

AN ORDINANCE **61410**

ACCEPTING THE BID FOR THE SALE OF SURPLUS CITY-OWNED PROPERTIES WHICH ARE PART OF THE OLMOS DAM DETENTION RESERVOIR, OUT OF COUNTY BLOCK 4024, IN THE CITY OF ALAMO HEIGHTS; AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO EXECUTE A SPECIAL WARRANTY DEED TO THE JOHN COATES COMPANY AND TUSCANY MANAGEMENT, INC., THE HIGH BIDDER THERETO; AND REJECTING ALL OTHER BIDS.

* * * * *

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

SECTION 1. That the high bid of The John Coates Company and Tuscany Management, Inc., dated July 31, 1985, in the amount of \$130,000.00 for Lots 1, 2, 3 and 4, Block 113, and Lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 and 13, Block 114, all being out of County Block 4024 in the City of Alamo Heights, Texas is hereby accepted. A copy of Special Warranty Deed similar to that which will convey this property is attached hereto and made a part hereof.

SECTION 2. That all of the above mentioned property is currently leased to the City of Alamo Heights for park, playground and recreational purposes only, said property being all located in the Olmos Basin and being part of the Olmos Dam Detention Reservoir and that the bidder shall have 180 days to resolve the following:

- (1) Drainage and flood detention requirements to be met with approval of the City of San Antonio Drainage Engineer.
- (2) Bidder obtaining documentation from the City of San Alamo Heights releasing any and all rights it may have in the property pursuant to its lease with the City of San Antonio.
- (3) Proposed uses must be compatible with the neighborhood and meet the zoning and subdivision requirements of the City of Alamo Heights.
- (4) There is an existing 16' sanitary sewer line through Lots 1 and 2 of Block 113 and Lots 6, 7, 8, 9, 10, 11, 12, and 13, of Block 114 and easements would be retained in the Special Warranty Deed for this facility.
- (5) Southwestern Bell Telephone has a telephone cable and poles on the Ogden Street side of the property. If cable and poles are to be removed, cost of removal must be billed to party requesting same.
- (6) The southwest part of Lot 1, Block 113 must be reserved for a variable width electric easement due to an overhead distribution line.

- (7) Bidder shall have 180 days upon acceptance of this Bid to obtain all approvals, fulfill all conditions, and meet all the requirements of Nos. 1, 2, 3, 4, 5, and 6 above. Bidder may obtain three (3) separate extensions of 30 days each in order to obtain all approvals, fulfill the above conditions, or meet all requirements stated herein. In the event Bidder fails to obtain all approvals, fulfill all conditions, and meet all requirements set forth herein, within said time periods, the City shall return Bidder's bid guaranty payment in the amount of \$26,000.00, which has been deposited with the Director of Finance to Bidder within thirty (30) days after notification by Bidder to the City of such failure, and neither party shall have any further rights hereunder.

SECTION 3. That the balance of \$104,000.00 shall be paid by bidder within 30 days of obtaining all approvals, fulfilling all conditions and meeting all of the above mentioned requirements.

SECTION 4. That the Special Warranty Deed, a copy similar to that which will convey the property, which is attached hereto, and made a part hereof shall not be delivered until all of the above mentioned requirements have been resolved and the balance of \$104,000.00 has been deposited with the City Treasurer.

SECTION 5. That the proceeds from the sale of the land hereinabove authorized shall be deposited by the Director of Finance in Fund No. 29-008, entitled Special Revenue Reserve Fund.

PASSED AND APPROVED this 12th day of September, 1985.

Henry Cisneros
M A Y O R

ATTEST:

Anna J. Rodriguez
City Clerk

APPROVED AS TO FORM:

Tom Finley
City Attorney

85-53

AVIATION	
BUDGET & RESEARCH	1
BUILDING INSPECTIONS	
BUILDING INSPECTIONS-HOUSE NUMBER	
CITY WATER BOARD	
CITY ATTORNEY	
COMMERCIAL RECORDER	
CONVENTION & VISITORS BUREAU	
CONVENTION FACILITIES	
ECONOMIC & EMPLOYMENT DEVELOPMENT	
EQUAL EMPLOYMENT OPPORTUNITY	
FINANCE DIRECTOR	
ASSESSOR	1
CONTROLLER	1
TREASURY DIVISION	
GRANTS	
INTERNAL AUDIT	
RISK MANAGEMENT	
FIRE DEPARTMENT	
HUMAN RESOURCES & SERVICES	
INFORMATION RESOURCES	
LIBRARY	
MARKET SQUARE	
METROPOLITAN HEALTH DISTRICT	
MUNICIPAL COURTS	
PARKS & RECREATION	
PERSONNEL	
PLANNING	1
POLICE DEPARTMENT	
PUBLIC UTILITIES	
PUBLIC WORKS	1
ENGINEERING	
CENTRAL MAPPING	
REAL ESTATE	1
TRAFFIC ENGINEERING	
PURCHASING & GENERAL SERVICES	
WASTEWATER MANAGEMENT	
ZONING ADMINISTRATION	
SPECIAL PROJECTS - CITY MANAGER	

ITEM NO. 14

MEETING OF THE CITY COUNCIL DATE: SEP 12 1985

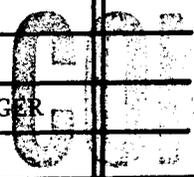
MOTION BY Harrington SECONDED BY: Dutmer

ORD. NO. 61410 ZONING CASE _____

RESOL. _____ PETITION _____

	ROLLCALL	AYES	NAYS
MARIA BERRIOZABAL PLACE 1		✓	
JOE WEBB PLACE 2		✓	
HELEN DUTMER PLACE 3			✓
FRANK D. WING PLACE 4		✓	
WALTER MARTINEZ PLACE 5		✓	
BOB THOMPSON PLACE 6		<i>absent</i>	
YOLANDA VERA PLACE 7		✓	
G.E. HARRINGTON PLACE 8		✓	
VAN ARCHER PLACE 9		✓	
JAMES C. HASSLOCHER PLACE 10		✓	
HENRY G. CISNEROS PLACE 11 (MAYOR)		✓	

85-53



(Substitute)

In Past some
budget approvals
are completed.

ITEM NO. 14

AVIATION
BUDGET & RESEARCH
BUILDING INSPECTIONS
BUILDING INSPECTIONS-HOUSE NUMBER
CITY WATER BOARD
CITY ATTORNEY
COMMERCIAL RECORDER
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
ECONOMIC & EMPLOYMENT DEVELOPMENT
EQUAL EMPLOYMENT OPPORTUNITY
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
TREASURY DIVISION
GRANTS
INTERNAL AUDIT
RISK MANAGEMENT
FIRE DEPARTMENT
HUMAN RESOURCES & SERVICES
INFORMATION RESOURCES
LIBRARY
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL COURTS
PARKS & RECREATION
PERSONNEL
PLANNING
POLICE DEPARTMENT
PUBLIC UTILITIES
PUBLIC WORKS
ENGINEERING
CENTRAL MAPPING
REAL ESTATE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
WASTEWATER MANAGEMENT
ZONING ADMINISTRATION
SPECIAL PROJECTS - CITY MANAGER

MEETING OF THE CITY COUNCIL

DATE: 9-12-85

MOTION BY: Hasslocher

SECONDED BY: Marquez

ORD. NO. _____

ZONING CASE _____

RESOL. _____

PETITION _____

	ROLL CALL	AYES	NAYS
MARIA BERRIOZABAL PLACE 1			X
JOE WEBB PLACE 2		✓	
HELEN DUTMER PLACE 3		✓	
FRANK D. WING PLACE 4			X
WALTER MARTINEZ PLACE 5			X
BOB THOMPSON PLACE 6		<i>absent</i>	
YOLANDA VERA PLACE 7			X
G.E. HARRINGTON PLACE 8			✓
VAN ARCHER PLACE 9			✓
JAMES C. HASSLOCHER PLACE 10			
HENRY G. CISNEROS PLACE 11 (MAYOR)			X

*Deposit bids & start process
over until approvals are
completed on parcels*

SPECIAL WARRANTY DEED

STATE OF TEXAS }
COUNTY OF BEXAR }

KNOW ALL MEN BY THESE PRESENTS:

That THE CITY OF SAN ANTONIO, a municipal corporation, of the County of Bexar, State of Texas, hereinafter called "Grantor," acting by and through _____ City Manager, for and in consideration of the sum of ONE HUNDRED THIRTY THOUSAND AND NO/100 (\$130,000.00) DOLLAR and other valuable considerations to it in hand paid by the Grantee herein named, the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED and by these presents does GRANT, SELL and CONVEY unto THE JOHN COATES COMPANY and TUSCANY MANAGEMENT, INC., whose mailing addresses are (1) The John Coates Company - 1550 N. E. Loop 410, Suite 220, San Antonio, Texas 78209, and (2) Tuscany Management, Inc. - 120 Parklane Drive, San Antonio, Texas 78212, called "Grantee" herein, of the County of Bexar, State of Texas, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit: .

All of Lots 1, 2, 3, and 4, Block 113, and Lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12 and 13, Block 114, all being out of County Block 4024, in the City of Alamo Heights, Texas.

It is understood and agreed that the Grantor is hereby retaining a 16 foot sanitary sewer easement through Lots 1 and 2, of Block 13 and Lots 6, 7, 8, 9, 10, 11, 12, and 13, of Block 114, New City Block 4024, in the City of Alamo Heighs, Texas, described as follows:

(FIELD NOTE DESCRIPTION)

It is further understood and agreed that the Grantor is also hereby retaining an easement out of the southwest part of Lot 1, Block 113 for an overhead electric distribution line; said easements is described as follows:

(FIELD NOTE DESCRIPTION)

Grantor hereby reserves the right to flood the above described land for reservoir purposes and also reserves the right to control fill encroachment thereon. This restriciton shall be running with the land and will be a requirement of any future conveyance.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said Grantee, successors and assigns forever, and Grantor does hereby bind themselves, their successors and assigns, to WARRANT and FOREVER DEFEND all and singular the said premises unto the said Grantee, their successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under the Grantor, THE CITY OF SAN ANTONIO, but not otherwise.

EXECUTED this _____ day of _____, 1985.

CITY OF SAN ANTONIO

BY: _____
City Manager

STATE OF TEXAS }
COUNTY OF BEXAR }

This instrument was acknowledged before me on this _____ day _____, 1985, by _____ City Manager, on behalf of the City of San Antonio, a municipal corporation.

Notary Public in and for the State of
T E X A S

MY COMMISSION EXPIRES: _____

ITEM

Lots of County Block 4024 in Alamo Heights

OPENED JULY 31, 1985

	NAME OF BIDDER	BOND/ CHECK	TERMS	BID BASIS	DEL	TOTAL BID	ITEM 1	ITEM 2	ITEM 3	ITEM 4	ITEM 5	ITEM 6	ITEM 7
1	JAMES E. HAYS						PARCEL	BK #115		2,300.00			
2	CITY OF ALAMO HEIGHTS					\$40,000.00	PARCEL 1-16						
3	J.V. RIDRDAN					\$16,500	PARCEL 9-112-6						
4	JAMES E. HAYS NO NAME					\$5,000.00	PARCEL 1234 115						
5	ROBERT / ROSE NO NAME JAMISON					\$7,500.00	PARCEL 5-112-1						
6	R. WOOD					\$2,100.00	PARCEL 9 112						
7	LEONARD COCKERILL					\$5,000.00	PARCEL LOT 1,2 BK 115						
8	JERRY ADAMS					\$9,010.00	PARCEL - 16 LOT						
9	Clairborne Carrington Trustee					\$3,500	PARCEL LOT-1234 BK 115			2,100.00 TOTAL 11,500 LOT-112			
10	(JULY COASTED) Tuscany Management, Inc.					\$130,000.00	PARCEL BK 115 - 1234 112 - 1234678910, 11, 12						
11	Jot Humberto Saldana & Associates					\$23,100.00	PARCEL E BK 115 -						
12	ROBERT & ROSE JAMISON					\$14,510.00	PARCEL - 8 112						

Interdepartment Correspondence Sheet

AGENDA ITEM NO. 14

TO: City Council

FROM: Jack W. Curington, Real Estate Manager, Real Estate Division

COPIES TO: Frank R. Kiolbassa, P. E., Director of Public Works

SUBJECT: Ordinance accepting the bid for sale of surplus City-owned properties which are part of Olmos Dam Detention Reservoir located in Alamo Heights; rejecting all other bids and Date August 26, 1985
authorizing the execution of a Special Warranty Deed to effect the sale.

SUMMARY AND RECOMMENDATIONS:

This is the result of several requests received for the sale of certain properties owned by the City, which are located in the City of Alamo Heights. These properties are identified as being in County Block 4024, Block 113, Lots 1, 2, 3 and 4, also, County Block 4024, Block 114, Lots 1, 2, 3, 4, 6, through 13, located on Ogden and Hondondo Avenues. Part of each of the lots is located under the 728 feet contour line and were acquired by the City of San Antonio, as part of the land for the Olmos Dam Retention Reservoir (Olmos Basin).

These lots are vacant and are presently leased, with other City-owned properties, to the City of Alamo Heights for park, playground and recreational purposes. This lease is for forty (40) years and is in effect until April 30, 1987. There is a provision in the Lease, which gives the City of Alamo Heights the option to renew the Lease for another forty (40) years.

Attached is a map marked "Exhibit A" showing the properties involved. Also, attached is a map marked "Exhibit B" showing the contour lines.

These properties were circulated through the City departments and utilities to determine if the properties could be sold. This canvassing revealed conditions, which have to be resolved in connection with any sale of the properties.

These properties were advertised by the City Clerk to be sold by sealed bids; with the bids to be opened on July 3, 1985. This advertisement listed the following conditions to be resolved prior to any and all conveyances to be made transferring title to the successful bidder.

1. Drainage and flood detention requirements to be met - approval of City of San Antonio, Drainage Engineer will be required.
2. Obtain documentation from City of Alamo Heights releasing City of San Antonio from its Lease.
3. Proposed uses must be compatible with the neighborhood and meet the zoning and subdivision requirements of the City of Alamo Heights.
4. There is an existing 16' sanitary sewer line through Lots 1 and 2, of Block 113, and Lots 6, 7, 8, 9, 10, 11, 12 and 13 of Block 114 and easements would be required for this facility.

5. Southwestern Bell Telephone has a telephone cable and poles on the Ogden Street side of the property. If cable and poles are to be removed, cost of removal must be billed to party requesting same.
6. The southwest part of Lot 1, Block 113, must be reserved for a variable electric easement due to an overhead distribution line.

Also, as advertised, the "City reserves the right to reject any and all bids, or to accept the bid which will be most beneficial to the City of San Antonio."

There were several bids received for individual lots and some lots on which no individual bid was received. There were some bids for all of the lots advertised. See summary of bids received attached as "Exhibit C". Although some of the bids for individual lots were very favorable, selling individual lots would be impractical, since it would leave the City with ownership of lots that would have to be maintained, or handled on an individual basis to meet conditions outlined. The high bids on an individual lot basis totaled \$79,820.00.

It is the staff's opinion that disposing of all of the lots is more beneficial to the City. Also, it is our recommendation that the bid submitted by The John Coates Company and Tuscany Management, Inc., in the amount of \$130,000.00 for all of the lots be accepted, subject to the bidders resolving to the City's satisfaction the items outlined on the Bid Form Real Estate and Addendum to Bid Form (Real Estate) shown on "Exhibit D" attached.

POLICY ANALYSIS:

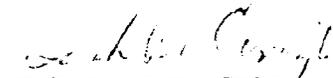
The action requested is in accordance with present policies, procedures, and State law for the sale of surplus real estate. However, there are a number of conditions that have to be resolved before conveyance of the Special Warranty Deed will be made.

FINANCIAL IMPACT:

Bidder submitted Twenty-Six Thousand And NO/100 (\$26,000.00) Dollars Bid Guaranty with bid and same was deposited with the Director of Finance. No later than ten (10) months from date of Ordinance bidder is to deposit \$104,000.00 with the City Treasurer.

SUPPLEMENTARY COMMENTS:

The Planning Commission, at its meeting of May 1, 1985, concurred with our request to advertise for bids, subject to compliance with all requirements.


JACK W. CURINGTON
Real Estate Manager
Real Estate Division

APPROVED:

JWC/mig;na
Attachments

Recommendation Approved:


LOUIS J. FOX
City Manager


FRANK R. KIOLBASSA, P. E.
Director of Public Works