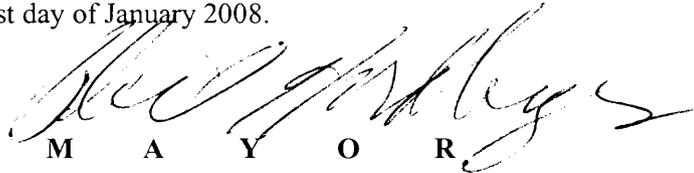
SECTION 4. Any financial transactions necessary to remove this asset from the City of San Antonio's Official records, will be coordinated through the Finance Department.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. Sale proceeds allocable to other taxing entities must be remitted according to the customs and practices governing allocation of such proceeds among the affected taxing entities.

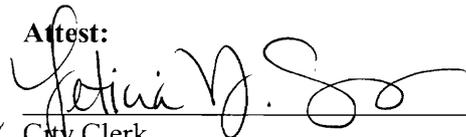
SECTION 7. This ordinance becomes effective 10 days after its passage.

PASSED AND APPROVED this 31st day of January 2008.

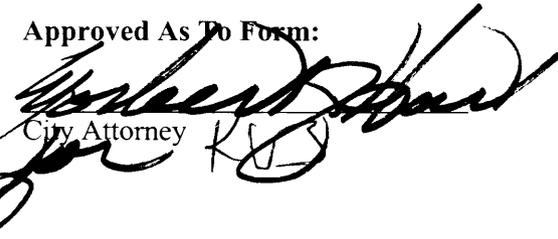
  
M A Y O R

PHIL HARDBERGER

Attest:

  
City Clerk

Approved As To Form:

  
City Attorney

<b>Agenda Item:</b>	<b>18</b>						
<b>Date:</b>	01/31/2008						
<b>Time:</b>	02:53:59 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance declaring 1308.4 Bailey Avenue, located in District 3, as surplus to the City's needs and authorizing its sale to HSBC Mortgage Services for a total approximate price of \$5,500, the City's share being approximately \$2,585 and the balance going to other taxing authorities. [Sharon De La Garza, Assistant to the City Manager; Mark Gretchen, Interim Director, Asset Management]						
<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>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x			x	
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7		x				x
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



CMS or Ordinance Number: CN0040002554

TSLGRS File Code:1000-25

Document Title:

CONT - Request to declare as surplus and sell a tract of City owned real  
Property to HSBC Mortgage Services

**Commencement Date:**

**1/31/2008**

**Expiration Date:**

**1/31/2009**

**CITY OF SAN ANTONIO  
DEPARTMENT OF ASSET MANAGEMENT  
INTERDEPARTMENTAL CORRESPONDENCE SHEET**

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 TO: City Manager's Office  
FROM: Mark Gretchen, Interim Director, Department of Asset Management  
COPIES: File  
SUBJECT: S.P. No. 1338-Request to declare as surplus and sell a tract of City-owned real property  
DATE: February 6, 2008

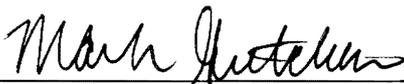
PROJECT TYPE: Sale of Surplus Property  
ORDINANCE: 2008-01-31-0076  
ORDINANCE DATE: January 31, 2008

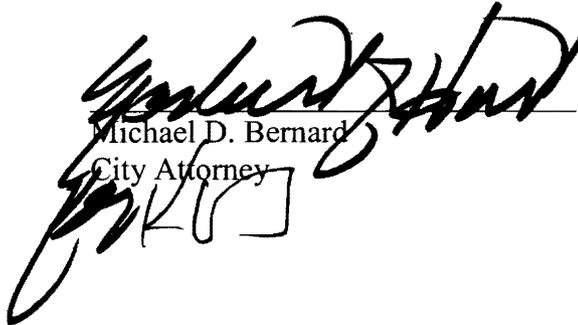
**BACKGROUND:**

This Ordinance declared 1308.4 Bailey Avenue in District 3 as surplus to the City of San Antonio's needs and authorized its sale to HSBC Mortgage Services, Inc., for a total price of \$5,500.00, the City's share of that amount being \$2,585.00 and the balance going to other taxing authorities.

**POLICY ANALYSIS:**

This action is consistent with the City Code and Ordinances which require City Council approval for the disposition of any surplus City-owned real property.

  
\_\_\_\_\_  
Mark Gretchen, Interim Director  
Department of Asset Management

  
\_\_\_\_\_  
Michael D. Bernard  
City Attorney

**Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.**

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State of Texas        }  
                                  }  
County of Bexar     }

**Deed Without Warranty**

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**Authorizing Ordinance:** 2008-01-31-0076

**Statutory Authority:** Texas Local Government Code § 272.001 (a)

**Grantor:** City of San Antonio

**Grantor's Mailing Address:** City Of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966 (Attn: City Clerk)

**Grantor's Street Address:** City Hall, 100 Military Plaza, San Antonio, Texas 78205 (Bexar County)

**Grantee:** HSBC Mortgage Services, Inc.

**Grantee's Mailing Address:** 931 Corporate Center Drive, Pomona, California 91769 (Los Angeles County)

**Consideration:** \$10 in hand paid and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged.

**Property:** Lot 12, Block 6, NCB 3181, San Antonio, Bexar County, Texas

Grantor, for the Consideration, Grants, Bargains, and Conveys to Grantee, all of Grantor's right, title, interest, and estate, both at law and in equity, as of the date hereof, in and to the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, To Have and To Hold unto Grantee, Grantee's successors and assigns forever, **Without Any Express Or Implied Warranty whatsoever, Including But Not Limited to Warranties of Title, Condition, or Character.**

The Property is conveyed together with any and all improvements, structures and fixtures located thereon, and with all rights, privileges, rights of way, and easements appurtenant thereto.

**Reservations, Restrictions, Exceptions, And Conditions To Conveyance:** This conveyance is explicitly subject to the following:

**A. Reservations:** None.

**B. Easements:** Any and all recorded and unrecorded easements, whether or not open and obvious on the Property.

**C. Restrictions:** Any and all covenants and restrictions affecting the Property.

**D. Exceptions:** All valid and effective instruments affecting the Property.

**E. Conditions:** All conditions affecting the Property.

This conveyance does not relieve Grantee of any building, zoning, or other city-imposed requirements, or other land use restrictions applicable to the Property or the obligation to pay any real estate taxes that may otherwise be due.

**Grantor expressly disclaims any and all warranties arising by common law, statute (including without limitation the implied warranties of § 5.023, Texas Property Code or any successor statute), or otherwise**

**In purchasing the Property, Grantee is not relying upon any representation, statement, or other assertion from or chargeable to Grantor. Grantee, on behalf of itself and anyone claiming by, through, or under Grantee, by acceptance of this deed, releases Grantor from any and all claims that Grantee or anyone claiming by, through, or under Grantee, may now have or hereafter acquires against Grantor arising out of or related to this acquisition. This release applies according to its express terms and provisions, including, but not limited to unknown and unsuspected claims, damages, and causes of action.**

**Setting Out The Specific Reservations And Disclaimers Does Not Imply That The Property Is Free Of Other Encumbrances Or Adverse Claims Or Conditions. Grantor Specifically Disclaims Any Such Implication.**

In Witness Whereof, Grantor has caused its representative to set its hand.

**Grantor:**

City of San Antonio, a Texas municipal corporation

By: [Signature]

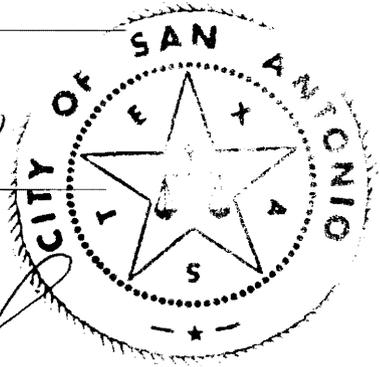
Printed Name: Sharon De la Garza

Title: Assistant to City Manager

Date: 2/20/08

**Attest:**

By: [Signature]  
City Clerk



**Approved As To Form:**

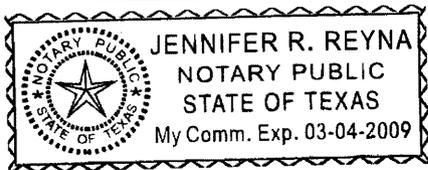
By: [Signature]  
City Attorney

The State of Texas }

County of Bexar }

Before me, the undersigned authority, this instrument was this day acknowledged by Sharon De la Garza, of and for the City of San Antonio, a Texas municipal corporation, on behalf of that entity in the capacity indicated.

Date: Feb 20, 2008



[Signature]  
Notary Public, State of Texas

My Commission Expires: 3/4/09

**After Recording, Return To:**  
HSBC Mortgage Services, Inc.  
931 Corporate Center Drive  
Pomona, California 91769



CMS or Ordinance Number: OR00000200801310076

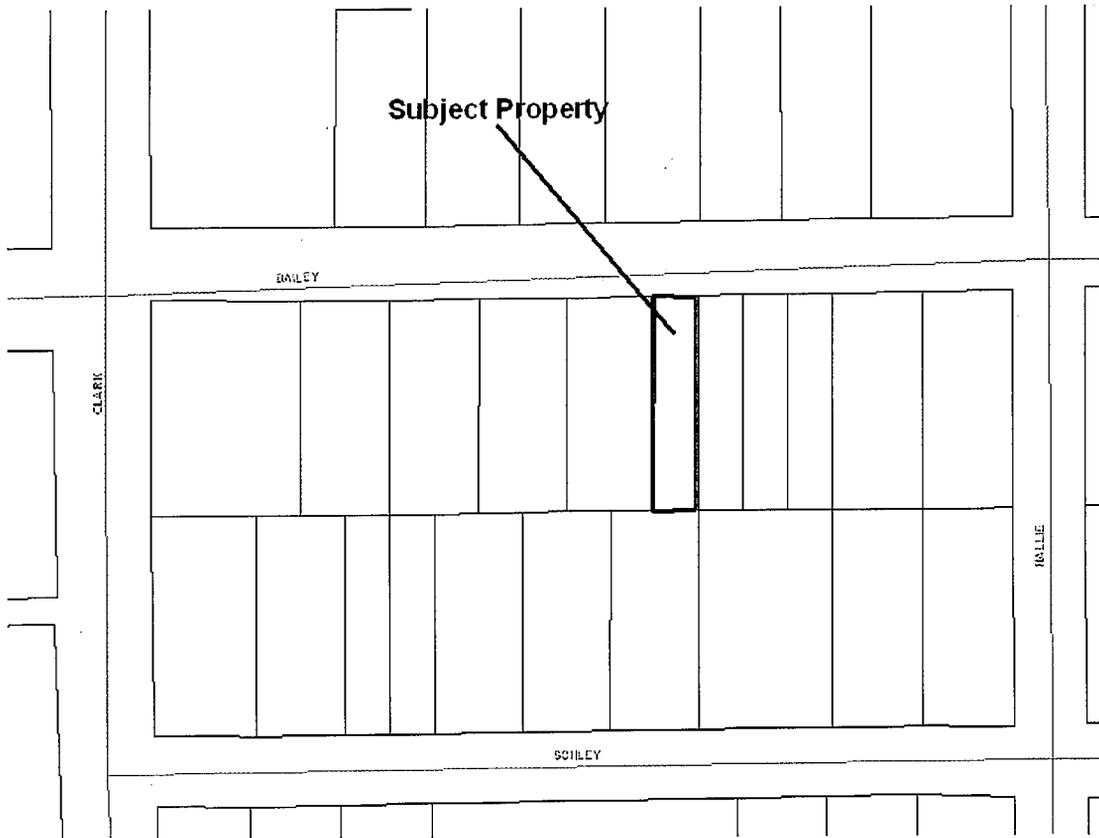
TSLGRS File Code: 1000-05

Document Title:

ORD - Request to declare as surplus and sell a tract of City owned real  
Property to HSBC Mortgage Services

**Ordinance Date:**  
**1/31/2008**

*Case  
6/9/08*



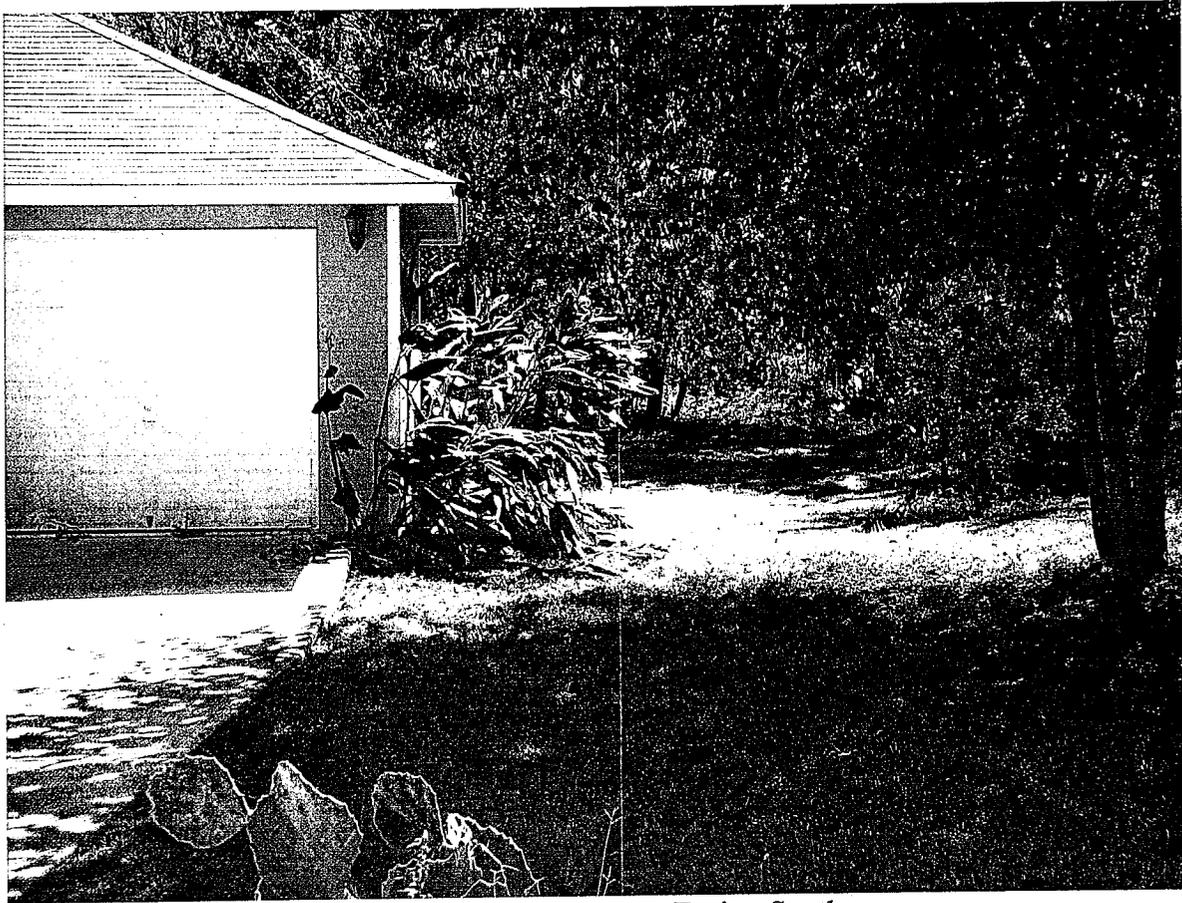
Map of Subject Property



Aerial Photograph of Subject Property

**Exhibit "A"**

Page 1 of 2



View of Subject Property Facing South