

ORDINANCE

2023-01-26-0027

APPROVING THE ACQUISITION THROUGH NEGOTIATION OR CONDEMNATION OF INTERESTS IN LAND ON BEHALF OF THE TEXAS GENERAL LAND OFFICE, SUFFICIENT FOR PROJECT PURPOSES INVOLVING 516 EAST HOUSTON STREET FEE SIMPLE PARCEL OF PRIVATELY-OWNED REAL PROPERTY LOCATED IN DOWNTOWN SAN ANTONIO OF BEXAR COUNTY IN LOT E 36 FT OF 2 OR A14, BLOCK 24, NEW CITY BLOCK 423, RELATED TO THE ALAMO VISITOR CENTER AND MUSEUM AND DECLARING THE PROJECT TO BE FOR PUBLIC USE AND A PUBLIC NECESSITY FOR THE ACQUISITION.

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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 legally described as Lot E 36 Ft of 2 or A14, Block 24, New City Block 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.

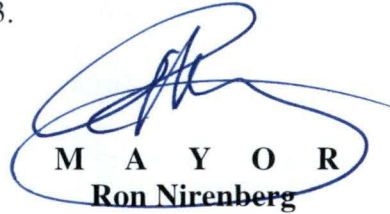
SECTION 4. The City staff, in coordination with GLO, is hereby directed to negotiate with the owners of the Property for the acquisition of the Property at fair market value, to execute sales agreements purchasing the Property from the owners as the owners are identified by a Commitment

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 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:


Debbie Racca-Sittre, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney





City of San Antonio
City Council Meeting
January 26, 2023

17. 2023-01-26-0027

Ordinance approving the acquisition through negotiation or condemnation of interests in land on behalf of the Texas General Land Office, sufficient for project purposes involving 516 East Houston Street fee simple parcel of privately-owned real property located in downtown San Antonio of Bexar County in New City Block 423 Block 24 Lot E 36 FT of 2 OR A14, related to the Alamo Visitor Center and Museum and declaring the project to be for public use and a public necessity for the acquisition. [Andy Segovia, City Attorney]

Councilmember Pelaez moved to approve. Councilmember Viagran seconded the motion. The motion carried by the following vote:

Aye: Nirenberg, Bravo, Viagran, Rocha Garcia, Cabello Havrda, Sandoval, Pelaez, Courage, Perry
No: McKee-Rodriguez, Castillo

Councilmember McKee-Rodriguez moved to move to delay until February 9, 2023
Councilmember Castillo seconded the motion. The motion failed by the following vote:

Aye: McKee-Rodriguez, Castillo, Sandoval, Perry
No: Nirenberg, Bravo, Viagran, Rocha Garcia, Cabello Havrda, Pelaez, Courage

EXHIBIT A



EXHIBIT “B”

**Property Description: New
City Block 423, Lot 24, E 36
Ft. of 2 OR A-14**