



# City of San Antonio

## Agenda Memorandum

**File Number:** 17-4539

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**Agenda Item Number:** 10.

**Agenda Date:** 1/11/2018

**In Control:** City Council A Session

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**DEPARTMENT:** Transportation & Capital Improvements

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICTS IMPACTED:** Council District 1

### **SUBJECT:**

Declaring as surplus, authorizing the sale, and issuing a quitclaim deed for property near U.S. Highway 281 and Olmos Drive.

### **SUMMARY:**

An ordinance declaring as surplus, authorizing sale and issuing a quitclaim deed for a 0.329 acre unimproved tract of land located at 900 East Olmos Drive to Tronco de Arbol, LLC for a sales price of \$93,750.00.

### **BACKGROUND INFORMATION:**

The petitioner, Tronco de Arbol, LLC, purchased a 4.82 acre tract of land located at 900 E Olmos Drive, Olmos Park, Texas in 2015. During the process of insuring the property, the petitioner's title company discovered a cloud, or defect, on 0.329 acres that showed no clear ownership and would not insure that portion of the property. Subsequent research identified the City of San Antonio within the chain of title dating back to the 1920s. In order for the petitioner to pursue the insurance and title on the 0.329 acres, the City can indicate no interest in the property through a quitclaim deed. This can be accomplished through the City declaring as surplus, authorizing the sale and issuing a quitclaim for the 0.329 acres to the petitioner. Petitioner submitted a request to the city to declare the subject property as surplus and sell the property to the petitioner. If this request is approved, the city will issue a quitclaim deed of its interest in the subject property.

In accordance with City Code, the subject property was reviewed by City Departments and Utilities and was determined to be surplus. The portion of the property located within San Antonio city limits is zoned R-5 single family residential and was determined to be developable. In compliance with Local Government Code, Chapter 272, the property was advertised for sealed bid on June 9 and June 12, 2017 in the San Antonio Hart

Beat. Petitioner was the sole bidder and submitted a bid for fair market value of \$93,750.00.

The Planning Commission reviewed and approved this request at its regular meeting on November 13, 2017.

#### **ISSUE:**

This ordinance declares as surplus and authorizes the sale of a 0.329 acre unimproved tract of land located at 900 E Olmos Drive to Tronco de Arbol, LLC for a sales price of \$93,750.00.

The petitioner purchased a 4.82 acre tract of land located at 900 E Olmos Drive, Olmos, Texas in 2015, which includes the subject 0.329 acres. During the process of insuring the property, the petitioner's title company discovered a cloud, or defect, on 0.329 acres and would not insure that portion of the property. Subsequent research identified the City of San Antonio within the chain of title dating back to the 1920s. In order for the petitioner to pursue the insurance and title on the 0.329 acres, the City can indicate no interest in the property through a quitclaim deed. The petitioner requests the city declare the 0.329 acre tract as surplus, sale the property to the petitioner and convey a quitclaim deed.

#### **ALTERNATIVES:**

City Council could choose not to approve this item, however if not approved, the petitioner cannot be established within the chain of title and pursue insurance on the subject property.

#### **FISCAL IMPACT:**

The fair market value was determined by an independent appraisal completed by Noble & Associates, Inc. on January 30, 2017. The fair market value of \$93,750.00 will be deposited in the General Fund in accordance with the FY 2018 Adopted Budget.

#### **RECOMMENDATION:**

Staff recommends approval of this request to declare as surplus, dispose of the subject 0.329 acre tract of land at 900 E Olmos Drive and issue a quitclaim deed. This action will allow the petitioner to pursue the insurance and title on the 0.329 acres.