

ORDINANCE

AUTHORIZING PAYMENT OF \$3,228,484.10 TO TEXAS HERITAGE TITLE COMPANY AS ESCROW AGENT FOR TITLE ON ACQUISITION OF PROPERTY INTERESTS, DUE DILIGENCE AND CLOSING COSTS FOR EDWARDS AQUIFER PROTECTION PROGRAM CONSERVATION EASEMENT ON A TRACT OF LAND TOTALING APPROXIMATELY 1,544.4 ACRES OF REAL PROPERTY KNOWN AS PROVIDENCE SPRINGS RANCH IN MEDINA 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 or designee, severally, to accept on behalf of the City the acquisition a conservation easement on 1,544.4 acres of land known as Providence Springs Ranch together with rights of ingress and egress involving that certain 16' Road Access Easement more particularly depicted on the map in **ATTACHMENT I**, being more particularly described in **ATTACHMENT II**, and substantially in the form attached as **ATTACHMENT III**.

SECTION 2. The City Manager or designee, severally, is 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. [NEED FISCAL ORDINANCE LANGAUGE].

SECTION 4. [NEED FISCAL ORDINANCE LANGAUGE].

SECTION 5. [NEED FISCAL ORDINANCE LANGAUGE].

SECTION 6. [NEED FISCAL ORDINANCE LANGAUGE].

SECTION 7. 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 8. 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 ____ day of ____, 2019.

VS
9/19/2019
Item No. ##

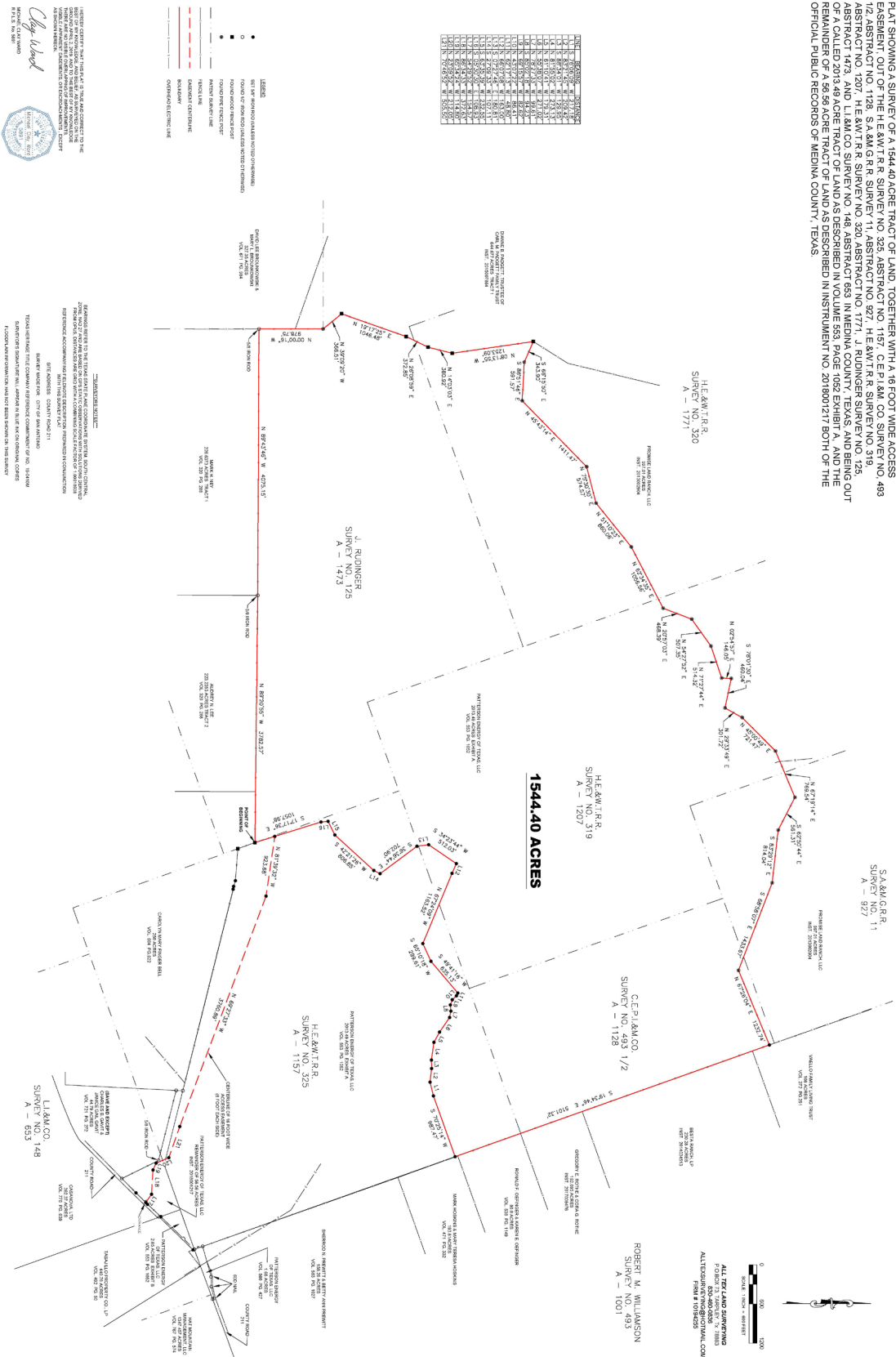
M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

[illegible]

Attachment II

ALL TEX LAND SURVEYING

P.O. BOX 73, TARPLEY, TX 78883
(830) 460-0836
ALLTEXSURVEYING@HOTMAIL.COM

FIELD NOTES TO DESCRIBE

A 1544.40 acre tract of land, being approximately 218.65 acres out of the C.E.P.I&M.CO. Survey No. 493 1/2, Abstract No. 1128, approximately 51.23 acres out of the S.A.&M.G.R.R. Survey No. 11, Abstract No. 927, approximately 516.98 acres out of the H.E.&W.T.R.R. Survey No. 319, Abstract No. 1207, approximately 182.83 acres out of the H.E.&W.T.R.R. Survey No. 320, Abstract No. 1771, approximately 493.84 acres out of the J. Rudinger Survey No. 125, Abstract No. 1473, approximately 80.87 acres out of the H.E.&W.T.R.R. Survey No. 325, Abstract No. 1157 in Medina County, Texas, and being out of a called 2013.49 acre tract of land conveyed to Patterson Energy of Texas, L.L.C., as described in Volume 553, Page 1052 Exhibit A of the Official Public Records of Medina County, Texas.

Being more particularly described by metes and bounds as follows:

BEGINNING: at a wood fence post found for corner in the South line of said 2013.49 acre tract and same being the upper North East corner of a called 250 acre tract of land recorded in Volume 664, Page 922 O.P.R. Medina County, Texas, same being the lower South East corner of the tract described herein, from which a wood fence post found for corner in the south line of said 2013.49 acre tract and being a reentrant corner of said 250 acre tract bears S19°44'24"E a distance of 277.48 feet;

THENCE: with the North line of said 250 acre tract, and the North line of a called 223.2353 acre tract recorded in Volume 320, Page 288 as Tract 2, O.P.R. Medina County, Texas and the North line of a called 226.6373 acre tract recorded in Volume 320, Page 288 as Tract 1, O.P.R. Medina County, Texas, same being the South line of said 2013.49 acre tract and the South line of the tract described herein and generally with fence the following 2 courses and distances;

N89°20'55"W a distance of 3782.57 feet to a 5/8 inch iron rod found for North West corner of said 223.2353 acre tract, same being the North East corner of said 226.6373 acre tract;

N89°43'46"W a distance of 4075.15 feet to a 5/8 inch iron rod found in the East line of a called 327.35 acre tract recorded in Volume 671, Page 984, O.P.R. Medina County, Texas, same being the North West corner of said 226.6373 acre tract, same being the South West corner of said 2013.49 acre tract, and the South West corner of the tract described herein;

THENCE: with the East line of said 327.35 acre tract, and the East line of a called 644.677 acre tract recorded in Instrument No. 2015007864 as Tract 1, O.P.R. Medina County, Texas, same being the West line of said 2013.49 acre tract and the tract described herein and generally with fence the following 6 courses and distances;

N00°00'16"W a distance of 978.75 feet to a pipe fence post found for angle point;

N39°09'20"W a distance of 366.51 feet to a wood fence post found for angle point;

N19°17'25"E a distance of 1046.48 feet to a wood fence post found for angle point;

N26°08'59"E a distance of 372.85 feet to a wood fence post found for angle point;

N14°03'03"E a distance of 380.92 feet to a wood fence post found for angle point;

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N08°13'55"W a distance of 1253.09 feet to a wood fence post found for angle point in the East line of said 644.677 acre tract, same being the South West corner of a called 997.01 acre tract of land recorded in Instrument No. 2013002904, O.P.R. Medina County, Texas, same being the North West corner of said 2013.49 acre tract and the North West corner of the tract described herein;

THENCE: with the South line of said 997.01 acre tract, same being the North line of said 2013.49 acre tract and the North line of the tract described herein and generally with fence the following 18 courses and distances;

S66°15'50"E a distance of 343.90 feet to a pipe fence post found for angle point;
S86°51'46"E a distance of 591.57 feet to a pipe fence post found for angle point;
N45°43'14"E a distance of 1411.47 feet to a pipe fence post found for angle point;
N75°30'30"E a distance of 574.57 feet to a pipe fence post found for angle point;
N51°10'23"E a distance of 860.06 feet to a pipe fence post found for angle point;
N62°34'35"E a distance of 1056.56 feet to a pipe fence post found for angle point;
N20°57'03"E a distance of 468.39 feet to a pipe fence post found for angle point;
N54°27'52"E a distance of 507.35 feet to a pipe fence post found for angle point;
N71°27'44"E a distance of 514.32 feet to a pipe fence post found for angle point;
N02°54'57"E a distance of 146.05 feet to a pipe fence post found for angle point;
S78°01'30"E a distance of 460.04 feet to a pipe fence post found for angle point;
N29°33'49"E a distance of 301.72 feet to a pipe fence post found for angle point;
N45°00'49"E a distance of 721.47 feet to a pipe fence post found for angle point;
N67°19'14"E a distance of 769.54 feet to a pipe fence post found for angle point;
S62°50'44"E a distance of 561.31 feet to a pipe fence post found for angle point;
S83°29'12"E a distance of 814.04 feet to a pipe fence post found for angle point;
S68°58'07"E a distance of 1433.67 feet to a pipe fence post found for angle point;
N67°26'04"E a distance of 1232.74 feet to a 5/8 inch iron rod set in the West line of a 108 acre tract recorded in Volume 372, Page 251, O.P.R. Medina County, Texas, same being the South East corner of said 997.01 acre tract, same being the North East corner of said 2013.49 acre tract and the North East corner of the tract described herein;

THENCE: with the West line of said 108 acre tract, and the West line of a 230.28 acre tract recorded as Instrument No. 2014034513, O.P.R. Medina County, Texas, and the West line of a called 192.095 acre tract recorded as Instrument No. 2017009476, O.P.R. Medina County, Texas, and the West line of a called 90.0 acre tract recorded in Volume 538, Page 1149, O.P.R. Medina County, Texas, and the West line of a called 193.81 acre tract of land recorded in Volume 471, Page 332, O.P.R. Medina County, Texas, same being the East line of said 2013.49 acre tract and the East line of the tract described herein and generally with fence S19°34'46"E a distance of 5101.32 feet to a 5/8 inch iron rod set for the upper South East corner of the tract described herein;

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THENCE: leaving the East line of said 2013.49 acre tract and now continuing over and across said 2013.49 acre tract not with fence the following 24 courses and distances;

S70°25'14"W a distance of 987.47 feet to a 5/8 inch iron rod set for angle point;
S76°06'09"W a distance of 217.18 feet to a 5/8 inch iron rod set for angle point;
N83°21'45"W a distance of 209.42 feet to a 5/8 inch iron rod set for angle point;
S88°34'01"W a distance of 129.95 feet to a 5/8 inch iron rod set for angle point;
N81°55'02"W a distance of 273.13 feet to a 5/8 inch iron rod set for angle point;
N61°10'41"W a distance of 179.31 feet to a 5/8 inch iron rod set for angle point;
N55°38'07"W a distance of 271.02 feet to a 5/8 inch iron rod set for angle point;
N78°27'33"W a distance of 99.61 feet to a 5/8 inch iron rod set for angle point;
S85°02'18"W a distance of 94.23 feet to a 5/8 inch iron rod set for angle point;
N69°15'57"W a distance of 82.62 feet to a 5/8 inch iron rod set for angle point;
N43°07'22"W a distance of 86.41 feet to a 5/8 inch iron rod set for angle point;
N62°17'13"W a distance of 48.80 feet to a 5/8 inch iron rod set for angle point;
S49°41'16"W a distance of 635.13 feet to a 5/8 inch iron rod set for angle point;
S65°10'18"W a distance of 299.61 feet to a 5/8 inch iron rod set for angle point;
N67°24'09"W a distance of 1163.52 feet to a 5/8 inch iron rod set for angle point;
N66°07'08"W a distance of 163.00 feet to a 5/8 inch iron rod set for angle point;
S34°23'44"W a distance of 512.03 feet to a 5/8 inch iron rod set for angle point;
S07°27'46"E a distance of 180.81 feet to a 5/8 inch iron rod set for angle point;
S36°36'44"E a distance of 702.90 feet to a 5/8 inch iron rod set for angle point;
S27°09'33"W a distance of 107.11 feet to a 5/8 inch iron rod set for angle point;
S42°21'26"W a distance of 806.85 feet to a 5/8 inch iron rod set for angle point;
S63°35'39"W a distance of 232.55 feet to a 5/8 inch iron rod set for angle point;
S05°30'30"E a distance of 108.93 feet to a 5/8 inch iron rod set for angle point;
S17°17'36"E a distance of 1057.98 feet to the **POINT OF BEGINNING** and containing 1544.40 acres, more or less,

Bearings refer to the Texas State Plane Coordinate System, South Central Zone, NAD 27 and are based on GPS static observations with solutions derived from OPUS, distances are grid with a combining scale factor of 1.00018608.

Reference accompanying plat prepared in conjunction with these field note descriptions.

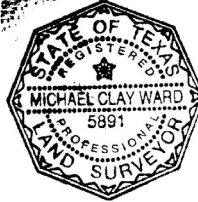
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I hereby certify that the foregoing description is true and correct to the best of my knowledge and belief, and was prepared from an actual survey conducted on the ground, April 2, 2019, and to the best of knowledge there are no visible overlapping of improvements, visible / apparent easements, or encroachments, except as shown on said plat evenly dated.

Clay Ward

Michael Clay Ward
Registered Professional Land Surveyor No. 5891
Firm #10194255



Attachment II

ALL TEX LAND SURVEYING

P.O. BOX 73, TARPLEY, TX 78883
(830) 460-0836
ALLTEXSURVEYING@HOTMAIL.COM

FIELD NOTES TO DESCRIBE

The centerline of a 16.0 foot wide access easement, being out of the L.I.&M.CO. Survey No. 148, Abstract No. 653 and H.E.&W.T.R.R. Survey No. 325, Abstract No. 1157 in Medina County, Texas, and being a portion of a called 2013.49 acre tract of land conveyed to Patterson Energy of Texas, L.L.C., as described in Volume 553, Page 1052 Exhibit A, and a portion of the remainder of a called 56.56 acre tract of land conveyed to Patterson Energy of Texas, LLC, as described in Instrument No. 2018001217, of the Official Public Records of Medina County, Texas.

Being more particularly described as lying 8.0 feet on each side of the following described centerline:

BEGINNING: at a 5/8 inch iron rod set in the South line of said remainder of 56.56 acre tract, same being in the North line of county road 211, a paved public road, from which a 5/8 inch iron rod previously set for angle point in the South line of said remainder of 56.56 acre tract bears N44°45'36"E a distance of 41.06 feet and a 5/8 inch iron rod previously set for angle point in the South line of said remainder of 56.56 acre tract bears S44°45'36"W a distance of 208.43 feet;

THENCE: crossing remainder of said 56.56 acre tract and said 2013.49 acre tract the following courses and distances:

N54°29'52"W a distance of 154.57 feet to a 5/8 inch iron rod set for angle point;
N86°34'33"W a distance of 372.63 feet to a 5/8 inch iron rod set for angle point;
N65°34'24"W a distance of 114.80 feet to a 5/8 inch iron rod set for angle point;
N23°09'52"W a distance of 212.05 feet to a 5/8 inch iron rod set for angle point;
N70°46'52"W a distance of 505.50 feet to a 5/8 inch iron rod set for angle point;
N69°27'33"W a distance of 3760.89 feet to a 5/8 inch iron rod set for angle point;
N81°39'32"W a distance of 923.68 feet to a 5/8 inch iron rod set for the
POINT OF TERMINATION in the lower East line of a 1544.40 acre tract this day surveyed, from which a wood fence post found for the lower South East corner of said 1544.40 acre tract, same being in the South line of said 2013.49 acre tract bears S17°17'36"E a distance of 318.39 feet and a 5/8 inch iron rod set for angle point in said 1544.40 acre tract bears N17°17'36"W a distance of 739.59 feet.

The total length of the herein described easement being 6044.11 feet and containing 2.22 acres of land, more or less.

Bearings refer to the Texas State Plane Coordinate System, South Central Zone, NAD 27 and are based on GPS static observations with solutions derived from OPUS, distances are grid with a combining scale factor of 1.00018608.

Reference accompanying plat prepared in conjunction with these field note descriptions.

Attachment II

2

I hereby certify that the foregoing description is true and correct to the best of my knowledge and belief, and was prepared from an actual survey conducted on the ground, April 2, 2019, and to the best of knowledge there are no visible overlapping of improvements, visible / apparent easements, or encroachments, except as shown on said plat evenly dated. 2019

Clay Ward

Michael Clay Ward
Registered Professional Land Surveyor No. 5891
Firm #10194255



[ATTACHMENT III – Conservation Easement Draft]