

ORDINANCE

2019-03-07-0180

AUTHORIZING PAYMENT OF \$1,054,079.14 TO INDEPENDENCE TITLE AS ESCROW AGENT FOR FEE SIMPLE ACQUISITION, DUE DILIGENCE AND CLOSING COSTS FOR AN EDWARDS AQUIFER PROTECTION PROGRAM CONSERVATION EASEMENT ON AN APPROXIMATELY 80.071 ACRE TRACT OF REAL PROPERTY KNOWN AS TREEHOUSE RANCH LOCATED IN BEXAR COUNTY, TEXAS.

* * * * *

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

SECTION 1. The City authorizes and directs the City Manager and her designee, severally, to accept on behalf of the City the aquifer-protection conservation easement described below:

A conservation easement depicted on map in **ATTACHMENT I**, being more particularly described by metes and bounds in **ATTACHMENT II**, and substantially in the form attached as **ATTACHMENT III**.

SECTION 2. The City Manager or designee, severally, are authorized and directed to consummate the transaction contemplated in the described easements. The City Manager or designee, severally, should take all other actions necessary or convenient to effectuate the transaction, including agreeing to the form of and executing all necessary or convenient instruments and agreements.

SECTION 3. Payment in the amount of the \$1,054,079.14 in SAP Fund 40099000, Park Improvements, SAP Project Definition 26-00638, Edward's Aquifer Land Acquisitions, is authorized to be encumbered and made payable to Independence Title, for fee simple acquisition, due diligence and closing costs on an approximately 80.071-acre tract of land known as the Treehouse Ranch located in Bexar County, Texas.

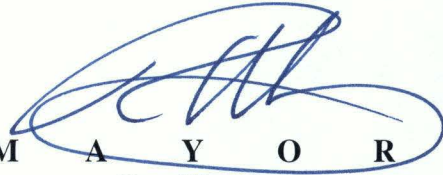
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 5. The acquisition of 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.

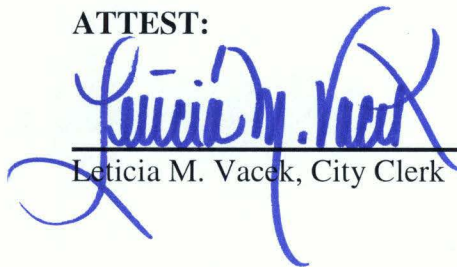
VS
03/07/19
Item No. 14

SECTION 6. This Ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this 7th day of March, 2019.



M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney

Agenda Item:	14 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15A, 15B, 15C, 16, 17, 19, 21, 22, 23A, 23B)						
Date:	03/07/2019						
Time:	09:39:10 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance approving the fee simple acquisition of a 80.071 acre tract of land known as the Treehouse Ranch property located over the Edwards Aquifer Recharge and Contributing Zones in Bexar County, Texas from Treehouse Ranch Holdings, LP, at a cost of \$1,054,079.14. Funding for this ordinance is available from the 2015 Sales Tax Venue Fund (Edwards Aquifer Protection Program) included in the FY 2019 Adopted Capital Budget. [María Villagómez, Assistant City Manager; Xavier D. Urrutia, Director, Parks and Recreation]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
Art A. Hall	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				

VS
03/07/19
Item No. 14

ATTACHMENT I

D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
D.P.L. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS












LEGEND

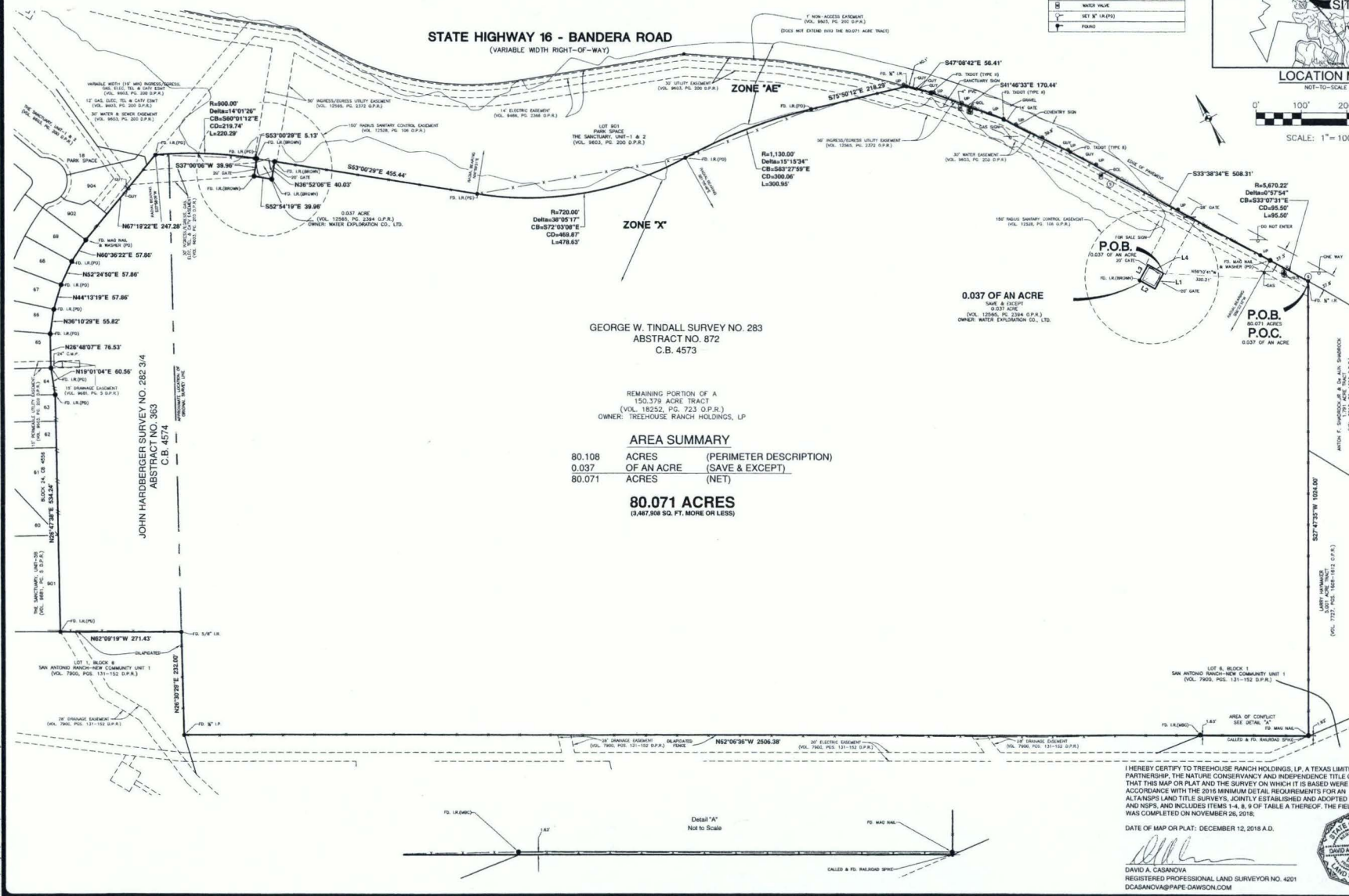
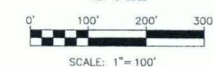
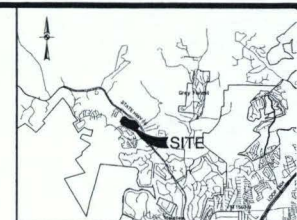
CONC.	CONCRETE
ELEC.	ELECTRIC
FD.	FOUND.
IR.	IRON ROD
IP.	IRON PIPE
(FG)	PAPE-GANSON CAP

LINE LEGEND

—X—X—X—X—X—	BARRIED WIRE FENCE
—O—O—O—O—O—	CHAIN LINK FENCE
—//—//—//—//—	WOOD FENCE
—O#—O#—O#—O#—	OVERHEAD UTILITY

LINE	BEARING	LENGTH
L1	S56°43'23"W	40.00'
L2	N33°16'37"W	40.00'
L3	N56°43'23"E	40.00'
L4	S33°16'37"E	40.00'

SYMBOL LEGEND	
	BOL BOLLARD
	FIRE HYDRANT
	GATE
	GUY GUY ANCHOR
	HVC HYDRAULIC CONTROL PIPE
	ADDITIONAL ROAD/UTILITY SIGN WITH DESCRIPTION
	SEWERTY SINKER MANHOLE
	UP UTILITY POLE
	WATER VALVE
	SET B' (LIPS)
	FOOTING

[illegible]

**PAPE-DAWSON
ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
 100 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000

ALTA/NSPS LAND TITLE SURVEY

JOB NO. 9287-18
DATE DECEMBER 2018
CHECKED AP DRAWN J
CIVIL JOB NO. _____
REFERENCE: 9374-16

1 2

PROJECT NAME: 80 Acre Sanctuary Site

VS
03/07/19
Item No. 14

ATTACHMENT II



METES AND BOUNDS DESCRIPTION
FOR

A 80.071 acre, or 3,487,908 square feet more or less, tract of land being out of a called 150.379 acre tract of land conveyed to Treehouse Ranch Holdings, LP by Warranty Deed recorded in Volume 18247, Pages 1777 and Correction Affidavit to Warranty Deed recorded in Volume 18252, Page 723, both of the Official Public Records of Real Property of Bexar County, Texas, being out of the George W. Tindall Survey No. 283, Abstract No. 872, County Block 4573 and the John Hardberger Survey No. 282 ¾, Abstract No. 363, County Block 4574, Bexar County, Texas, Said 80.071 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

- BEGINNING:** At a found ½" iron rod on the southwest right-of-way line of State Highway 16, Bandera Road, a variable width right-of-way at the north corner of a 1.791 acre tract conveyed to Anton F. Shadrock and De Aun Shadrock by deed recorded in Volume 8513, Pages 1292-1293 of the Official Public Records of Real Property of Bexar County, Texas, the east most corner of said 150.379 acre tract;
- THENCE:** S 27°47'35" W, departing the southwest right-of-way line of said State Highway 16, along and with the east line of said called 150.379 acre tract, the west line of said 1.791 acre tract and the west line of a called 5.001 acre tract conveyed to Larry Haymaker by deed recorded in Volume 7727, Pages 1608-1612 of the Official Public Records of Real Property of Bexar County, Texas, a distance of 1024.00 feet to a called & found railroad spike at the southwest corner of said 5.001 acre tract, on the northeast line of Lot 6, Block 1 of the San Antonio Ranch-New Community Unit 1 recorded in Volume 7900, Pages 131-152 of the Deed and Plat Records of Bexar County, Texas, for the southeast corner of said called 150.379 acre tract;
- THENCE:** N 62°06'36" W, along and with the southwest line of said called 150.379 acre tract and an east line of said Lot 6, Block 1, a distance of 2506.38 feet to a found ½" iron pipe at the east line of Lot 1, Block 6 of said San Antonio Ranch- New Community Unit 1, for a west corner of said 150.379 acre tract;
- THENCE:** N 26°30'29" E, along and with an east line of said Lot 1 and the southwest line of said called 150.379 acre tract, a distance of 232.00 feet to a found 5/8" iron rod;

THENCE: N 62°09'19" W, along and with the northeast line of said Lot 1 and the southwest line of said called 150.379 acre tract, a distance of 271.43 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" being the southeast corner of Lot 901 of The Sanctuary, Unit 5-B recorded in Volume 9681, Page 5 of the Deed and Plat Records of Bexar County, Texas;

THENCE: Along and with southeast line of said The Sanctuary, Unit 5-B, the following bearings and distances:

N 26°47'38" E, a distance of 534.24 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at the east corner of Lot 63 and the south corner of Lot 64 of said The Sanctuary, Unit 5-B;

N 19°01'04" E, a distance of 60.56 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at the east corner of Lot 64 and the south corner of Lot 65 of said The Sanctuary, Unit 5-B;

N 26°48'07" E, a distance of 76.53 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at the northeast corner of Lot 65 and the south corner of Lot 66 of said The Sanctuary, Unit 5-B;

N 36°10'29" E, a distance of 55.82 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at the east corner of Lot 66 and the south corner of Lot 67 of said The Sanctuary, Unit 5-B;

N 44°13'19" E, a distance of 57.86 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at the east corner of Lot 67 and the south corner of Lot 68 of said The Sanctuary, Unit 5-B;

N 52°24'50" E, a distance of 57.86 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at the east corner of Lot 68 and the south corner of Lot 69 of said The Sanctuary, Unit 5-B;

N 60°36'22" E, a distance of 57.86 feet to a found mag nail with washer stamped "Pape-Dawson" at the east corner of Lot 69 and the south corner of Lot 902 of The Sanctuary, Unit -1 & 2 recorded in Volume 9603, Page 200 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 67°19'22" E, along and with the southeast line of Lots 902 and 904 of said The Sanctuary Unit -1 & 2, a distance of 247.28 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson" at a corner of Lot 901 of said Sanctuary Unit 1 & 2;

- THENCE: Southeasterly, along and with the south line of said Lot 901, along a non-tangent curve to the right, said curve having a radial bearing of S 22°58'05" W, a radius of 900.00 feet, a central angle of 14°01'26", a chord bearing and distance of S 60°01'12" E, 219.74 feet, for an arc length of 220.29 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";
- THENCE: S 53°00'29" E, along and with the south line of said Lot 901, a distance of 5.13 feet to a found iron rod with a cap marked "Brown" at the northwest corner of a 0.037 of an acre parcel described in instrument to Water Exploration Company, Ltd. recorded in Volume 12565, Page 2394 of the Official Public Records of Bexar County, Texas;
- THENCE: S 37°00'06" W, departing the south line of said Lot 901, along and with the west line of said 0.037 of an acre tract, a distance of 39.96 feet to a found iron rod with a cap marked "Brown" at the southwest corner of said 0.037 acre tract;
- THENCE: S 52°54'19" E, along and with the south line of said 0.037 acre tract, a distance of 39.96 feet to a found iron rod with a cap marked "Brown" at the southeast corner of said 0.037 acre tract;
- THENCE: N 36°52'06" E, along and with the east line of said 0.037 acre tract, a distance of 40.03 feet to a found iron rod with a cap marked "Brown" at the northeast corner of said 0.037 acre tract and on the south line of said Lot 901;
- THENCE: S 53°00'29" E, along and with the south line of said Lot 901, a distance of 455.44 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";
- THENCE: Southeasterly, along the south line of said Lot 901, with a tangent curve to the left, said curve having a radius of 720.00 feet, a central angle of 38°05'17", a chord bearing and distance of S 72°03'08" E, 469.87 feet, for an arc length of 478.63 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";
- THENCE: Southeasterly, along the south line of said Lot 901, with a reverse curve to the right, said curve having a radius of 1130.00 feet, a central angle of 15°15'34", a chord bearing and distance of S 83°27'59" E, 300.06 feet, for an arc length of 300.95 feet to a found ½" iron rod with a yellow cap marked "Pape-Dawson";
- THENCE: S 75°50'12" E, along the south line of said Lot 901, a distance of 218.29 feet to a found ½" iron rod on the southwest right-of-way line of State Highway 16, Bandera Road, a variable width right-of-way at the most easterly corner of said Lot 901;

THENCE: Along and with the southwest right-of-way line of said State Highway 16, the following bearings and distances:

S 47°08'42" E, a distance of 56.41 feet to a found TXDOT monument (Type II);

S 41°46'33" E, a distance of 170.44 feet to a found TXDOT monument (Type II);

S 36°21'44" E, a distance of 170.17 feet to a found TXDOT monument (Type II);

S 33°38'34" E, a distance of 508.31 feet to a found mag nail with washer stamped "Pape-Dawson";

Southeasterly, along a non-tangent curve to the right, said curve having a radial bearing of S 56°23'32" W, a radius of 5670.22 feet, a central angle of 00°57'54", a chord bearing and distance of S 33°07'31" E, 95.50 feet, for an arc length of 95.50 feet to the POINT OF BEGINNING and containing a perimeter acreage of 80.108 acres.

SAVE AND EXCEPT THE FOLLOWING 0.037 OF AN ACRE from the above described 80.108 acres description

A 0.037 of an acre tract of land conveyed to Water Exploration Company, Ltd. By Memorandum of Deed recorded in Volume 12565, Page 2394 of the Official Public Records of Bexar County, Texas being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found ½" iron rod on the southwest right-of-way line of State Highway 16, Bandera Road, a variable width right-of-way at the north corner of a 1.791 acre tract conveyed to Anton F. Shadrock and De Aun Shadrock by deed recorded in Volume 8513, Pages 1292-1293 of the Official Public Records of Real Property of Bexar County, Texas and the east most corner of said 150.379 acre tract;

THENCE: N 59°10'41" W, departing the southwest right-of-way line of said State Highway 16, over and across said 150.379 acre tract, a distance of 320.31 feet to a point for the northeast corner of said 0.037 acre tract, from which a found ½" iron rod bears N 31°20'18" W, 0.12 feet;

THENCE: Along and with said 0.037 acre tract the following bearings and distances:
S 56°43'23" W, a distance of 40.00 feet to a point, from which a found ½" iron rod bears N 67°13'06" W, 0.17 feet;
N 33°16'37" W, a distance of 40.00 feet to a found ½" iron rod with a cap marked "Brown";
N 56°43'23" E, a distance of 40.00 feet to a point and;
S 33°16'37" E, a distance of 40.00 feet to the POINT OF BEGINNING and containing 0.037 of an acre in Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under Job Number 9287-18 by Pape-Dawson Engineers, Inc.

AREA SUMMARY

80.108 Acres	(Perimeter Description)
0.037 of an acre	(Save & Except)
80.071 Acres	(Net)

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 12, 2018
JOB NO. 9287-18
DOC. ID. N:\Survey18\18-9200\9287-18\Word\9287-18 FN_80.071 AC.docx



VS
03/07/19
Item No. 14

ATTACHMENT III

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Date: _____, 2019

Grantors: Treehouse Ranch Holdings, LP

Grantors' Mailing Address (including County): 3921 Steck Ave, Ste A-105
Austin, Travis County, Texas 78759

Grantee: City of San Antonio

Grantee's Mailing Address: P.O. Box 839966
San Antonio, Bexar County, Texas 78283-3966

Consideration: Ten and No/100 (\$10.00) Dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED BY REFERENCE.

Reservations from and Exceptions to Conveyance and Warranty:

This conveyance is made and accepted subject to any and all conditions, restrictions, and easements, if any, relating to the hereinabove-described property, to the extent, and only to the extent, that the same may still be in force and effect, shown of record in the office of the County Clerk of Bexar County, Texas.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, 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.

When the context requires, singular nouns and pronouns include the plural.

Rex Bohls, Manager of Treehouse Realty, LLC, general
partner of Treehouse Ranch Holdings, LP

DATE

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

This instrument was acknowledged before me on the ____ day of _____, 2019, by
Rex Bohls, Manager of Treehouse Realty, LLC, General Partner of Treehouse Ranch Holdings,
LP.

Notary Public, State of Texas

My commission expires:_____

AFTER RECORDING, RETURN TO:

City of San Antonio
Parks and Recreation Department
Attn: Special Projects Manager, Edwards Aquifer Protection Program
P.O. Box 839966
San Antonio, Texas 78283-3966