

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

AN ORDINANCE

**ACCEPTING THE DEDICATION OF THREE (3) UNIMPROVED
PARCELS FOR A TOTAL OF 0.471 OF AN ACRE (20,515 SQUARE
FEET) FROM THE MCNAY ART MUSEUM LOCATED AT THE
INTERSECTION OF NEW BRAUNFELS AVENUE NORTH AND
RITTIMAN ROAD.**

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WHEREAS, The cities of San Antonio and Terrell Hills share a common municipal boundary along Austin Highway to the east of North New Braunfels Avenue. The McNay Art Museum is situated within municipal boundaries of San Antonio, at the intersection of Austin Highway and North New Braunfels Avenue. The Texas Department of Transportation (TxDOT) has agreed to add a right-turn lane and other traffic safety and aesthetic improvements at the intersection of Austin Highway and North New Braunfels Avenue; and

WHEREAS, In 2015, the City of San Antonio agreed to close Old Rittman Road at no cost upon completion of the TxDOT improvements at this intersection. The McNay Art Museum agreed to pay for associated engineering services and donate small amounts of their property to the City of San Antonio; and

WHEREAS, previously, the McNay Art Museum purchased a 0.657 acre parcel across from their campus to incorporate into their outdoor exhibit area. The alignment of the right-lane turn goes through the 0.657 acre parcel that falls within the boundaries of Terrell Hills. TxDOT requires that only public land is used in their construction projects. For this reason, the McNay Art Museum has agreed to convey ownership of approximately 0.471 acres of the 0.657 acre parcel to the City of San Antonio. The McNay Art Museum will to retain landscaping and maintenance responsibilities on the dedicated property; and

WHEREAS, the Planning Commission reviewed and recommended approval of the dedication at its April 11, 2018 meeting; **NOW THEREFORE**,

BE IT RESOLVED BY THE BOARD:

SECTION 1. City Council hereby accepts the dedication of three (3) unimproved parcels for a total of 0.471 of an acre (20,515 square feet) located at the intersection of New Braunfels Avenue North and Rittiman Road more specifically described in **Exhibit A** attached and incorporated herein.

SECTION 2. City Council hereby accepts this dedication subject to the McNay Art Museum retaining landscaping and maintenance responsibilities more specifically described in **Exhibit B** attached and incorporated herein.

SECTION 3. There is no fiscal impact associated with this dedication.

SECTION 4. This Ordinance shall become effective immediately upon its passage by eight affirmative votes; otherwise it shall become effective on the tenth day after passage thereof.

PASSED and APPROVED this **th** day of _____, **2018.**

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney