ELF/mb
8/21/14
Item No. 19B

AN ORDINANCE 2014-08-21-0600

AUTHORIZING PAYMENT FOR LAND, DUE DILIGENCE AND CLOSING COSTS ON A 670-ACRE TRACT OF LAND KNOWN AS THE WYLESTA RANCH LOCATED IN UVALDE COUNTY, TEXAS, IN THE AMOUNT OF $2,475,194.45, TO GARNER ABSTRACT AND LAND COMPANY, AS ESCROW AGENT FOR TITLE ON A CONSERVATION EASEMENT.

* * * * *

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

SECTION 1. The City authorizes and directs the City Manager and her designee, severally: to accept on behalf of the City the aquifer-protection conservation easements described below:

A conservation easement substantially in the form attached as **Attachment I** on the Wylesta Ranch, the affected real estate being more particularly described in **Attachment II.**

SECTION 2. The City Manager and her designee, severally, are authorized and directed to consummate the transaction contemplated in the described easements. The City Manager and her designee, severally, should take all other actions necessary or convenient to effectuate the transaction, including agreeing to the form of and executing all necessary or convenient instruments and agreements.

SECTION 3. Payment not to exceed $2,475,194.45 in SAP Fund 43099000, Park Improvements, SAP Project Definition 40-00271, Edward's Aquifer Land Acquisitions, is authorized to be encumbered with a purchase order and made payable to Texas Heritage Title Company, for land acquisition costs.

SECTION 4. The acquisition of property must be coordinated through the city's Finance Department to assure the addition of these assets into the City's financial records and to record the proper accounting transactions.

SECTION 5. 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 6. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this **21st** day of **August**, 2014.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

Attest:

Leticia M. Vacek, City Clerk

Approved As To Form:

for Robert F. Greenblum, City Attorney

Agenda Item:	**19B (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19A, 19B, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33)**
Date:	08/21/2014
Time:	09:14:51 AM
Vote Type:	Motion to Approve
Description:	An Ordinance authorizing payment for land, due diligence and closing costs on a 670-acre tract of land known as the Wylesta Ranch located in Uvalde County, Texas, in the amount of $2,475,194.45, to Garner Abstract and Land Company, as escrow agent for title on a conservation easement.
Result:	Passed

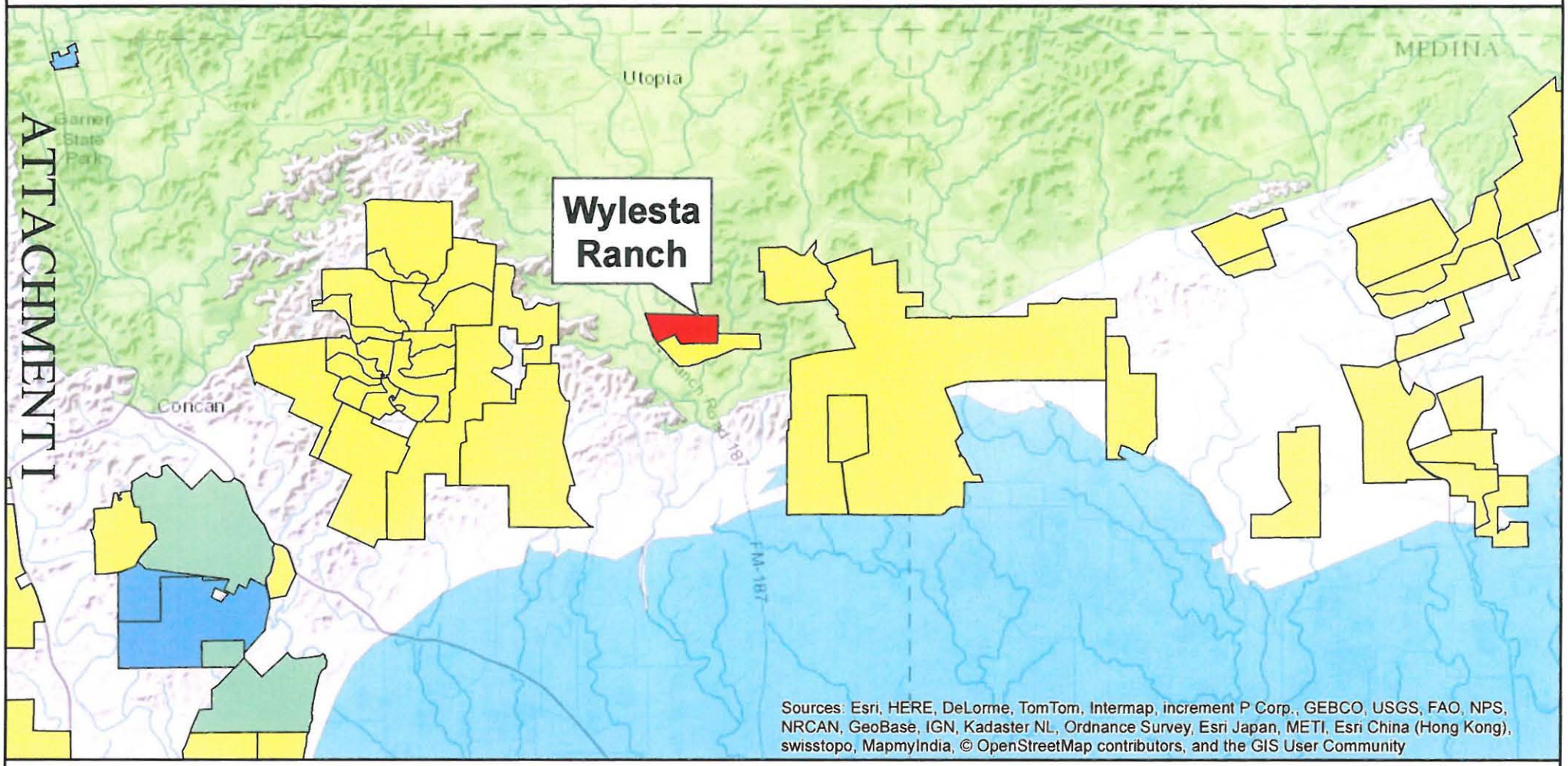
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy Taylor	Mayor		x				
Diego Bernal	District 1		x				
Keith Toney	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Mari Aguirre-Rodriguez	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

City of San Antonio
Edwards Aquifer Protection Program
Wylesta Ranch

CITY OF SAN ANTONIO
EDWARDS AQUIFER
PROTECTION PROGRAM

City of San Antonio

ATTACHMENT I



- Wylesta Ranch
- Proposition 1 Properties
- San Antonio Water System
- The Nature Conservancy
- Edwards Aquifer Artesian Zone
- Edwards Aquifer Drainage Zone
- Edwards Aquifer Recharge Zone

0 1 2 4 6 8 Miles

N W E S

THE CITY OF SAN ANTONIO MAKES NO WARRANTY, REPRESENTATION, OR GUARANTEE OF ANY KIND REGARDING THIS MAP OR INFORMATION PROVIDED HEREIN.

The City of San Antonio assumes no liability either for any errors, omissions, or inaccuracies in the information provided regardless of the cause of such or for any decision made, action taken, or action not taken by the user in reliance upon any maps or information provided.

Wylesta Ranch
Legal Description

Being 670.21 acres of land, lying Uvalde County, Texas, about 28 miles N 44°30' E of the City of Uvalde, the County Seat, with acreage out of various surveys as follows:

Survey No.	Original Grantee	Abstract	Acres
931	L. Grande	202	397.87
565	G.B. & C.N.G. R.R. Co.	792	266.37
S. 1/2 Survey No. 342	J. D. Crane	1404	2.18
N.W. 1/4 Survey No. 342	Chas. W. Kincaid	1553	3.79
		TOTAL	670.21 acres

Said 670.21 acres being described in Exhibit "B" of Partition Deed dated July 18, 2008 between Charles L. Clodfelter and Robert C. Clodfelter as recorded in Uvalde County Clerk Document Number 2008002830, said 670.21 acres being described by metes and bounds as follows:

ATTACHMENT II

CHANEY SURVEYING CO.

P. O. Box 323
Utopia, Texas 78884

Charles S. (Sid) Chaney, R.P.L.S.

Office: 830-966-2266
Home: 830-966-3766

DESCRIPTION OF: 670.21 ACRES OF LAND IN UVALDE COUNTY, TEXAS

BEING 670.21 acres of land, lying in Uvalde County, Texas, about 28 miles N 44°30' E of the City of Uvalde, the County Seat, with acreage out of various surveys as follows:

Survey No.	Original Grantee	Abstract	Acres
931	L. Grande	202	397.87
565	G.B. & C.N.G. R.R. Co.	792	266.37
South 1/2 Survey No. 342	J. D. Crane	1404	2.18
N. W. 1/4 Survey No. 342	Chas. W. Kincaid	1553	3.79
		TOTAL	670.21 acres

said 670.21 acres being described in Exhibit "B" of a Partition Deed dated July 18, 2008 between Charles L. Clodfelter and Robert C. Clodfelter as recorded in Uvalde County Clerk Document Number 2008002830, said 670.21 acres being described by metes and bounds as follows:

BEGINNING at a 3/4-inch iron rod found in a pasture fence for the S. E. corner of this described tract and an interior corner of a 645.21 acres tract described in Exhibit "C" of said Partition Deed from which a rock mound at the S. W. corner of the South 1/2 of said Survey No. 342 and the N. W. corner of Survey No. 341, Beaty, Seale, and Forwood, Abstract 647, Uvalde County, Texas, bears S 03°03'26" E 664.86 feet, (an original bearing tree, a 12-inch live oak now 36-inch bears N 31°3' W 275.0 feet);

THENCE with the common boundary line between said 645.21 acres tract and said 670.21 acres tract and generally with fence, N 89°54'33" W 4779.06 feet to a found 3/4-inch iron rod in pasture fence for corner;

THENCE continuing with said common boundary line and generally with fence N 22°08'34" W 1274.90 feet to a found 3/4-inch iron rod on the East bank of the Sabinal River (from which a 60d nail set in the root on East side of a 48-inch cypress tree bears S 30°40'10" W 41.45 feet and a 12-inch pecan tree bears N 14°50'21" E 110.0 feet);

THENCE continuing with said common boundary line and with fence S 65°42'20" W, crossing said Sabinal River, 2480.27 feet to a found 5/8-inch iron rod on the easterly right of way line of Texas Farm Road 187 for the S. W. corner of this described tract, said iron rod being on a curve to the right having a radius of 3729.73 feet, a central angle of 21°52'28", and a chord bearing and distance of N 30°05'58" W 1415.30 feet;

THENCE around the arc of said curve a distance of 1423.94 feet to a found 5/8-inch iron rod at the P.T. of said curve;

THENCE continuing with said easterly right of way line N 19°10'43" W 2546.57 feet to a 4-inch pipe at a 3-way fence corner for the N. W. corner of this described tract;

THENCE generally with fence S 88°46'10" E at 8.45 feet pass an old 12-inch cedar post for the S. W. corner of a 1978.4 acres tract described in a Deed from Rube Martin and wife, Lue S. Martin, to C. G. Pillot as recorded in Volume 81, page 608 of the Deed Records of Uvalde County, Texas, said post also marking the N. W. corner of a 200 acres tract called Tract Two in a Deed recorded in Volume 532, page 697 of the Official Public Records of Uvalde County, Texas, and continue now also with the upper South line of said 1978.48 acres tract a total distance of 3332.79 feet to a 7-inch cedar post on top of bluff on the West high bank of the Sabinal River;

THENCE leaving fence and crossing said Sabinal River S 87°20'14" E 432.15 feet to a 9-inch cedar post on bluff of the East high bank of said Sabinal River;

THENCE continuing generally with fence and with the said upper South line of the 1978.4 acres tract as follows:

S 87°33'44" E 833.28 feet to a 6-inch cedar post;

S 88°26'38" E 980.53 feet to a 4-inch cedar post;

S 88°05'23" E 1339.48 feet to a found 3/4-inch galvanized pipe by a 9-inch cedar post at East side of wire gap;

S 88°00'32" E 1083.08 feet to a found 1/2-inch galvanized pipe by an old cedar post; and

S 88°53'34" E 1224.54 feet to an 8-inch cedar post at fence corner for the upper N. E. corner of this described tract;

THENCE continuing with fence and the boundary line of said 1978.4 acres tract S 01°03'02" W 2277.95 feet to a 7-inch cedar post at a 3-way fence corner, for a corner of said 1978.4 acres tract and a corner a corner of said 645.21 acres tract;

THENCE generally the first mentioned pasture fence and the common boundary line between said 670.21 acres tract and said 645.21 acres tract S 05°03'03" W 1095.14 feet to a 7-inch post at the North end of a gate and S 05°45'37" W 170.43 feet to PLACE OF BEGINNING.

STATE OF TEXAS

COUNTY OF UVALDE

This description is based on a survey made on the ground by me and I certify that to the best of my knowledge and belief it is true and correct.

This the 13th day of August, 2013.

Charles S. Chaney

Charles S. Chaney
Reg. Prof. Land Surveyor No. 4457
Utopia, Texas

STATE OF TEXAS
REGISTERED
CHARLES S. CHANEY
4457
PROFESSIONAL
LAND SURVEYOR

Utopia/Wylesta/Charles/saws