

SA:dc
9-17-75

AN ORDINANCE **45757**

AUTHORIZING THE CITY MANAGER TO EXECUTE AN
AGREEMENT WITH THE DAUGHTERS OF THE REPUBLIC
OF TEXAS AS CUSTODIANS OF THE ALAMO PARK COMPLEX.

* * * *

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

The City Manager is hereby authorized to execute the agreement attached hereto and incorporated herein for all purposes as Exhibit A, providing for the resolution of disagreements between the City and the Daughters of the Republic of Texas concerning the City's "Del Alamo Plan".

PASSED AND APPROVED this 18th day of September, 1975.

Lila Cockull
M A Y O R

ATTEST: *J.H. Inselman*
City Clerk

APPROVED AS TO FORM: *Tom Finlay*
City Attorney

DISTRIBUTION

ITEM NO. XVIII add on

SEP 18 1975

MEETING OF THE CITY COUNCIL

DATE: _____

MOTION BY: Robish

SECONDED BY: Blair

ORD. NO. 45757

ZONING CASE _____

RESOL. _____

PETITION _____

| |
|-------------------------------|
| AVIATION DIRECTOR |
| BUILDING & PLANNING ADMIN. |
| CITY WATER BOARD |
| COMMERCIAL RECORDER |
| COMMUNITY DEVELOPMENT OFFICER |
| COMMUNITY ANALYSIS DIVISION |
| COMPREHENSIVE PLANNING |
| CONVENTION BUREAU |
| CONVENTION CENTER |
| FINANCE DIRECTOR |
| ASSESSOR |
| BUDGET |
| CONTROLLER |
| TREASURY DIVISION |
| FINANCE-MODEL CITIES |
| FINANCE-GRANT SECTION |
| INTERNAL AUDIT |
| MANAGEMENT ANALYSIS |
| PROPERTY RECORDS |
| FIRE CHIEF |
| HEALTH DIRECTOR |
| HEMISFAIR PLAZA |
| HUMAN RESOURCES |
| LAND ACQUISITION |
| LEGAL |
| BACK TAX ATTORNEY |
| LIBRARY DIRECTOR |
| MARKET & PARKING |
| MONITORING & EVALUATION |
| MUNICIPAL COURTS |
| PARKS & RECREATION DEPT. |
| PERSONNEL DIRECTOR |
| POLICE CHIEF |
| PRESS ROOM |
| PUBLIC INFORMATION |
| PUBLIC WORKS DIRECTOR |
| ENGINEERING DIV. |
| ENGINEERING - SEWERS |
| PUBLIC SAFETY - ASSOC. MGR. |
| PURCHASING |
| TRAFFIC & TRANSPORTATION |

| COUNCIL MEMBER | ROLL CALL | AYE | NAY |
|---|-----------|-----|-----|
| PHIL PYNDUS PLACE 1 | | ✓ | |
| ROBERT P. "BOB" BILLA PLACE 2 | | ✓ | |
| HENRY G. CISNEROS PLACE 3 | | ✓ | |
| REV. CLAUDE BLACK PLACE 4 | | ✓ | |
| GLEN HARTMAN PLACE 5 | | ✓ | |
| AL ROHDE PLACE 6 | | ✓ | |
| RICHARD TENIENTE PLACE 7 (MAYOR PRO-TEM) | | ✓ | |
| DR. D. FORD NIELSEN PLACE 8 | | ✓ | |
| LILA COCKRELL PLACE 9 (MAYOR) | | ✓ | |

75-56

STATE OF TEXAS X
 X
COUNTY OF BEXAR X

KNOW ALL MEMBER BY THESE PRESENTS

This Indenture made and entered into by and between the City of San Antonio, hereinafter called CITY and the Daughters of The Republic of Texas, hereinafter called DRT, on behalf of the State of Texas as custodians of the Alamo Park Complex,

WITNESSETH

WHEREAS, the State of Texas has, by Legislative directive, delegated the custody and care of the Alamo to the DRT as a sacred memorial to the heroes who immolated themselves upon that hollowed ground; and

WHEREAS, the DRT have dedicated their energy, expertise and deep sense of historical understanding to the care, maintenance and preservation of the Alamo and its historical structure; and

WHEREAS, the City of San Antonio desires to renovate the Alamo Plaza area by certain plans and specifications known as the "Del Alamo Plan" to be ready for the Bicentennial festivities; and

WHEREAS, the City of San Antonio acknowledges that the preservation of Alamo Plaza and Alamo Park complex is of primary importance; and

WHEREAS, the City of San Antonio deems it in the public interest and for the public use and benefit to quit claim unto the State of Texas any right, title or interest that it may have in and to that certain area around the present perimeter of Alamo Park to be used as part of the Alamo Park Complex as follows to wit:

North by the Convent Wall;
East by the Alamo facade and Arcade walls;
South by Crockett Street;
West by the curb between the Alamo Park
(New City Block 115) and the Alamo Plaza
(street in front of Alamo);

NOW THEREFORE:

for and in consideration of the mutual benefits accruing to the City, the State of Texas and the DRT, the City agrees as follows:

a. That the portion of Alamo Plaza between the Long Barrach and the Cenotaph will remain open to public vehicular traffic and the width thereof shall remain at its present width and not to exceed 40 feet from curb to curb.

b. That the portion of Alamo Plaza (sometimes called the street that runs in front of the Alamo) immediately in front of the West curb of the Alamo Park Complex facing the Alamo front doors will remain open to public vehicular traffic and will be reduced to forty (40) feet in width from the existing curb to the curb to be erected West of the Alamo and South of the Cenotaph.

c. That the portion of Alamo Plaza in front of the Arcade Walls will remain open to vehicular traffic and will remain at thirty-six (36) feet, the present width, from curb to curb.

d. That the City will pass the necessary ordinance and quitclaim to the State of Texas any right, title and interest it might have in and to the Alamo Park Complex by proper conveyance, and in order to obtain correct field notes and plat thereto will furnish a perimeter survey at its expense or grant the sum of EIGHT HUNDRED DOLLARS (\$800.00) to the DRT to pay for the cost of said survey, if the same is to be ordered by the DRT.

e. The City will not erect anything in the nature of a purpresture such as statutes, rest rooms, fountains, Chamber of Commerce information buildings on the Alamo Plaza north of the north curblineline of Crockett St. without first consulting with and obtaining the consent of the DRT.

f. The City proposes to pave the portion of the Alamo Plaza in front of the Long Barrack Wall, the Alamo Facade and the Arcade Walls with a buff colored field or flagstone, provided such material is tested by the City and is found suitable to hold up under vehicular traffic and support the weight of six wheel tour buses (approximate weight empty 40,000 pounds), the

heaviest firefighting equipment owned by the said City, and the heaviest floats used in the parades during Fiesta Week. Any other material used in lieu of the flagstone must meet same requirements and be acceptable to the DRT.

g. The City will eliminate parking along the curb West of the Long Barrack Wall, in front of the Alamo on Alamo Plaza, and along both curbs West of the Arcade Walls. Bus parking will be permitted along the South side of East Houston Street from the East Side of the Alamo Plaza to Bonham Street, except for such portion of Houston Street now reserved for transit bus loading and unloading.

h. If after the expiration of one full year, from January 1, 1978, the DRT conclude that its revenue has diminished because of the restriction in parking, the City will entertain a petition with duly authenticated records to restore parking along the Long Barrack curb and in front of the Arcade Wall on both curbs. The manner and method of determining whether the loss of revenue is due to the parking restriction will be worked out between the City Council and the DRT. If in fact it is determined that a loss in revenue is due to parking restriction, parking will be restored between the Long Barrack and Cenotaph and in front of the Arcade Walls; or in lieu thereof, the City will provide not more than 21 parking spaces for tourists close to the Alamo.

i. Final plans and specifications for the renovation of the Alamo Plaza will be submitted to the DRT for approval and signature by the parties hereto and the architects before any work is commenced.

THE DRT agree as follows:

a. The City will at its expense and without any claim to title, resurface the flagstone ceremonial area in front of the Alamo as it now exists and the flagstone side walk between Houston and Crockett Streets with the same material used in pave the Plaza and at the same time the Alamo Plaza is paved, PROVIDED,

however, the work to be done with minimum interference with the operation of the Alamo and the ingress and egress of tourists and visitors to the Alamo Park and meets with the approval and consent of the State Historic Preservation Officer.

b. That an archeological excavation may be done in front of the Alamo and along the line of the palisade erected to defend the Alamo in 1836, in such a manner as not to disturb or destroy artifacts, provided that this is done at the City's expense with proper safeguards to insure the visitors to the Alamo will not be injured, and that the City enter into a save harmless agreement with the DRT guaranteeing the DRT against any loss or damage should a claim be made against the DRT because of injuries sustained as a result of such excavation. And further provided that the State ^{M.V.C. and the DRT S.P.H. L.C.} of Texas must dictate the manner in which such excavation is performed and the removal and replacement of spoil in order to protect the Alamo itself. The City agrees to reimburse the DRT for any damage to DRT property sustained as a result of the digging, e.g. burried wires, pipes, etc. All objects found as a result of such excavation are to become the property of the State of Texas. This excavation must be done with the consent and approval of the State Historic Preservation Officer.

c. That the part of the Alamo Plaza West of the Alamo, where vehicles now park heading West, may be elevated to normal curb height above the plaza level. It is to be paved with the same material used to pave the plaza. The East curb of this newly raised area must be located forty (40) feet West of the existing curb of the Alamo tapering to thirty-six (36) feet in front of the Arcade Wall.

d. That after the passage of said ordinance, the execution and delivery of the said quitclaim deed, the approval and signing of the final plans and specifications by all the parties, the DRT will assist and cooperate with the City in obtaining the release of Federal Grant Money to be used in the implementation of the Del Alamo Plan.

e. That the City may move the bandstand and rest rooms to the South part of the plaza, at its discretion, or allow it to remain where it is now located, or move the bandstand and leave the rest rooms in place.

SIGNED at San Antonio, Texas, this 16th day of September
A.D., 1975.



SAM GRANATA, City Manager

THE CITY OF SAN ANTONIO, TEXAS

BY: 

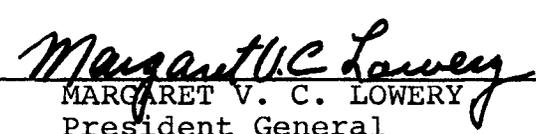
LILA COCKRELL, Mayor

ATTEST:



J. H. INSELMANN, City Clerk
City of San Antonio, Texas

DAUGHTERS OF THE REPUBLIC OF TEXAS

BY: 

MARGARET V. C. LOWERY,
President General



SUSAN S. HALL, Chairman of
the ALAMO COMMITTEE

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