

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

ORDINANCE

**AUTHORIZING THE ACQUISITION THROUGH NEGOTIATION OR
CONDEMNATION OF FEE SIMPLE INTERESTS IN LAND SUFFICIENT
FOR PROJECT PURPOSES OF PRIVATELY-OWNED REAL PROPERTY
LOCATED AT 516 E. HOUSTON STREET AND LEGALLY DESCRIBED
AS NEW CITY BLOCK 423, BLOCK 24, LOT E 36 FT OF 2 OR A14 IN
COUNCIL DISTRICT 1 FOR THE ALAMO VISITOR CENTER AND
MUSEUM PROJECT; DECLARING IT TO BE A PUBLIC USE PROJECT
AND A PUBLIC NECESSITY.**

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WHEREAS, the City of San Antonio (“City”) desires to acquire fee simple interest for the City on behalf of the Texas General Land Office (“GLO”) of privately-owned real property as part of the Alamo Visitor Center and Museum Project (the “Project”); and

WHEREAS, this property is located at 516 E. Houston Street in Council District 1 and is located within the City of San Antonio, Bexar County, Texas; and

WHEREAS, the acquisition of this property is necessary for the completion of the Project; and

WHEREAS, this Project is in the best interest of the health, safety and welfare of the public;
NOW THEREFORE,

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

SECTION 1. Privately-owned real property within NCB 423 and located at 516 E. Houston, Street, in Council District 1 for the Alamo Visitor Center and Museum Project is hereby declared to be necessary for a public use project.

SECTION 2. The City Council of the City of San Antonio finds public use exists to acquire fee simple interest title in privately owned real property for the City on behalf of the GLO, by negotiation and/or condemnation, if necessary, as part of the Alamo Visitor Center and Museum Project. The property for the Project is more specifically shown on the map attached hereto as **Exhibit A** incorporated herein for all purposes.

SECTION 3. There is no financial impact on the City of San Antonio. Any condemnation costs, including awards, will be paid by or through the State of Texas. The Alamo Visitor and Museum is fully funded by the State of Texas and the Alamo Trust.

SECTION 4. The City staff, in coordination with GLO, is hereby directed to negotiate with the owners of the Property for the acquisition of the Property at fair market value, to execute sales agreements purchasing the Property from the owners as the owners are identified by a Commitment for Issuance of Title Insurance issued by a title insurance company authorized to conduct such practice in the State of Texas and in Bexar County or by order of a Court of competent jurisdiction and to finalize such purchases on behalf of the City of San Antonio or GLO. The City Council finds that it is in the best interest to obtain the Property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 5. In the event that the City negotiations fail and staff is unable to acquire the Property from the Property owner by negotiation or for any other reason, the City Manager, through the City Attorney and/or designated special counsel under the direction of the City Attorney, are hereby authorized and directed to institute and prosecute to conclusion all necessary proceedings to condemn the Property. The City Attorney is hereby authorized to retain the services of any law firm selected by the City Attorney as special counsel, as may be needed from time to time, and to pay for the services rendered from the appropriations set aside herein or such other appropriations as may be made for the purpose and to negotiate and execute agreements with GLO to implement this Ordinance, including any agreement to reimburse condemnation or acquisition costs.

SECTION 6. This Ordinance shall be effective immediately if it receives eight affirmative votes, otherwise, it shall be effective on the tenth day after passage.

PASSED and APPROVED this 26th day of January, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney