



# City of San Antonio

## Legislation Details (With Text)

<b>File #:</b>	14-2404
<b>Type:</b>	Real Property Sale
<b>In control:</b>	City Council A Session
<b>On agenda:</b>	11/6/2014
<b>Title:</b>	An Ordinance declaring as surplus an approximately 0.17 acre tract of City-owned property located generally at the intersection of Greely Street and Claiborne Way in the City of Alamo Heights and authorizing its sale to Laura Nell and Jesse B. Burton III for a sales price of \$34,750.00. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, Office of EastPoint & Real Estate Services]
<b>Sponsors:</b>	Martha Almeria
<b>Indexes:</b>	EastPoint Disposition
<b>Code sections:</b>	
<b>Attachments:</b>	1. Exhibit.pdf, 2. Location Map.pdf, 3. Real Estate Purchase and Sale Agreement, 4. Draft Ordinance, 5. Ordinance 2014-11-06-0854

Date	Ver.	Action By	Action	Result
11/6/2014	1	City Council A Session	adopted	Pass

**DEPARTMENT:** Office of EastPoint and Real Estate Services

**DEPARTMENT HEAD:** Mike Etienne

**COUNCIL DISTRICTS IMPACTED:** Citywide

### SUBJECT:

Disposition: Sale of City-Owned Property on Claiborne Way

### SUMMARY:

An ordinance declaring as surplus a 0.17 acre parcel (7,500 square feet) of City-owned property on Claiborne Way located in the City of Alamo Heights and authorizing its sale to Laura Nell and Jesse B. Burton III for a sales price of \$34,750.00 for use as a driveway and flower garden.

### BACKGROUND INFORMATION:

In 1936 the City of San Antonio granted an easement (Ordinance 666 dated 1936) to 222 Claiborne Way for use of Lot 10 Block 58, City Block 4024 as a “lawn, flower garden and a driveway appurtenant.” Now the owners of 222 Claiborne Way (lot 9 Block 58, City Block 4024) would like to purchase the easement in order to expand their driveway and flower garden. The property has only 7,500 square feet and is partially located in

the floodplain. If approved, a restriction will be placed on the property that prohibits new buildings being erected on the site or an expansion onto the property of the adjacent home. The subject (Lot 10) is part of a larger land mass that is owned by the City of San Antonio and leased to the City of Alamo Heights as part of the Olmos Creek Basin. To facilitate the sale, in November 25, 2013, the City of Alamo Heights approved the release of Lot 10 from their lease agreement with the City of San Antonio.

**ISSUE:**

This ordinance will declare as surplus a 0.17 acre parcel or 7,500 square feet of City-owned property located on Claiborne Way described as Lot 10, Block 58, City Block 4024 in the City of Alamo Heights and authorize its sale to the abutting owners, Laura Nell and Jesse B. Burton III, for a sales price of \$34,750.00 for use as a driveway and flower garden. As a condition to the sale, restriction will be placed to prohibit new or expansion of adjacent buildings, and the City will reserve the right to purchase the property back for the easement's appraised value of \$30,000.00 should the owners decide to sell the lot in the future. This action is consistent with City Code and Ordinances, which require City Council approval for the sale or disposition of City-owned or controlled real property.

**ALTERNATIVES:**

City Council could choose not to approve this request; however, this will disallow the buyers from expanding their driveway and continued use as a flower garden.

**FISCAL IMPACT:**

In compliance with Chapter 37 of the City Code, Section 37-2, the property with the easement was appraised at \$30,000.00 by Noble and Associates, Inc. (State of Texas Certified Professional Appraiser) on October 14, 2014. The City of San Antonio and the buyers have agreed on a sales price of \$34,750.00 with added administrative costs. This fund will be deposited into the General Fund in accordance with FY 2015 Adopted Budget.

**RECOMMENDATION:**

Staff recommends approval of this ordinance to sell an improved tract of City-owned real property on Claiborne Way in the City of Alamo Heights to Laura Nell and Jesse B. Burton III for \$34,750.00 for use as a driveway and flower garden.

The City of San Antonio's Planning Commission approved this request at its regular meeting of September 24, 2014.