

**THIS IS A PROPOSED DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL.**

**AN ORDINANCE**

**AUTHORIZING THE ACQUISITION OF A CONSERVATION EASEMENT OVER THE EDWARDS AQUIFER RECHARGE ZONE ON AN APPROXIMATE 2,830-ACRE TRACT OF LAND KNOWN AS THE MIDDLE VERDE RANCH LOCATED IN MEDINA AND BANDERA COUNTIES, TEXAS FROM THE FOLLOWING OWNERS: MIDDLE VERDE RANCH PROPERTIES, LTD.; THE LYNNE MORRIS BARNETT TERMINABLE RESIDUARY TRUST; THE JEAN MORRIS STEVENSON TERMINABLE RESIDUARY TRUST; THE LYNNE MORRIS BARNETT GST RESIDUARY TRUST; AND THE JEAN MORRIS STEVENSON GST RESIDUARY TRUST, AT A COST OF \$7,640,084.15.**

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**WHEREAS**, the purpose of the Edwards Aquifer Protection Program is to obtain property rights by fee simple purchase, conservation easements or donations of land over the sensitive zones of the Edwards Aquifer; and

**WHEREAS**, this program was initiated in May 2000 when voters approved Proposition 3, a 1/8-cent sales tax venue up to \$45 million for the acquisition of lands over the Edwards Aquifer for parks and watershed protection; and

**WHEREAS**, Proposition 3 ran from 2000 through 2005 and was limited to Bexar County; and

**WHEREAS**, the 2005 Proposition 1 program was an extension of the initial voter-approved Edwards Aquifer protection endeavor and was extended by voters in 2010 and renewed again in 2015; and

**WHEREAS**, changes in state legislation allowed watershed protection activities to expand outside of Bexar County; and

**WHEREAS**, the proposed purchase of a conservation easement on the Middle Verde Ranch is located over the Contributing Zone in Medina and Bandera Counties; and

**WHEREAS**, this property initially was identified through use of the Scientific Evaluation Team's GIS Spatial Model and subsequent site visits identified previously unrecorded geological faults and other favorable recharge features on the property; and

**WHEREAS**, the Middle Verde Ranch largely exists outside of the flood plain and is located entirely within the Middle Verde Creek drainage basin which is an important recharge contributor to the Edwards Aquifer; and

**WHEREAS**, there are a total of 33 square miles of Middle Verde Creek watershed drainage on the property, and the property contributes heavily to surface water recharge due to the number of caves, faults and associated fractures found on the property; and

**WHEREAS**, the Edwards Aquifer Authority issued a geological assessment of the site confirming that preservation of the Middle Verde Ranch would provide both high water quantity and high water quality benefits for the City of San Antonio; and

**WHEREAS**, this ranch is adjacent to other Edwards Aquifer protected properties and would result in the protection of over 13,000 acres of contiguous land within the Hondo, Verde, and Middle Verde Creek watersheds; **NOW THEREFORE:**

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

**SECTION 1.** The City Manager or her designee or the Director of the Parks and Recreation Department or his designee is authorized to execute a conservation easement over the Edwards Aquifer Recharge Zone on an approximate 2,830-acre tract of land known as the Middle Verde Ranch located in Medina and Bandera Counties, Texas from the following owners: Middle Verde Ranch Properties, Ltd.; the Lynne Morris Barnett Terminable Residuary Trust; the Jean Morris Stevenson Terminable Residuary Trust; the Lynne Morris Barnett GST Residuary Trust; and the Jean Morris Stevenson GST Residuary Trust, at a cost of \$7,640,084.15. A copy of the conservation easement, in substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** Payment in the amount of \$7,640,084.15 in SAP Fund 40005000, Park Improvements, SAP Project Definition 40-00271, Edward's Aquifer Land Acquisitions, is authorized to be encumbered and made payable to Western Title Company of Bandera, for title on a conservation easement, due diligence and closing costs, on approximately 2830-acre tract of land known as the Middle Verde Ranch located in Medina and Bandera Counties, Texas.

**SECTION 3.** 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 4.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

**PASSED AND APPROVED** this \_\_\_\_ day of \_\_\_\_\_,

**M A Y O R**  
Ivy R. Taylor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Leticia M. Vacek, City Clerk

\_\_\_\_\_  
Andrew Segovia, City Attorney

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