

AN ORDINANCE 2017-09-21-0687

**AUTHORIZING THE ACCEPTANCE OF A PROPERTY  
DONATION FROM CHILDSAFE OF 21.371 ACRES OF  
LAND OUT OF NCB 10677 LOCATED WITHIN THE 100-  
YEAR FLOODPLAIN, ADJACENT TO THE SALADO  
CREEK GREENWAY TRAIL IN COUNCIL DISTRICT 2.**

\* \* \* \* \*

**WHEREAS**, Childsafe works with partners in San Antonio and Bexar County in law enforcement, the judicial system, and social services to provide expert care and specialized services to children and teenagers who have been traumatized by abuse, neglect, or sexual abuse; and

**WHEREAS**, Childsafe is planning to move its headquarters from West Highway 90 to a new facility to be constructed on land adjacent to East IH-10 and Martin Luther King Park, just north of the Salado Creek Greenway; and

**WHEREAS**, Childsafe has purchased approximately 40 acres of land for the new facility, which includes 21.371 acres of Salado Creek floodplain land that they have proposed to donate to the City; and

**WHEREAS**, the proposed land donation provides an opportunity for a future trail connection to the Salado Creek Greenway Trail System that will enhance bike and pedestrian connectivity and park access for adjacent residents; and

**WHEREAS**, the property is located within the 100-year floodplain, adjacent to the Salado Creek Greenway Trail in Council District 2; and

**WHEREAS**, this action is consistent with the City's objectives to acquire and preserve open space along San Antonio waterways and to develop multi-use hike and bike trails, trailheads, signage and associated amenities for use by San Antonio residents and visitors; and

**WHEREAS**, this land donation is consistent with policy adopted by the City Council for the acquisition of properties along San Antonio waterways funded by sales tax initiatives and the adopted Parks and Recreation Strategic System Plan; and

**WHEREAS**, this acquisition is also consistent with the Growth and City Form, Transportation and Connectivity, Jobs and Economic Competitiveness, Community Health and Wellness, and Public Facilities and Community Safety goals of the SA Tomorrow Comprehensive Plan; **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 hereby authorized to accept a property donation from ChildSafe of 21.371 acres of land out of NCB 10677 located within the 100-year floodplain, adjacent to the Salado Creek Greenway Trail in Council District 2. The copy of the Warranty Deed, is substantially final form, is attached hereto and incorporated herein for all purposes as **Attachment I**.

**SECTION 2.** An In-Kind Land donation is authorized to be received from ChildSafe to SAP fund 40005000, Park Improvements, SAP Project Definition 26-00660, Salado Creek - Park, Landscape and Urban, shall be revised by increasing WBS element 26-00660-90-22-01, entitled In-Kind Land Donation - 21.371 acres, SAP GL Account 6500000 - In Kind Land Revenue, by the amount of \$160,000.00.

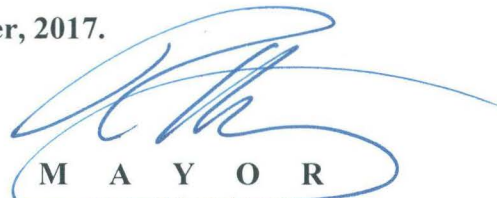
**SECTION 3.** The amount of \$160,000.00 is appropriated in SAP fund 40005000, Park Improvements, SAP Project Definition 26-00660, Salado Creek - Park, Landscape and Urban, SAP WBS Element 26-00660-90-22-01, entitled In-Kind Land Donation - 21.371 acres, SAP GL Account 6909010- In Kind Land Donations.

**SECTION 4.** The acquisition of surplus property must be coordinated through the City's Finance Department to assure the addition of these assets into the City's financial records and to record the proper accounting transactions. All expenditures related to the maintenance of this property will comply with Operating and or Capital Budgets for current and future fiscal years.

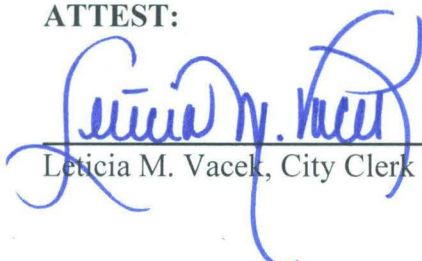
**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 6.** This Ordinance is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.


**PASSED AND APPROVED this 21<sup>st</sup> day of September, 2017.**

  
**M A Y O R**  
Ron Nirenberg

**ATTEST:**

  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**

  
Andrew Segovia, City Attorney



<b>Agenda Item:</b>	<b>23</b>						
<b>Date:</b>	09/21/2017						
<b>Time:</b>	10:18:27 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing the acceptance of a property donation from ChildSafe of 21.371 acres of land out of NCB 10677 located within the 100-year floodplain, adjacent to the Salado Creek Greenway Trail in Council District 2. [María D. Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks & Recreation]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		x			x	
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5	x					
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

# Attachment I

**WARRANTY DEDICATION DEED**

**Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.**

**Date:** \_\_\_\_\_, 2017

**Grantor:** ChildSafe

**Grantor's Mailing Address:** 7130 West US Hwy 90, San Antonio, Texas 78227

**Grantee:** City of San Antonio, Parks and Recreation Department

**Grantee's Mailing Address:** 114 W. Commerce, 11<sup>th</sup> floor, San Antonio, Texas, 78205

**Consideration:** Grantor's desire to further the public parks and recreation aims and goals of Grantee

**Property:** A 21.371 acre tract, more particularly described in Exhibit A attached hereto and made a part hereof.

**Reservations from and Exceptions to Conveyance and Warranty:** Grantee hereby agrees that it shall use the property as part of its natural areas and creek based greenway trail system for passive recreation with associated amenities which shall include but not be limited to paved trails, restrooms, recycle and trash cans, benches and other amenities approved by the director consistent with the intent of Grantor.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

STATE OF TEXAS           §  
   §  
COUNTY OF BEXAR       §

Grantor:  
**CHILDSAFE**

Grantee:  
**CITY OF SAN ANTONIO**

By: \_\_\_\_\_  
Kim K. Abernethy  
President / CEO

By: \_\_\_\_\_  
Xavier D. Urrutia, Director  
Parks and Recreation Department

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, 2017  
by \_\_\_\_\_.

AFTER RECORDING, RETURN TO:  
City of San Antonio  
Department of Parks and Recreation  
Post Office Box 839966  
San Antonio, Texas 78283-3966

\_\_\_\_\_  
Notary Public, State of Texas

Notary's Commission Expires: \_\_\_\_\_