

AN ORDINANCE 2017-05-18-0352

AUTHORIZING THE NEGOTIATION AND EXECUTION OF A CONVEYANCE DOCUMENT WITH MARMAXX OPERATING CORP. ("MARMAXX") FOR THE DONATION BY MARMAXX AND ACCEPTANCE BY CITY OF A PORTION OF REAL PROPERTY WITHIN THE ESPADA PUBLIC IMPROVEMENT DISTRICT NUMBERS 1 AND 2 TO PROVIDE THE CITY WITH SUFFICIENT AND NECESSARY LAND FOR A HIKE AND BIKE TRAIL AND TRAILHEAD NODE AT NO COST TO CITY.

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WHEREAS, Marmaxx Operating Corp. ("Marmaxx") is acquiring real property that is subject to an Agreement for Services in Lieu of Annexation in the Espada Public Improvement District Nos. 1 and 2 (the "PID"); and

WHEREAS, Marmaxx has agreed that as part of the consideration for the City's designation of 200 acres of land within the PID as an industrial district and the execution of a Non-Annexation Agreement, Marmaxx shall donate necessary acreage within the PID, as determined by the City, to the City for use as a "hike and bike" trail and trailhead node; and

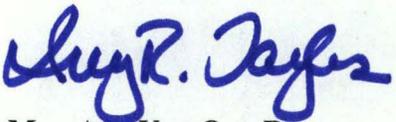
WHEREAS, the donation of real property shall be at no cost to City; **NOW THEREFORE:**

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

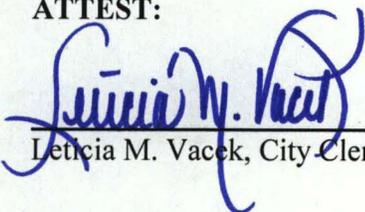
SECTION 1. In accordance with the terms and conditions of the Industrial District Non-Annexation Agreement between the City and Marmaxx, the City Council authorizes the City Manager or her designee, in concurrence with the City Attorney's Office, to negotiate and execute a conveyance document for the donation of property within the Espada Public Improvement District Nos. 1 and 2 by Marmaxx to the City for the use by City for a Hike and Bike Trail and Trailhead node. Upon finalization and execution, a copy of the conveyance document shall be attached hereto as Exhibit A and made a part of this ordinance.

SECTION 2. This Ordinance shall become effective immediately upon its passage by eight (8) votes or more and upon ten (10) days following its passage if approved by fewer than eight (8) votes.

PASSED AND APPROVED this 18th day of May, 2017.

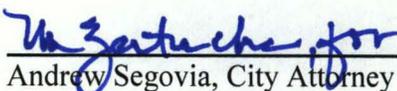

M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	25C (in consent vote: 5, 6, 7, 8, 9, 11, 13, 14, 15A, 15B, 17, 19, 21, 22, 23, 24, 25A, 25B, 25C)						
Date:	05/18/2017						
Time:	09:21:19 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the negotiation and execution of a conveyance document from Marmaxx Operating Corp. to the City for approximately 17 acres of land for the City's use as a hike and bike trail.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				x
Michael Gallagher	District 10		x			x	