

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL MEMORANDUM  
PARKS AND RECREATION DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Malcolm Matthews, Director, Parks and Recreation Department

**THROUGH:** Terry M. Brechtel, City Manager

**COPIES:** Melissa B. Vossmer; Finance; Management and Budget; Legal; File

**SUBJECT:** Ordinance Authorizing the Acquisition of a 6.072 Acre Tract Located Adjacent to Cathedral Rock Nature Park and Authorizing Acceptance of a Texas Parks and Wildlife Trails Grant in the Amount of \$100,000.00

**DATE:** June 26, 2003

**SUMMARY AND RECOMMENDATIONS**

This ordinance authorizes the acquisition of a 6.072 acre tract located adjacent to the Cathedral Rock Nature Park in City Council District 6 from Clare and Ron Carrillo for the amount of \$138,000.00, which will be designated for park land, and authorizes the acceptance of a Texas Parks and Wildlife Department (TPWD) Trails Grant in the amount of \$100,000.00 with a required City match of \$25,000.00; appropriates \$138,000.00 in Park Bond Funds and encumbers \$138,000.00 for land acquisition fees.

Staff recommends approval of this ordinance.

**BACKGROUND INFORMATION**

Park Bond Funds were approved in 1999 for the Park Land Acquisition and Development in City Council District 6. Property has been purchased along Old Grissom Road that has been named the Cathedral Rock Nature Park. The City has an opportunity to purchase an adjacent 6.072 acre tract that will become part of the park. The property will be purchased from Clare and Ron Carrillo for the amount of \$138,000.00. Although the land was appraised at \$132,250.00, the property has been determined to be a critical component to the development of the existing park, due to the park accessibility it provides and due to its alignment to an existing, signaled intersection. Also, the parcel has been cleared and is relatively flat; therefore, it is appropriate for parking and trailhead amenities.

To supplement the funding available for the Cathedral Rock Nature Park, staff applied to the Texas Parks and Wildlife Department (TPWD) in June 2002 for a Trails Grant. The

competitive application was submitted with the support of the District 6 Park Planning Committee. Over 83 applications were submitted to the Texas Parks and Wildlife Department and 32 projects were accepted. The total amount of the grants awarded was \$2,072,937.00. The City was awarded a \$100,000.00 grant in August of 2002. The grant requires a City match of 25%, or \$25,000.00, which will be met by the land acquisition expenditure for the Carrillo tract. The City must spend the grant funds within three years after execution of the agreement. As noted above, Park Bond funds exist to make basic improvements to the park. The grant will supplement these funds and will be utilized to design and build trails and for trailhead and trailside amenities (parking facility, benches, bike rack, trash receptacle, drinking fountain, portable toilets, kiosk and interpretive signage), erosion control measures and an archeology survey.

Staff is presently working to select a consultant for landscape design services for development of Cathedral Rock Nature Park. It is anticipated that the design phase will begin in Fall 2003.

### **POLICY ANALYSIS**

This acquisition is consistent with the adopted San Antonio Parks and Recreation System Plan published in 1999 that identified the need to acquire property in District 6 for park land. The Parks and Recreation Advisory Board and Planning Commission have endorsed this acquisition. The use of grant funds from public and private resources is a standard methodology to supplement City funds.

### **FISCAL IMPACT**

The 1999 Park Bond Issue approved \$500,000.00 for Park Land Acquisition and Development in City Council District 6. The amount of \$247,933.00 has previously been allocated for land acquisition costs. The amount of \$138,000.00 will be appropriated in this ordinance for land acquisition fees and it is included in the Capital Improvement Program budget. This will meet the City's required TPWD grant match of \$25,000.00.

### **COORDINATION**

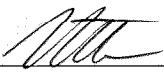
The Parks and Recreation Advisory Board, the Planning Commission, the Public Works Department (Real Estate Division) and Office of Management and Budget concur with this action.

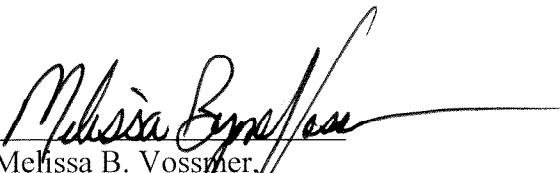
### **SUPPLEMENTARY COMMENTS**

A Discretionary Contracts Disclosure Form is not required.


**ATTACHMENTS**

Sales Agreement  
Site Maps  
TPWD Grant Agreement

  
\_\_\_\_\_  
Malcolm Matthews,  
Director of Parks and Recreation

  
\_\_\_\_\_  
Melissa B. Vossmer,  
Assistant City Manager

Approved:

  
\_\_\_\_\_  
for Terry M. Brechtel  
City Manager

# Cathedral Rock Nature Park



City of San Antonio  
Parks and Recreation Department

Site Map

# Cathedral Rock Nature Park Addition



Ks/05/13/03

Parcel No.: 17487  
Project: Cathedral Rock Park  
Addition

**SALES AGREEMENT**

\* \* \* \* \*

STATE OF TEXAS        }  
                              }  
COUNTY OF BEXAR     }

**KNOW ALL MEN BY THESE PRESENTS:**

THAT, **CLARE CARRILLO and husband RON CARRILLO**, hereinafter referred to as "**SELLERS**", for and in consideration of the agreed purchase price of **ONE HUNDRED THIRTY EIGHT THOUSAND AND 00/100 (\$138,000.00) DOLLARS**, (the "Purchase Price") and upon the terms and conditions hereof, contracts to **GRANT, SELL and CONVEY** by General Warranty Deed to the City of San Antonio, hereinafter referred to as "**PURCHASER**"; a good, marketable, and indefeasible fee simple title, free and clear of all liens and encumbrances of every kind (except liens for current taxes and assessments), to the following described premises (the "Premises") in the City of San Antonio, Bexar County, Texas, to-wit:

Being 6.072 acres, more or less, out of the Elizabeth Plunkett Survey No. 72, Abstract 573, New City Block 18049, City of San Antonio, Bexar County, Texas and being that 6.00 acre tract of land described in deed of record in Volume 5487, Page 240, Real Property Records of Bexar County, Texas; said 6.072 acre tract of land, more or less, being more particularly described by attached Exhibit "A" hereto.

together with all improvements and other things incident or belonging thereto, including all right, title and interest in or to all adjoining streets or alleys.

The above consideration includes payment for trees and/or landscaping and any other personal property and fixtures within the above described real estate.

**SPECIAL CONDITIONS:** None.

**SELLERS** hereby agree to furnish **PURCHASER** a Release of Lien or Partial Release of Lien, if applicable.

The agreed purchase price includes full accord, satisfaction and compensation for all demands and damages to the remaining premises of the **SELLERS**, if any.

**Lawyers Title Company of San Antonio** shall act as escrow agent and the **SELLERS**, upon demand by the **PURCHASER**, agrees to deliver such deed duly executed to the escrow agent at its San Antonio office, and to surrender possession of the Premises to **PURCHASER** not later than 10 days after the date of the delivery of such deed, unless **PURCHASER** has already taken possession pursuant to the provisions hereof.

The Purchase Price is payable at the time of the delivery of such deed.

Until title has been conveyed to the **PURCHASER**, loss or damage to the Premises by fire or other casualty shall be at the risk of the **SELLERS** and the amount thereof shall be deducted from the Purchase Price. In the event this sale fails to close through no fault of **SELLERS** and **PURCHASER** does not proceed to condemnation, **PURCHASER** shall repair any damage caused by **PURCHASER'S** entry on the Premises.

The **PURCHASER**, without expense to the **SELLERS**, shall prepare the deed and shall bear the expense of all closing costs.

At or before closing, **SELLERS** shall pay all taxes on the Premises, including those assessed or to be assessed for the current year; provided that current taxes are to be prorated as of the date of the delivery of the deed. Current rents are to be prorated as of the date of the delivery of the deed.

This contract shall not be binding upon either party until it is accepted by the **PURCHASER**, acting by and through its City Manager or other designated official. This contract contains the entire consideration for the sale and conveyance of the Premises; it being agreed and understood that there is no valid other written or parole agreement regarding the Premises between **SELLERS** and the City, or any officer or employee of the City.

If examination of title or any other source discloses any defects in the title to the Premises which, in the opinion of the **PURCHASER**, cannot be cured in a reasonable time or which negatively impact the value of the Premises, then the **PURCHASER**, in lieu of completing the purchase of the Premises, may proceed to acquire the same by condemnation. The **SELLERS** agree, as an independent stipulation, to such condemnation upon payment of "just compensation". "Just compensation" shall be deemed and is the purchase price above stated, which price the **SELLERS** hereby declare to be the fair market value of their interest in the Premises.

EXECUTED this the 15 day of May, A.D., 2003.

WITNESS:

Sharon Burchers

BY:

Clare Carrillo  
CLARE CARRILLO

SS#

395-62-7872

WITNESS:

Sharon Burchers

BY:

R. Carrillo  
RON CARRILLO

SS#

463-717733

ACCEPTED:

CITY OF SAN ANTONIO

OWNER'S ADDRESS:

1030 Bandera Road  
San Antonio, Texas 78228

BY:

STEVEN F. HODGES  
REAL ESTATE MANAGER  
REAL ESTATE SECTION

ADDRESS OF THE PREMISES:

Southeast side of Grissom Road, 657.28 feet  
northeast of Old Grissom Road,  
San Antonio, Bexar County, Texas.  
(a/k/a 7982 Grissom Road)

# SINCLAIR & ASSOCIATES, INC.

8026 VANTAGE, SUITE 215  
SAN ANTONIO, TEXAS 78230

(210) 341-4518  
FAX (210) 341-5491

Job No. S200212994

## EXHIBIT, "A"

October 22, 2002

6.072 acres out of the  
Elizabeth Plunkett Survey No. 72  
Abstract 573  
New City Block 18049  
City of San Antonio

THE STATE OF TEXAS  
COUNTY OF BEXAR

### FIELDNOTES OF A SURVEY OF

6.072 acres out of the Elizabeth Plunkett Survey No. 72, Abstract 573, New City Block 18049, City of San Antonio, Bexar County, Texas, being that 6.00-acre tract of land described in deed of record in Volume 5487 at page 240 of the Real Property Records of Bexar County, Texas and being more particularly described by metes and bounds, as surveyed, as follows:

Beginning at an iron bar found set in the ground in the south right-of-way line of Grissom Road (F.M. 471), the west corner of a 6.00-acre tract of land described in deed of record in Volume 5487 at page 240 of the Real Property Records of Bexar County, Texas and the north corner of a 12.351-acre tract of land described in deed of record in Volume 8745 at page 6107 of the Official Public Records of Bexar County, Texas, for the west corner of this tract;

Thence N 79°55'59" E with the south right-of-way line of Grissom Road (F.M. 471) and the north boundary line of said 6.00-acre tract a distance of 374.03 feet to an iron bar found set in the ground, the north corner of said 6.00-acre tract and the west corner of a 1.000-acre tract of land described in deed of record in Volume 5718 at page 130 of the Real Property Records of Bexar County, Texas for the north corner of this tract;

Thence S 19°11'35" E with the northeast boundary line of said 6.00-acre tract and the southwest boundary line of said 1.000-acre tract a distance of 630.29 feet to an iron bar found set in the



ground in the northwest boundary line of a 31.74-acre tract of land described in deed of record in Volume 3251 at page 113 of the Real Property Records of Bexar County, Texas, the east corner of said 6.00-acre tract and the south corner of said 1.000-acre tract, for the east corner of this tract;

Thence S 56°44'21" W with the southeast boundary line of said 6.00-acre tract and the northwest boundary line of said 31.74-acre tract a distance of 112.13 feet to an iron bar found set in the ground, the north corner of a 14.306-acre tract of land described in deed of record in Volume 8832 at page 1129 of the Official Public Records of Bexar County, Texas, for a corner of this tract;

Thence S 57°11'03" W with the southeast boundary line of said 6.00-acre tract and the northwest boundary line of said 14.306-acre tract a distance of 278.58 feet to an ½" iron bar with an orange Sinclair and Associates cap set in the ground, the south corner of said 6.00-acre tract and the east corner of said 12.351-acre tract, for the south corner of this tract;

Thence N 18°26'41" W with the southwest boundary line of said 6.00-acre tract and the northeast boundary line of said 12.351-acre tract a distance of 782.55 feet to the point of beginning.

Containing 6.072 acres (264,508 square feet) of land, more or less.

SINCLAIR & ASSOCIATES, INC.



Lemuel T. Sinclair,  
Registered Professional Land  
Surveyor No. 5142

LTS/eh  
cc:file