

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

**ORDINANCE**

**DECLARING CERTAIN PROPERTY AS SURPLUS TO THE NEEDS OF THE CITY OF SAN ANTONIO AND AUTHORIZING ITS SALE TO GSOTO INVESTMENTS,LLC FOR THE AMOUNT OF \$207,000.00.**

\* \* \* \* \*

**WHEREAS**, the City of San Antonio owns seventeen (17) lots legally described as:

Lots 4, 5, 6, 7 and 38, Block 4, New City Block; 13021, Lots 1, 2 and 4, Block 5, New City Block; 13021, Lots 2 and 3, Block 6, New City Block; 13021, Lot 56, Block 8, New City Block; 13021 and Lots 12, 13, 14, 18, 19 and 20, Block 9, New City Block; 13021, Highland Heights Bluff Subdivision, an Addition to the City of San Antonio, BEXAR County, Texas, according to the map or plat thereof recorded in Volume 9570, Page 205-207, of the Deed and Plat Records of BEXAR County, Texas. The property ("**Property**") is more accurately described in **Exhibit "A"** in metes and bounds and depicted in **Exhibit "B"**; and

**WHEREAS**, in 2013 the City purchased the Property for the purpose of development of affordable housing; and

**WHEREAS**, due to the topography of the land upon which the Property was to be developed and the high costs associated with the development of the Property, the City was unsuccessful in selling the Property; and

**WHEREAS**, accordingly, the City found that the development of affordable housing on the Property was not feasible; that the Property was surplus to the needs of the City and that it would be in the City's best interest to dispose of the Property; and

**WHEREAS**, in 2015 staff briefed the Planning Commission on the need to dispose of the Property as surplus property and the Planning Commission passed a resolution recommending that City Council declare the Property as surplus property and authorizing the Property to be sold; said resolution being attached hereto as **Exhibit "C"**; and

**WHEREAS**, in December of 2018, the City entered into a broker agreement with Kuper Sotheby's International Realty to market the property for sale who subsequently identified GSoto Investments, LLC as a ready, willing and able buyer to purchase the Property; and

**WHEREAS**, GSoto Investments, LLC has offered to purchase the Property from the for the amount of \$207,000, which the staff finds to be a fair and reasonable price for the Property; and

**WHEREAS**, staff recommends that the City Council declare the Property as surplus to the needs of the City and authorize the sale of the Property to GSoto Investments, LLC.; **NOW THEREFORE**,

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

**SECTION 1.** The City Council hereby declares the following properties to be surplus to the needs of the City of San Antonio:

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Lots 4, 5, 6, 7 and 38, Block 4, New City Block; 13021, Lots 1, 2 and 4, Block 5, New City Block; 13021, Lots 2 and 3, Block 6, New City Block; 13021, Lot 56, Block 8, New City Block; 13021 and Lots 12, 13, 14, 18, 19 and 20, Block 9, New City Block; 13021, Highland Heights Bluff Subdivision, an Addition to the City of San Antonio, BEXAR County, Texas, according to the map or plat thereof recorded in Volume 9570, Page 205-207, of the Deed and Plat Records of BEXAR County, Texas. The property ("**Property**") is more accurately described in **Exhibit "A"** in metes and bounds and depicted in **Exhibit "B"**.

**SECTION 2.** The City Manager or their designee, jointly and severally, are authorized and directed to execute the Real Estate Sales Contract for the sale of the Property to GSoto Investments, LLC in the amount of \$207,000.00 attached hereto as **Exhibit "D"**, which is incorporated herein by reference for all purposes as if it were fully set forth herein. The City manager and their designee, are further authorized and directed to take all other actions reasonably necessary or convenient to effect the transaction, including delivering ancillary documents and instruments conducive to effectuating the transaction.

**SECTION 3.** Funds generated by this Ordinance will be deposited into 11001000, Internal Order 257000000006 and General Ledger 4903101.

**SECTION 4.** The disposition of surplus property must be coordinated through the City's Finance Department to assure the removal of these assets out of the City's financial records and to record the proper accounting transactions.

**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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers 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 2<sup>nd</sup> day of May, 2019.**

**M A Y O R**

Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

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

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

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**Exhibit "A"**

Map of Properties

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**Exhibit "B"**

Field Notes

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**Exhibit “C”**

Planning Commission Resolution

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**Exhibit "D"**

Real Estate Sales Contract

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