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Clark

32427

AN ORDINANCE

ACCEPTING A WARRANTY DEED FROM THE INDEPENDENT EXECUTORS AND TRUSTEES OF THE ESTATE OF GEORGE W. BRACKENRIDGE, DECEASED, CONVEYING TO THE CITY APPROXIMATELY 250 ACRES OF LAND ADJACENT TO HI-LIONS PARK AND APPROPRIATING \$60,000.00 OUT OF THE GENERAL FUND PAYABLE TO STEWART TITLE COMPANY, AS ESCROW AGENT.

* * * *

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

SECTION 1. That the deed from Leroy G. Denman, Jr., J. B. McDaniel, Jr., C. W. Harper and Gilbert M. Denman, Jr., Independent Executors and Trustees of the Estate of George W. Brackenridge, Deceased, conveying to the City approximately 250 acres of land adjacent to Hi-Lions Park for a consideration of \$60,000.00 is hereby accepted.

SECTION 2. That a copy of said deed, containing detailed field notes, is attached hereto and made a part hereof.

SECTION 3. That authorization is hereby given to transfer \$60,000.00 from the General Fund Account 30-01-01 to Special Projects Account 11-11-01 and appropriating said sum payable to the Stewart Title Company, as Escrow Agent.

PASSED AND APPROVED this 25th day of June, 1964.

M. Maunster
MAYOR.

ATTEST:

J. H. Inselmann
City Clerk.

APPROVED AS TO FUNDS: *[Signature]*
Director of Finance

APPROVED AS TO FORM: *[Signature]*
City Attorney

①

JUN 25 1964

AN ORDINANCE

32427

ACCEPTING A WARRANTY DEED FROM THE INDEPENDENT EXECUTORS AND TRUSTEES OF THE ESTATE OF GEORGE W. BRACKENRIDGE, DECEASED, CONVEYING TO THE CITY APPROXIMATELY 250 ACRES OF LAND ADJACENT TO HI-LIONS PARK AND APPROPRIATING \$60,000.00 OUT OF THE GENERAL FUND PAYABLE TO STEWART TITLE COMPANY, AS ESCROW AGENT.

* PASSED AND APPROVED *

Council Meeting JUN 25 1964 19

J. H. Insilmann
City Clerk

RECORDED

Minute Book _____ Page _____

Ordinance Book 00 _____ Page 428

THE CITY CLERK HAS FILED THIS INSTRUMENT IN THE OFFICE OF THE CITY CLERK AND IT IS HEREBY CERTIFIED TO THE PUBLIC THAT THE SAME IS A TRUE AND CORRECT COPY OF THE ORIGINAL AS THE SAME APPEARS IN THE OFFICE OF THE CITY CLERK.

W. O. T. A. E.

DISTRIBUTION

VOTE

JUN 25 1964
1964
32427

Meeting of the City Council

Motion By Kant Ord.#

Seconded By Dick Case #

Item # 1

DEPARTMENT	DATE	ORD. RESOL.	CON-TRACT	COUNCIL MEMBER	ROLL CALL	AYE	NAY
Manager				WALTER W. McALLISTER Place 1 Mayor		✓	
Aviation (Intn. Airport)				GEORGE de la GARZA Place 2		✓	
Stinson Field				ROBERT C. JONES Place 3		ab	
Finance Director				JACK H. KAUFMAN Place 4		✓	
Budget				MRS. S.E. COCKRELL, JR. Place 5		ab	
Controller				JOHN GATTI Place 6, Mayor Pro-tem		✓	
Purchasing				ROY S. PADILIA Place 7		✓	
Fire Chief				DR. GERALD PARKER Place 8		ab	
Health Director				ROLAND C. BREMER Place 9		ab	
Housing & Insp. Director				Additional Information:			
Legal							
Land							
Library							
Parks & Recr.							
Personnel Planning Director							
Police Chief							
Public Serv. Brd.							
Public Works Director							
Traffic & Transp.							
Transit Board							
Urban Renewal							
Water Board							
Other:							

NUMBER
GF#146723

In
STEWART

Parcel No. S.P. 99
Bexar County, Texas

TITLE GUARANTY COMPANY

STEWART TITLE GUARANTY COMPANY, a corporation of Galveston, Texas, herein called the Company, for value, does hereby guarantee to Party or Parties named below herein styled assured, the heirs, executors and administrators, or in case of a corporation, the corporate successor or successors, of the assured, that the assured has good and indefeasible title to the following described real property:

SUBJECT TO: The Following Liens:

NONE.

DESCRIPTION OF PROPERTY: All that certain tract or parcel of land lying and being situated in Bexar County known as the G.Lee Sub-division of original survey in the name of Gertrudes de Alanis Survey No. 20, containing in all 600 acres of land, SAVE AND EXCEPT 346.45 acres previously conveyed to the City of San Antonio by deed recorded in Vol. 2065, page 365, Deed Records of Bexar County, Texas, and being the identical property described in deed from Leroy G. Denman, Jr.; J. B. McDaniel, Jr.; C. W. Harper and Gilbert M. Denman, Jr., Independent Executors and Trustees of the Estate of George W. Brackenridge, Deceased, to the City of San Antonio*

NAME OF ASSURED:

CITY OF SAN ANTONIO

THIS POLICY IS SUBJECT TO:

1. Restrictive covenants affecting the property above described.
2. Any discrepancies, conflicts, or shortages in area or boundary lines, or any encroachments, or any overlapping of improvements which a correct survey would show.
3. Taxes for the current year.
- * - ~~Rights of Parties in possession.~~
4. Easement to San Antonio Public Service Company for electric transmission line as recorded in Volume 1479, page 148, Deed Records of Bexar County, Texas.

* dated June 11, 1964, and filed for record in the office of the County Clerk of Bexar County, Texas, on July 7, 1964, under File No. 589914.

Said Company shall not be liable in a greater amount than actual monetary loss of assured, and in no event shall said Company be liable for more than

SIXTY THOUSAND AND NO/100 (\$60,000.00)

Dollars, and shall, at its own cost, defend said assured in every suit or proceeding on any claim against or right to said land, or any part thereof, adverse to the title hereby guaranteed, provided the party or parties entitled to such defense shall, within a reasonable time after the commencement of such suit or proceeding, and in ample time for defense therein, give said Company written notice of the pendency of the suit or proceeding, and authority to defend, such notice and authority to be given to the Company at its office in Houston, Texas, and said Company shall not be liable until such adverse interest, claim, or right shall have been held valid by a court of last resort to which either litigant may apply, and if such adverse interest, claim, or right so established shall be for less than the whole of the property, then the liability of the Company shall be only such part of the whole liability limited above as shall bear the same ratio to the whole liability that the adverse interest, claim, or right established may bear to the whole property, such ratio to be based on respective values determinable as of the date of this policy. In the absence of notice as aforesaid, the Company is relieved from all liability with respect to such claim or demand; provided, however, that failure to notify shall not prejudice the claim of the assured, if such assured shall not be a party to such action or procedure, nor be served with process therein, nor have any knowledge thereof, nor in any case, unless the Company shall be actually prejudiced by such failure.

Upon payment of any loss hereunder, the Company shall be entitled to be subrogated to all rights of assured against all other parties.

Upon sale of the property covered hereby, this policy automatically thereupon shall become a warrantor's policy and the assured, his heirs, executors and administrators, shall for a period of twenty-five years from date hereof remain fully protected according to the terms hereof, by reason of the payment of any loss he or they may sustain on account of any warranty contained in the deed executed by assured conveying said property. The Company to be liable under said warranty only by reason of defects, liens or encumbrances existing prior to or at the date hereof (and not excepted above) such liability not to exceed the amount above written.

Nothing contained in this policy shall be construed as insuring against loss or damage by reason of fraud on the part of the assured; or by reason of claims arising under any obligation of the assured; or under any act, thing, or trust relationship, done, created, suffered or permitted by the assured.

In Witness Whereof, the Stewart Title Guaranty Company has caused this certificate to be executed by its president under seal of said Company; but this certificate shall not be valid unless it bears an authorized countersignature, this 7th day of July 1964, at San Antonio, Texas.



Countersigned:

Martin [Signature]
Authorized Countersignature



TITLE GUARANTY COMPANY

By *Carlson Morris*
President

POLICY SERIAL NUMBER

O 257550 A

DEED RECORDS

WARRANTY DEED

* * * * *

STATE OF TEXAS *
 *
COUNTY OF BEXAR *

KNOW ALL MEN BY THESE PRESENTS:

That we, LEROY G. DENMAN, JR.; J. B. McDANIEL, JR.; C. W. HARPER and GILBERT M. DENMAN, JR., Independent Executors and Trustees of the Estate of George W. Brackenridge, Deceased, of the County of Bexar, State of Texas, for and in consideration of the sum of SIXTY THOUSAND AND NO/100 (\$60,000.00) DOLLARS to us in hand paid by the grantee herein named, the receipt of which is hereby acknowledged, have GRANTED, SOLD and CONVEYED, and by these presents do GRANT, SELL and CONVEY unto CITY OF SAN ANTONIO, a municipal corporation, 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 that certain tract or parcel of land lying and being situated in said Bexar County and known as the G. Lee Sub-division of original survey in the name of Gertrudes de Alanis Survey No. 20, being the same property conveyed to George W. Brackenridge by J. D. Guinn by Deed dated February 16, 1917 recorded in Vol. 503 page 319 of the Deed Records of Bexar County, Texas, and more particularly described as follows, to-wit:

Part of Subdivision No. 2 of said Alanis Survey and for field notes, beginning at its upper corner of Salado Creek at the lower corner of Sub-division No. 1 of said League a stake from which an elm 11 inches in diameter bears North 36½° W. 5 varas, a pecan 5 inches in diameter bears S. 54° West 2 varas.

THENCE West 2985 varas to the N. W. corner of the land hereby conveyed at the corner of the pasture fence, being the N. E. corner of land heretofore sold to H. P. Street;

THENCE South 500 varas to a stake and corner of fence on north line of land sold to the Glovers;

THENCE East to fence corner;

THENCE South 500 varas with fence to S. W. corner of this tract, the S. E. corner of said land sold to Glovers;

THENCE East 1325 varas to the Salado Creek;

THENCE up the center of said stream with the meanders thereof to the place of beginning. Containing in all Six Hundred (600) acres of land,

SAVE AND EXCEPT 346.45 acres previously conveyed to the City of San Antonio by deed recorded in Vol. 2065, page 365, Deed Records of Bexar County, Texas.

This conveyance is subject to the restriction that the land hereby conveyed shall be used solely for the municipal purposes of the City of San Antonio, provided that this restriction upon the use of such land shall terminate at such time as the City of San Antonio has expended the total sum of \$60,000.00 in making permanent improvements upon the land.

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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, its successors and assigns forever.

And Grantors bind the Estate of George W. Brackenridge, Deceased, as far as they may lawfully do so (but do not bind themselves individually), forever to WARRANT AND DEFEND the title to said premises unto the Grantee, its successors and assigns, as against all persons lawfully claiming or to claim the same or any part thereof.

EXECUTED this 11th day of June, A. D. 1964.

Leroy G. Denman, Jr.
LEROY G. DENMAN, JR.

J. B. McDaniel, Jr.
J. B. McDANIEL, JR.

C. W. Harper
C. W. HARPER

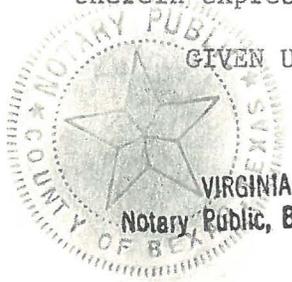
Gilbert M. Denman, Jr.
GILBERT M. DENMAN, JR.

Independent Executors and Trustees of the Estate of George W. Brackenridge, Deceased.

STATE OF TEXAS X
 X
COUNTY OF BEXAR X

Before me, the undersigned authority, on this day personally appeared LEROY G. DENMAN, JR., Independent Executor and Trustee of the Estate of George W. Brackenridge, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 11th day of June, 1964.



VIRGINIA H. WELCH
Notary Public, Bexar County, Texas

Virginia H. Welch
Notary Public in and for Bexar County, Texas.

STATE OF TEXAS X
 X
COUNTY OF BEXAR X

Before me, the undersigned authority, on this day personally appeared J. B. McDANIEL, JR., Independent Executor and Trustee of the Estate of George W. Brackenridge, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 11th day of June, 1964.



F. N. Gerdes
Notary Public in and for Bexar County, Texas.

F. N. GERDES
Notary Public, Bexar County, Texas

STATE OF TEXAS Ø
 Ø
COUNTY OF BEXAR Ø

Before me, the undersigned authority, on this day personally appeared C. W. HARPER, Independent Executor and Trustee of the Estate of George W. Brackenridge, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 17th day of June, 1964.

Cathrine L. Ebert
Notary Public in and for Bexar County, Texas.

CATHRINE L. EBERT
Notary Public, Bexar County, Texas



STATE OF TEXAS Ø
 Ø
COUNTY OF BEXAR Ø

Before me, the undersigned authority, on this day personally appeared GILBERT M. DENMAN, JR., Independent Executor and Trustee of the Estate of George W. Brackenridge, Deceased, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this 11th day of June, 1964.

Virginia H. Welch
Notary Public in and for Bexar County, Texas.



VIRGINIA H. WELCH
Notary Public, Bexar County, Texas



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STATE OF TEXAS }
COUNTY OF BEXAR }

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the named RECORDS of Bexar County, Texas, as stamped hereon by me.

JUL 8 1964



James W Knight
COUNTY CLERK
BEXAR COUNTY, TEXAS

FILED FOR RECORD
IN MY OFFICE

1964 JUL 7 PM 1 32

JAMES W KNIGHT
COUNTY CLERK OF BEXAR CO.
James W Knight

CF 146723
Yellow

Rth. City Land Division
City Hall
San Antonio, Texas

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Benman, LeRoy et al