

AN ORDINANCE 2009-05-07-0350

AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATIONS AND/OR CONDEMNATION, OF TWENTY-FOUR (24) PROJECTS CONSISTING OF FEE SIMPLE TITLE, AND/OR EASEMENT INTERESTS, TO ALL OR PART OF VARIOUS PRIVATELY OWNED REAL PROPERTY, ALL BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND LOCATED AT JONES MALTSBERGER – REDLAND TO THOUSAND OAKS, BULVERDE ROAD (1604 TO EVANS), NEW BRAUNFELS – NACOGDOCHES INTERSECTION, KENTWOOD MANOR AREA DRAINAGE, PHASE I, NORTH HEIN (WW WHITE – HEIN WEST) AND HEIN WEST (RICE – N. HEIN), W.W. WHITE AREA STREETS, PHASE II, GOLIAD/I-37 OUTFALL, COMMERCIAL TRIBUTARY PHASE II (PETALUMA TO IH-35), FORT SAM TRANSPORTATION PROJECTS, GOLIAD ROAD DRAINAGE PHASE II (LASSES TO PECAN VALLEY), PRUE ROAD (COUNTRY DAWN TO AUTUMN BLUFF), DEZAVALA PHASE I (BABCOCK TO COGBURN), MEDICAL DRIVE AT FREDERICKSBURG ROAD, ST. CLOUD PEDESTRIAN IMPROVEMENT (WOODLAWN TO BABCOCK), HUNT LANE (INGRAM TO POTRANCO), REED ROAD (CULEBRA TO MILITARY), WESTWOOD VILLAGE DRAINAGE (PINN TO OLD HIGHWAY 90), ZARZAMORA DRAINAGE #39, PHASE I, TESLA (CULEBRA TO MAYBERRY), CALLAGHAN ROAD (CULEBRA TO COMMERCE), RIVAS (GEN. MCMULLEN TO ROSABELL), RIP RAP #69, PHASE IID, NORTH NEW BRAUNFELS SIDEWALKS, SKYLINE AREA DRAINAGE PHASE IA (SKYLINE, MIDDLE AND CISCO) IN VARIOUS COUNCIL DISTRICTS FOR THE PURPOSE OF THE FY 2007-2012 BOND PROGRAM (PROJECT); DECLARING THIS TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND AUTHORIZING THE EXPENDITURES ASSOCIATED FOR THE NECESSARY ACQUISITIONS.

* * * * *

WHEREAS, as part of the FY 2007-2012 Bond Program, the City of San Antonio is seeking to acquire various parcels of land for twenty-four (24) projects by either negotiation or condemnation for capital improvement projects described in **Attachment A**; and

WHEREAS, various property interests are necessary in implementing these twenty four Projects; and

WHEREAS, this Ordinance authorizes the acquisition of various parcels of land along throughout the City of San Antonio at a fair market value by negotiation or condemnation, and authorizes the City Attorney to file eminent domain proceedings, if necessary as part of the FY 2007-2012 Bond Program; and

WHEREAS, this is a capital expenditure in the amount of \$10,956,588.40 that is available from previously appropriated funds from the 2007-2012 Bond Program and will be authorized to be payable to the selected title companies. The anticipated expenditures for this project are outlined in the table below; **NOW THEREFORE**,

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

SECTION 1. The FY 2007-2012 Bond Program Projects are hereby declared to be Public Projects.

SECTION 2. The City Council of the City of San Antonio finds a public necessity exists to acquire by negotiation and/or condemnation, if necessary, the fee simple title to certain privately owned real property, for the FY 2007-2012 Bond Program. The properties are more specifically described on **Attachment A**.

SECTION 3. The amount of \$10,956,588.40 is previously appropriated in SAP Fund 45099000, General Obligation Capital Projects, and is authorized to be encumbered and made payable for land, due diligence and closing costs related to the acquisition of various tracts of land located in Bexar County, Texas for the projects listed below.

Project Number	Project Name	Amount
40-00019	Jones Maltsberger – Redland to Thousand Oaks	\$300,000.00
40-00005	Bulverde Road (1604 to Evans)	\$950,000.00
40-00026	New Braunfels – Nacogdoches Intersection	\$100,000.00
40-00058	Kentwood Manor Area Drainage, Phase I	\$500,000.00
40-00025	North Hein (WW White – Hein West) and Hein West (Rice – N. Hein)	\$10,000.00
40-00067	W.W. White Area Streets, Phase II	\$30,000.00
40-00054	Goliad/I-37 Outfall	\$10,000.00
40-00049	Commercial Tributary Phase II (Petaluma to IH-35)	\$20,000.00
40-00015	Fort Sam Transportation Projects	\$10,000.00
40-00053	Goliad Road Drainage Phase II (Lasses to Pecan Valley)	\$10,000.00
40-00030	Prue Road (Country Dawn to Autumn Bluff)	\$200,000.00
40-00009	DeZavala Phase I (Babcock to Cogburn)	\$1,000,000.00
23-00854	Medical Drive at Fredericksburg Road	\$5,611,588.40
40-00035	St. Cloud Pedestrian Improvement (Woodlawn to Babcock)	\$50,000.00
40-00018	Hunt Lane (Ingram to Potranco)	\$100,000.00
40-00032	Reed Road (Culebra to Military)	\$250,000.00
40-00068	Westwood Village Drainage (Pinn to Old Highway 90)	\$20,000.00
40-00069	Zarzamora Drainage #39, Phase I	\$155,000.00
40-00038	Tesla (Culebra to Mayberry)	\$20,000.00
40-00007	Callaghan Road (Culebra to Commerce)	\$1,500,000.00
40-00033	Rivas (Gen. McMullen to Rosabell)	\$100,000.00
23-00599	Rip Rap #69, Phase IID	\$3,000.00
40-00027	North New Braunfels Sidewalks	\$2,000.00
40-00064	Skyline Area Drainage Phase IA (Skyline, Middle and Cisco)	\$5,000.00
	Total	\$10,956,588.40

SECTION 4. The budget in SAP Fund 45099000, General Obligation Capital Projects, shall be revised by decreasing/increasing the SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	CURRENT PLAN VERSION 0	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0
40-00019-03-02-04	ROW Acquisition	5209010	\$145,600.00	\$154,400.00	\$300,000.00
40-00019-05-06	Project Contingency	5201140	\$3,359,521.09	-\$154,400.00	\$3,205,121.09
40-00026-03-02-04	ROW Acquisition	5209010	\$12,450.00	\$87,550.00	\$100,000.00
40-00026-05-06	Project Contingency	5201140	\$471,960.91	-\$87,550.00	\$384,410.91
40-00058-03-02-04	ROW Acquisition	5209010	\$0.00	\$500,000.00	\$500,000.00
40-00058-05-06	Project Contingency	5201140	\$1,184,424.73	-\$500,000.00	\$684,424.73
40-00025-03-02-04	ROW Acquisition	5209010	\$0.00	\$10,000.00	\$10,000.00
40-00025-05-06	Project Contingency	5201140	\$1,536,758.16	-\$10,000.00	\$1,526,758.16
40-00067-03-02-04	ROW Acquisition	5209010	\$0.00	\$30,000.00	\$30,000.00
40-00067-05-06	Project Contingency	5201140	\$1,911,566.68	-\$30,000.00	\$1,881,566.68
40-00054-03-02-04	ROW Acquisition	5209010	\$0.00	\$10,000.00	\$10,000.00
40-00054-05-06	Project Contingency	5201140	\$1,270,890.80	-\$10,000.00	\$1,260,890.80
40-00049-03-02-04	ROW Acquisition	5209010	\$0.00	\$20,000.00	\$20,000.00
40-00049-05-06	Project Contingency	5201140	\$3,047,132.80	-\$20,000.00	\$3,027,132.80
40-00015-03-02-04	ROW Acquisition	5209010	\$0.00	\$10,000.00	\$10,000.00
40-00015-05-06	Project Contingency	5201140	\$312,673.20	-\$10,000.00	\$302,673.20
40-00053-03-02-04	ROW Acquisition	5209010	\$0.00	\$10,000.00	\$10,000.00
40-00053-05-06	Project Contingency	5201140	\$3,594,836.84	-\$10,000.00	\$3,584,836.84
40-00030-03-02-04	ROW Acquisition	5209010	\$0.00	\$200,000.00	\$200,000.00
40-00030-05-06	Project Contingency	5201140	\$1,483,263.11	-\$200,000.00	\$1,283,263.11
40-00009-03-02-04	ROW Acquisition	5209010	\$404,450.00	\$595,550.00	\$1,000,000.00
40-00009-05-06	Project Contingency	5201140	\$2,067,553.96	-\$595,550.00	\$1,472,003.96
23-00854-01-02	City Design	5201170	\$1,245,017.01	-\$1,050,000.00	\$195,017.01
23-00854-01-05	Program Management	5201040	\$243,200.00	-\$226,582.00	\$16,618.00
23-00854-01-06	Design Enhancement	5201040	\$121,600.00	-\$121,600.00	\$0.00
23-00854-03-02-04	ROW Acquisition	5209010	\$1,745,514.25	\$3,866,074.15	\$5,611,588.40
23-00854-03-03	ROW Capital Administrative Costs	5402010	\$122,186.00	-\$20,000.00	\$102,186.00
23-00854-05-06	Project Contingency	5201140	\$2,737,509.14	-\$2,025,591.58	\$711,917.56
23-00854-05-04	Construction Capital Admin. Costs	5402010	\$396,725.53	-\$296,725.53	\$100,000.00
23-00854-05-07	Material Testing	5201040	\$125,575.04	-\$125,575.04	\$0.00
40-00035-03-02-04	ROW Acquisition	5209010	\$0.00	\$50,000.00	\$50,000.00
40-00035-05-06	Project Contingency	5201140	\$386,400.05	-\$50,000.00	\$336,400.05
40-00018-03-02-04	ROW Acquisition	5209010	\$57,370.00	\$42,630.00	\$100,000.00
40-00018-05-06	Project Contingency	5201140	\$1,917,735.49	-\$42,630.00	\$1,875,105.49
40-00032-03-02-04	ROW Acquisition	5209010	\$120,250.00	\$129,750.00	\$250,000.00
40-00032-05-06	Project Contingency	5201140	\$2,121,874.21	-\$129,750.00	\$1,992,124.21
40-00068-03-02-04	ROW Acquisition	5209010	\$0.00	\$20,000.00	\$20,000.00
40-00068-05-06	Project Contingency	5201140	\$644,429.37	-\$20,000.00	\$624,429.37
40-00069-03-02-04	ROW Acquisition	5209010	\$0.00	\$155,000.00	\$155,000.00
40-00069-05-06	Project Contingency	5201140	\$2,523,961.12	-\$155,000.00	\$2,368,961.12
40-00038-03-02-04	ROW Acquisition	5209010	\$0.00	\$20,000.00	\$20,000.00
40-00038-05-06	Project Contingency	5201140	\$813,813.59	-\$20,000.00	\$793,813.59
40-00007-03-02-04	ROW Acquisition	5209010	\$922,150.00	\$577,850.00	\$1,500,000.00
40-00007-05-06	Project Contingency	5201140	\$4,630,606.42	-\$577,850.00	\$4,052,756.42
40-00033-03-02-04	ROW Acquisition	5209010	\$66,280.00	\$33,720.00	\$100,000.00
40-00033-05-06	Project Contingency	5201140	\$1,761,401.79	-\$33,720.00	\$1,727,681.79
23-00599-03-02-04	ROW Acquisition	5209010	\$8,397.00	\$3,000.00	\$11,397.00

23-00599-05-06	Project Contingency	5201140	\$2,405,750.98	-\$3,000.00	\$2,402,750.98
40-00027-03-02-04	ROW Acquisition	5209010	\$0.00	\$2,000.00	\$2,000.00
40-00027-05-06	Project Contingency	5201140	\$165,040.50	-\$2,000.00	\$163,040.50
40-00064-03-02-04	ROW Acquisition	5209010	\$0.00	\$5,000.00	\$5,000.00
40-00064-05-06	Project Contingency	5201140	\$1,314,882.48	-\$5,000.00	\$1,309,882.48

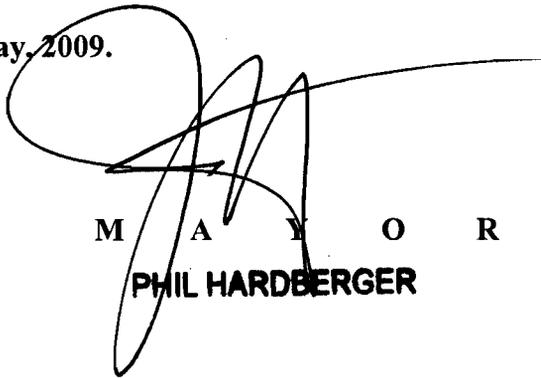
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. The City staff is hereby directed to negotiate with the owner(s) of the respective parcels 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. 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.

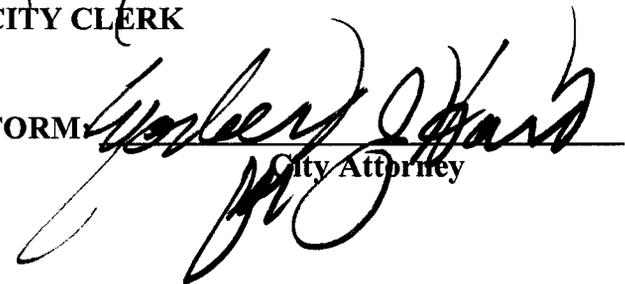
SECTION 7. In the event that the City negotiations fail and staff is unable to acquire one or more parcels from the property owner by negotiation or for any other reason, the City Manager, through the City Attorney are hereby authorized and directed to institute and prosecute to conclusion all necessary 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.

SECTION 8. This Ordinance shall be effective on the tenth day after passage.

PASSED AND APPROVED this the 7th day of May, 2009.


M A Y O R
PHIL HARDBERGER

ATTEST: 
CITY CLERK

APPROVED AS TO FORM: 
LUF
City Attorney

Agenda Item:	14 (in consent vote: 8, 9, 13, 14, 18, 20, 21, 23)						
Date:	05/07/2009						
Time:	05:08:13 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the acquisition, through negotiations and/or condemnation, of twenty-four (24) parcels of fee simple title, and/or easement interest, to all or part of various privately owned real property, all being in the City of San Antonio, Bexar County, Texas and located at Jones Maltsberger – Redland to Thousand Oaks, Bulverde Road (1604 to Evans), New Braunfels – Nacogdoches Intersection, Kentwood Manor Area Drainage, Phase I, North Hein (WW White – Hein West) and Hein West (Rice – N. Hein), W.W. White Area Streets, Phase II, Goliad/I-37 Outfall, Commercial Tributary Phase II (Petaluma to IH-35), Fort Sam Transportation Projects, Goliad Road Drainage Phase II (Lasses to Pecan Valley), Prue Road (Country Dawn to Autumn Bluff), DeZavala Phase I (Babcock to Cogburn), Medical Drive at Fredericksburg Road, St. Cloud Pedestrian Improvement (Woodlawn to Babcock), Hunt Lane (Ingram to Potranco), Reed Road (Culebra to Military), Westwood Village Drainage (Pinn to Old Highway 90), Zarzamora Drainage #39, Phase I, Tesla (Culebra to Mayberry), Callaghan Road (Culebra to Commerce), Rivas (Gen. McMullen to Rosabell), Rip Rap #69, Phase IID, North New Braunfels Sidewalks, Skyline Area Drainage Phase IA (Skyline, Middle and Cisco) in various Council Districts for the purpose of the FY 2007-2012 Bond Program (Project); Declaring this to be a Public Project; Declaring a public necessity for the acquisition; Authorizing the City Attorney to file eminent domain proceedings, if necessary; and Authorizing the expenditures associated for the necessary acquisitions. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Phil Hardberger	Mayor	x					
Mary Alice P. Cisneros	District 1		x				
Sheila D. McNeil	District 2		x				
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5	x					
Delicia Herrera	District 6		x			x	
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				

Project Name	Project Description	New City Block	Council District	Amount
Jones Maltsberger – Redland to Thousand Oaks	Reconstruct and widen Jones Maltsberger to five lanes with curbs, sidewalks, driveway approaches and necessary drainage to include construction of a bridge to eliminate a low water crossing.	15675, 15676, 17191, 17194 and 17338;	9	\$300,000.00
Bulverde Road (Loop 1604 to Evans)	Reconstruct and widen Bulverde Road, with curbs, sidewalks, driveway approaches, and necessary drainage and traffic signal improvements and includes the installation of bike facilities.	4919A	9, 10	\$950,000.00
New Braunfels – Nacogdoches Intersection	Reconstruct the intersection at North New Braunfels and Nacogdoches and includes the widening of North New Braunfels, with curbs, sidewalks and driveway approaches to align with the existing street.	10368, 10442, 11862, 11898, 11889 and 11921	9, 10	\$100,000.00
Kentwood Manor Area Drainage, Phase I	Construct ditches along streets, with culvert crossing necessary to reduce flooding.	14816, 16481	9	\$500,000.00
North Hein (WW White – Hein West) and Hein West (Rice – N. Hein)	Reconstruct N. Hein from WW White to W. Hein and W. Hein from Rice to N. Hein, with curbs, sidewalks, driveway approaches and necessary drainage improvements.	10735, 10733	2	\$10,000.00
W.W. White Area Streets, Phase II	Construct a storm system along Holmgreen Street to provide drainage for an area between Rice Road and Holmgreen which will consist of an underground system and an open channel; street reconstruction will be required for Bruck Road from Rice to Goodell; Goodell from Bruck to Schumacher; Schumacher from Rice to Holmgreen and Holmgreen for WW White to turn just west of My Lane.	10738, 10739, 10740	2	\$30,000.00
Goliad/I-37 Outfall	provides for three drop structures in the expanded channel and boring underneath I-37 to install two additional 10 foot diameter stell culverts by pipe jacking method.	10880, 10881	3	\$10,000.00
Commercial Tributary Phase II (Petaluma to IH-35)	The Project will design and construct the drainage channel and related drainage structures along Commercial Tributary at cross streets from Petaluma to IH-35 for a 100-year storm event. The Project includes channel construction, bank stablization and road culvert crossings. Funding for design was authorized through the Commercial Tributary Phase I project and funding for construction was authorized through the FY2007-2012 Bond Program.	8622 and 9450	3, 4	\$20,000.00

Fort Sam Transportation	Projects include widening at Winans Gate to two outbound lanes and a left turn lane and the addition of a left turn lane off of Harry Wurzbach; at Burr Road removal of channelized right turn, add left turn lane on Burr and add left turn lane off of Harry Wurzbach; on Harry Wurzbach at Rittiman Road will widen to add northbound and southbound lanes and extend storage of southbound left turn lane and extend storage of northbound right turn lane; on Rittiman at Harry Wurzbach extend storage of westbound right and left turn lanes.	11003 and County Block 9142	2, 9	\$10,000.00
Goliad Road (Military to Pecan Valley)	This project continues the project from the end of Phase I (Lasses) to Pecan Valley. This project provides for a four-lane street, with sidewalks, curbs, and driveway approaches and an underground storm system to relieve drainage problems on Goliad Road. The Goliad Road projects will handle 25-year storm events.	9812, 9809	3	\$10,000.00
Prue Road (Country Dawn to Autumn Bluff)	The Project will widen Prue Road to four lanes with raised median. The project also includes the installation of an additional bridge for cross at Leon Creek.	14667, 15824, 16810, 16939, 18290, 19093, 19105, 19106 & 19111	7, 8	\$200,000.00
DeZavala Phase I (Babcock to Cogburn)	The Project will reconstruct and widen DeZavala Road from two to five lanes, along with the construction of curbs, sidewalks, driveway approaches and necessary drainage and traffic signal improvements.	13531, 13533, 13534, 14861, 14862, 16253, 16771, 16820, 16911, 16912, 16993, 17199, 17200, 17451, 18435 and 18450	8	\$1,000,000.00
Medical Drive at Fredericksburg Road	Construct a grade separation of Medical Drive under Fredericksburg Road. The project includes signal modifications, curbs, sidewalks, necessary drainage and access lanes from Medical to Fredericksburg. The total cost for this project is currently estimated to be \$20 million, with the City's share expected to equal approximately 61% of the total.	11622, 12813, 12815, 12830, 14595 & 16946	8	\$5,611,588.40
St. Cloud Pedestrian Improvement (Woodlawn to Babcock)	Construct sidewalks on one side of the street, with existing street and curbs to remain.	7076, 7077, 7082, 7083, 7355-7357, 7362, 7367, 8098, 8100, 8101, 8103, 8106-8108, 8111, 8113, 8349, 9157, 9158, 9182-9188, 12210 & 12220	7	\$50,000.00

Hunt Lane (Ingram to Potranco)	Reconstruct and widen Hunt Lane to four lanes, with sidewalks, curbs, driveway approaches, and necessary drainage and traffic signal improvements.	15849, 15850, 17876, 18238	4, 6	\$100,000.00
Reed Road (Culebra to Military)	Reconstruct and widen the roadway to three lanes, with bicycle lanes, curbs, sidewalks, driveway approaches, and necessary drainage and traffic signal improvements.	12587, 18080, 18283 and 18288	6	\$250,000.00
Westwood Village Drainage (Pinn to Old Highway 90)	The Project will improve the existing box culvert system at Old Highway 90 and the drainage channel from Old Highway 90 to Pinn Road (in Westwood Village neighborhood between Orr and Marcum Roads.)	15590	6	\$20,000.00
Zarzamora Drainage #39, Phase I	The Project will provide complete street reconstruction of Zarzamora from W. Winnipeg Avenue to Humble Avenue and W. Winnipeg Avenue from Zarzamora to Jennings with underground drainage.	9093	5	\$155,000.00
Tesla (Culebra to Mayberry)	The Project will reconstruct Tesla from Culebra to Mayberry, with curbs, sidewalks, driveway approaches and necessary drainage improvements.	8637, 12587 and 12588	5	\$20,000.00
Callaghan Road (Culebra to Commerce)	Reconstruct and widen Callaghan road, with curbs, sidewalks, driveway approaches, and necessary traffic signal improvements.	11493, 12007	6, 7	\$1,500,000.00
Rivas (Gen. McMullen to Rosabell)	Reconstruct Rivas from Gen. McMullen to Rosabell, with curbs, sidewalks, driveway approaches and necessary drainage and signal improvements.	7479, 7482, 8290, 8300, 8302, 8635, 8857 and 8858	5	\$100,000.00
Rip Rap #69, Phase IID	Provide 30 foot street sections and drainage improvements for Brunswick, Fitch and Canavan from IH-35 to the drainage channel and Bruhn, Bodie and Donegan from the drainage channel to Canavan. The project includes curbs, driveway approaches and 4 foot sidewalks. The project length is 13,340 feet. This project will be phased to improve the earthen channel from IH-35 to Marney at a later date.	7867 and 7868	3	\$3,000.00
North New Braunfels Sidewalks	The Project will install sidewalks along North New Braunfels (where appropriate and within available funding).	10442	10	\$2,000.00
Skyline Area Drainage Phase IA (Skyline, Middle and Cisco)	The Project will design and construct, to the extent of available funds, Cisco, Middle and Skyline Streets from Bell to the dead end. This project installs inlets and pipes at the dead end of Skyline and ties improvements into the existing drainage system.	15696, 15697, 16259, 16260 and 16261	10	\$5,000.00
				\$10,956,588.40

CITY OF SAN ANTONIO
Department of Capital Improvements Management Services
(CIMS)
Real Estate Acquisition Division

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
09 JUL 10 PM 2:10

TO: Leticia Vacek, City Clerk

FROM: George Rodriguez, Assistant Director, CIMS Real Estate



COPIES: Steve Hodges, Real Estate Manager

SUBJECT: Real Estate Transaction

Project Name: N. Hein (WW White-W. Hein) and W. Hein

Parcel#: 18312

Ordinance#: 2009-05-07-0350

DATE: July 1, 2009

Attached please find the original recorded instrument for the real estate transaction between the City and Odessa L. Emerson being more fully described as:

Being a metes and bounds description of 12.00 sq. ft. out of the North 72.60 feet of Lot 27 and the north 72.6 feet of the West 64.95 of Lot 28, New City Block 10735 as recorded in Volume 6783, Page 472, of the Deed Records of Bexar County, Texas

Should any further information be required, please feel free to contact Mary Esther Gaitan at 207-8119.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DS 6 23/09

Parcel: 18312
Project: N. Hem (WW White -W. Hein) and W. Hem

SCANNED

WARRANTY DEED



STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF BEXAR

THAT, ODESSA L. EMERSON, widow, hereinafter referred to as "GRANTOR", of the County of Bexar, State of Texas, for and in consideration of the sum of ONE HUNDRED AND NO/100 (\$100.00) DOLLARS, to it in hand paid by the "GRANTEE", the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the CITY OF SAN ANTONIO, hereinafter referred to as "GRANTEE", a municipal corporation, of the County of Bexar, State of Texas, whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

Being a metes and bounds description of 12.00 sq. ft. out of the North 72.60 feet of Lot 27 and the North 72.6 feet to the West 64.95 of Lot 28, New City Block 10735 as recorded in Volume 6783, Page 472, of the Deed Records of Bexar County, Texas, being more particularly described by metes and bounds as shown on Exhibit "A" attached hereto and made a part hereof;

It is further understood and agreed that the consideration received by the GRANTOR is also in full payment for all damages to the remaining property, if any, of the GRANTOR.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said GRANTEE, its successors and assigns forever; and GRANTOR does hereby bind himself, legal representatives, successors and/or assigns, to WARRANT and FOREVER DEFEND all and singular the said premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 29 day of June, 2009.

Odessa Emerson
ODESSA L. EMERSON

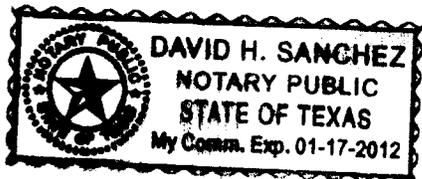


STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on this the 29 day of June, 2009, by ODESSA L. EMERSON.

David H. Sanchez
Odessa Emerson
Notary Public Signature



AFTER RECORDING
PLEASE RETURN TO:
Estate Section 2nd Floor
City of San Antonio
P.O. Box 839966
San Antonio, TX 78283-3966

THE STATE OF TEXAS:
COUNTY OF BEXAR:

EXHIBIT "A"
FEE SIMPLE

BEING 12 SQUARE FEET OUT OF THE NORTH 72.60 FEET OF LOT 27 AND THE NORTH 72.6 FEET OF THE WEST 64.95 FEET OF LOT 28, N.C.B. 10735 AS RECORDED IN VOLUME 6783, PAGE 472 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS;

BEGINNING, at a set 1/2" iron rod with orange plastic cap stamped "Bain Medina Bain", (hereinafter called set 1/2" iron rod), in the east right of way line of Hein Road for a corner of this tract, said point being N. 00°24'55" W., 67.60 feet from a found 1/2" iron rod for the southwest corner of said north 72.60 feet of lot 27 and the north 72.6 feet of the west 64.95 feet of lot 28, N.C.B. 10735;

THENCE, N. 00°24'55" W., 5.00 feet, with the east right of way line of Hein Road and the west line of the herein described parcel to a set 1/2" iron rod, for the intersection of the east right of way line of Hein Road and the south right of way line of Orchard Road;

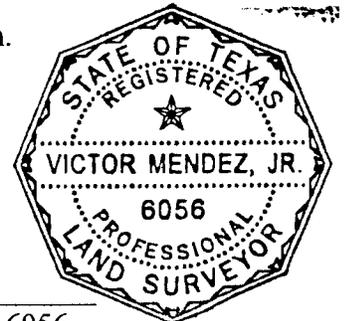
THENCE, N. 89°33'05" E., 5.00 feet, with the south right of way line of Orchard Road and the north line of the herein described parcel, to a set 1/2" iron rod, for the east corner of the herein described parcel;

THENCE, S. 44°34'05" W., 7.07 feet, crossing said north 72.60 feet of lot 27 and the north 72.6 feet of the west 64.95 feet of lot 28, N.C.B. 10735 to the **Point of Beginning**, and containing 12 square feet of land, more or less.

Basis of Bearings are NAD 83(93) Texas State Plane Coordinates, Texas South Central Zone.

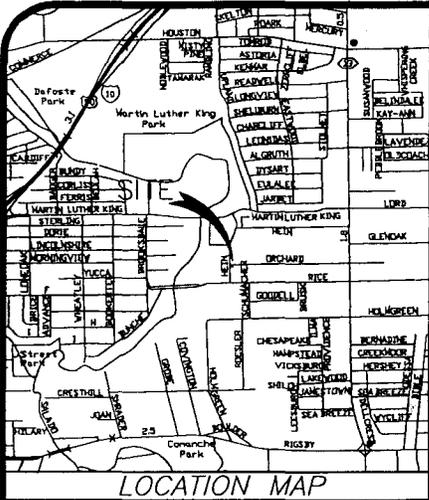
A survey plat of even date herewith accompanies this metes and bound description.

Surveyed on the ground the 17th Day of February, 2009



[Signature]
Victor Mendez, Jr., R.P.L.S. 6056

Revised Date: 3/25/2009



A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.

C.O.S.A. PARCEL # 18312

BEARING SOURCE:
NAD 83(93) TEXAS STATE PLANE COORDINATES
SOUTH CENTRAL ZONE

E. 150.01'
OF LOT 25

1323
CALBERG
CAROL

LOT 34

203
HAMMONS
BENELL

● DENOTES SET 1/2" IRON ROD WITH ORANGE CAP STAMPED "BAIN MEDINA BAIN INC." AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

LEGEND:

- FOUND 1/2" IRON ROD
- POWER POLE
- GUY WIRE
- WATER VALVE
- SIGN
- FIRE HYDRANT
- MAIL BOX
- EXISTING R.O.W.
- EASEMENT LINE
- CHAIN LINK FENCE

10973
10.119 AC.
DE LA HUERTA
SERGIO

DETAIL "A" ORCHARD ROAD

EDGE OF PAVEMENT

EDGE OF PAVEMENT

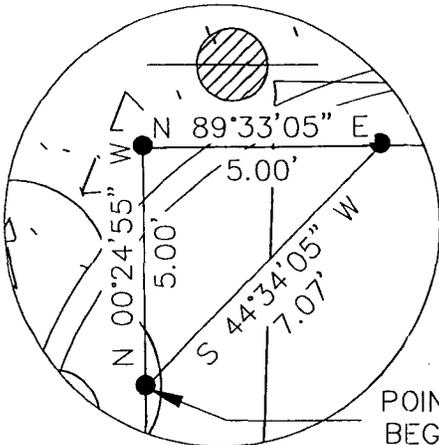
N 89°33'05" E
158.75'
N. 72.6' OF LOT 27 &
THE N. 72.6' OF
THE W. 64.95 OF LOT 28
VOL. 6783, PG. 471
DEED RECORDS BEXAR
COUNTY, TEXAS

1402
EMERSON
ODESSA

LOT 32

1410
SAUNDERS
JOHN

DETAIL "A"



POINT OF
BEGINING

SURVEY PLAT SHOWING:

BEING 12 SQUARE FEET OUT OF THE NORTH 72.60 FEET OF LOT 27 AND THE NORTH 72.6 FEET OF THE WEST 64.95 FEET OF LOT 28, N.C.B. 10735 AS RECORDED IN VOLUME 6783, PAGE 471 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS.

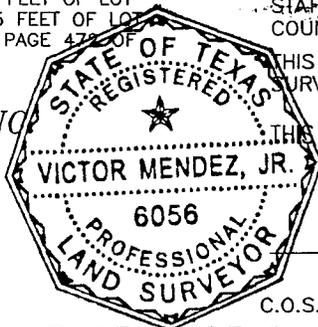
STATE OF TEXAS
COUNTY OF BEXAR

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION,

17TH DAY OF FEBRUARY, 20 09 A.D.



BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Ave.
San Antonio, Texas 78216
210/494-7223



VICTOR MENDEZ JR., R.P.L.S. 6056

C.O.S.A PROJECT : 40-00025

JOB NO.: S-5203

THIS DRAWING IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BAIN MEDINA BAIN, INC.; BAIN MEDINA BAIN INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS DRAWING FOR ANY PURPOSE AFTER SIX MONTHS FROM THE DATE INDICATED ON THIS DRAWING. ALL RIGHTS RESERVED. COPYRIGHT 2009. BAIN MEDINA BAIN, INC. ©

Doc# 20090117657 Fees: \$28.00
06/25/2009 8:28AM # Pages 4
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JUN 25 2009



Gerard Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

RECORDER'S MEMORANDUM
AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY CARBON OR PHOTO COPY, DISCOLORED PAPER ETC.

CITY OF SAN ANTONIO
Department of Capital Improvements Management Services
(CIMS)
Real Estate Acquisition Division

TO: Leticia Vacek, City Clerk

FROM: George Rodriguez, Assistant Director, CIMS Real Estate 

COPIES: Steve Hodges, Real Estate Manager

SUBJECT: Real Estate Transaction
Project Name: Rip Rap #69 IID
Parcel#: 18127
Ordinance#: 2009-05-07-0350

DATE: July 1, 2009

Attached please find the original recorded instrument for the real estate transaction between the City and Pablo Aragon and Brenda Lee Aragon being more fully described as:

Being a metes and bounds description of a 50.00 sq. ft. tract of land being a portion of Lot 67 and Lot 68, Block 4, New City Block 7867, Brunswick Park Addition, as recorded in Volume 368, Page 85, of the Bexar County Plat Records, Texas, and being more particularly described by metes and bounds as shown on Exhibit "A" attached

Should any further information be required, please feel free to contact Mary Esther Gaitan at 207-8119.

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM THIS INSTRUMENT BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DS 01700
2009-05-07-0350

Parcel: 18127
Project: Rip Rap #69 IID

SCANNED

WARRANTY DEED



STATE OF TEXAS }
COUNTY OF BEXAR }

KNOW ALL MEN BY THESE PRESENTS:

THAT, PABLO ARAGON AND BRENDA LEE ARAGON, husband and wife, hereinafter referred to as "GRANTORS", of the County of Bexar, State of Texas, for and in consideration of the sum of ONE HUNDRED FIFTY AND NO/100 (\$150.00) DOLLARS, to it in hand paid by the "GRANTEE", the receipt of which is hereby acknowledged, has GRANTED, SOLD and CONVEYED, and by these presents does GRANT, SELL and CONVEY unto the CITY OF SAN ANTONIO, hereinafter referred to as "GRANTEE", a municipal corporation, of the County of Bexar, State of Texas, whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, all of the following described real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, to-wit:

Being a metes and bounds description of a 50.00 sq. ft. tract of land being a portion of Lot 67 and Lot 68, Block 4, New City Block 7867, Brunswick Park Addition, as recorded in Volume 368, Page 85, of the Bexar County Plat Records, Texas, and being more particularly described by metes and bounds as shown on Exhibit "A" attached hereto and made a part hereof:

It is further understood and agreed that the consideration received by the GRANTORS is also in full payment for all damages to the remaining property, if any, of the GRANTORS.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said GRANTEE, its successors and assigns forever; and GRANTORS do hereby bind themselves, its legal representatives, successors and or assigns, to WARRANT and FOREVER DEFEND all and singular the said premises unto the said GRANTEE, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 25 day of June, 2009.

PABLO ARAGON

BRENDA LEE ARAGON

STATE OF TEXAS }
COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 25 day of June, 2009 by PABLO ARAGON AND BRENDA LEE ARAGON

Notary Public Signature

AFTER RECORDING
PLEASE RETURN TO:
Real Estate Section 5th Floor
City of San Antonio
P.O. Box 839966
San Antonio, TX 78283-3966



EXHIBIT "A"

PARCEL No. 18127

A metes and bounds description of a 50.00 sq. ft. tract of land being a portion of Lot 67 and Lot 68, Block 4, New City Block 7867, Brunswick Park Addition, as recorded in Volume 368, Page 85, of the Bexar County Plat Records.

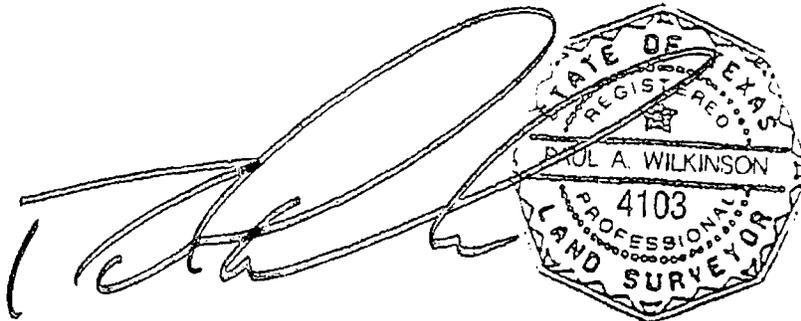
Beginning at the northeast corner of the herein describer tract, said corner also being the northeast corner of Lot 68 and the point of intersection of the south right-of-way line of Brunswick Avenue and the west right-of-way line of Donegan Street

Thence S 00°06'27" W, 10.00 feet, along the east line of the herein described tract, along the east line of Lot 68 and along the west right-of-way line of Donegan Street, to an iron pin set for the southeast corner of the herein described tract;

Thence N 45° 21' 16" W, 14.01 feet, along the southwest line of the herein described tract, to an iron pin set for the northwest corner of the herein described tract, said corner also being a point along the north line of Lot 68 and a point along the south right-of-way line of Brunswick Avenue:

Thence N 89°11'00" E, 10.00 feet, along the north line of the herein described tract, along the north line of Lots 68 and along the south right-of-way line of Brunswick Avenue, to the point of beginning containing 50.00 sq. ft. of land according to a survey conducted on the ground by Bain Medina Bain, Inc.

Owner of Record:
Pablo & Brenda Lee Aragon
Volume 5654, Page 794



Paul A. Wilkinson, R.P.L.S.

Project: C-1026

All set iron pins are 1/2" rebar with an orange plastic cap stamped "Bain Medina Bain Inc."

A corresponding survey plat of even date herein accompanies this metes & bounds

All bearings are based on NAD 83 State Plane Coordinates, Texas, South Central Zone

THIS METES & BOUNDS IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN AUTHORIZED AGENT OF BAIN MEDINA BAIN, INC.; BAIN MEDINA BAIN, INC. ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS METES & BOUNDS FOR ANY PURPOSE AFTER SIX MONTHS FROM THE DATE INDICATED ON THIS METES & BOUNDS. ALL RIGHTS RESERVED. COPYRIGHT 2008. BAIN MEDINA BAIN, INC.
W:\Work\C-1026 (RIPRAP 69)\DORA_BASE(Aug.-04-2006)\ROW-CLIP_M&B\ No 18127.doc

Parcel No. 18127

BRUNSWICK AVENUE
(40.0' R.O.W.)

50 sq. ft.

P.O.B.

Scale: 1"=20'

66

67

68

S00°06'27"W

110.02'

DONEGAN STREET
(40.0' R.O.W.)

46.29'
N89°11'00"E

14.0141'
N45°21'16"W

10.90'

o = DENOTES SET $\frac{1}{2}$ " IRON PIN WITH ORANGE
CAP STAMPED "BAIN MEDINA BAIN INC."

A METES AND BOUNDS DESCRIPTION OF EVEN DATE
HEREWITH ACCOMPANIES THIS SURVEY PLAT.

BEARING SOURCE:
BASIS OF BEARINGS IS STATE PLANE
COORDINATES, N.A.D. 83, TEXAS SOUTH
CENTRAL ZONE.

SURVEY PLAT SHOWING:

A 50 SQ. FT. TRACT OF LAND BEING A PORTION OF
LOT 67 AND 68, BLOCK 4, N. C. B. 7867 OF
BRUNSWICK PARK ADDITION, AS RECORDED IN
VOLUME 368, PAGE 85, OF THE BEXAR COUNTY
PLAT RECORDS.

STATE OF TEXAS
COUNTY OF BEXAR

THIS SURVEY PLAT WAS PREPARED FROM AN
SURVEY MADE ON THE GROUND UNDER MY SUPERVISION,
AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE
PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY
THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

PAUL A. WILKINSON



BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223

THIS 19 TH DAY OF SEPTEMBER 2006

DATE: 09-19-2006

REVISED DATE:

10/27/08

REGISTERED PROFESSIONAL LAND SURVEYOR

THIS DRAWING IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND
SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN
CONSENT OF AN AUTHORIZED AGENT OF BAIN MEDINA BAIN, INC.;
BAIN MEDINA BAIN INC. ACCEPTS NO RESPONSIBILITY FOR THE
USE OF THIS DRAWING FOR ANY PURPOSE AFTER SIX MONTHS
FROM THE DATE INDICATED ON THIS DRAWING. ALL RIGHTS
RESERVED. COPYRIGHT 2008. BAIN MEDINA BAIN, INC. ©

JOB NO. C-1026

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR

I hereby certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JUN 26 2009



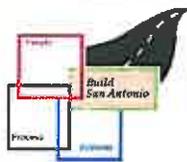
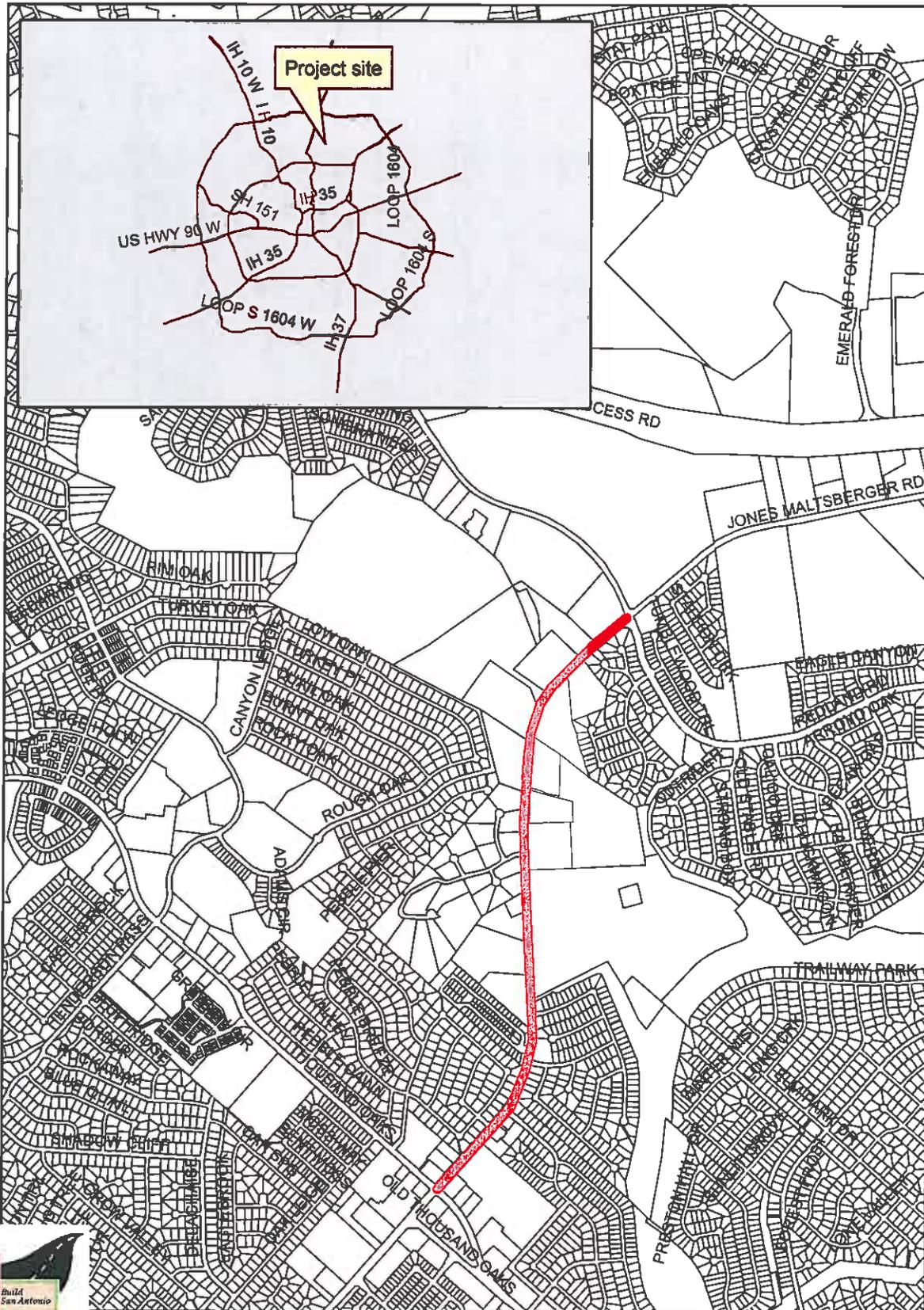
Gerard Rickhoff
COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20090119035 Fees: \$28.00
06/26/2009 8:40AM # Pages 4
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

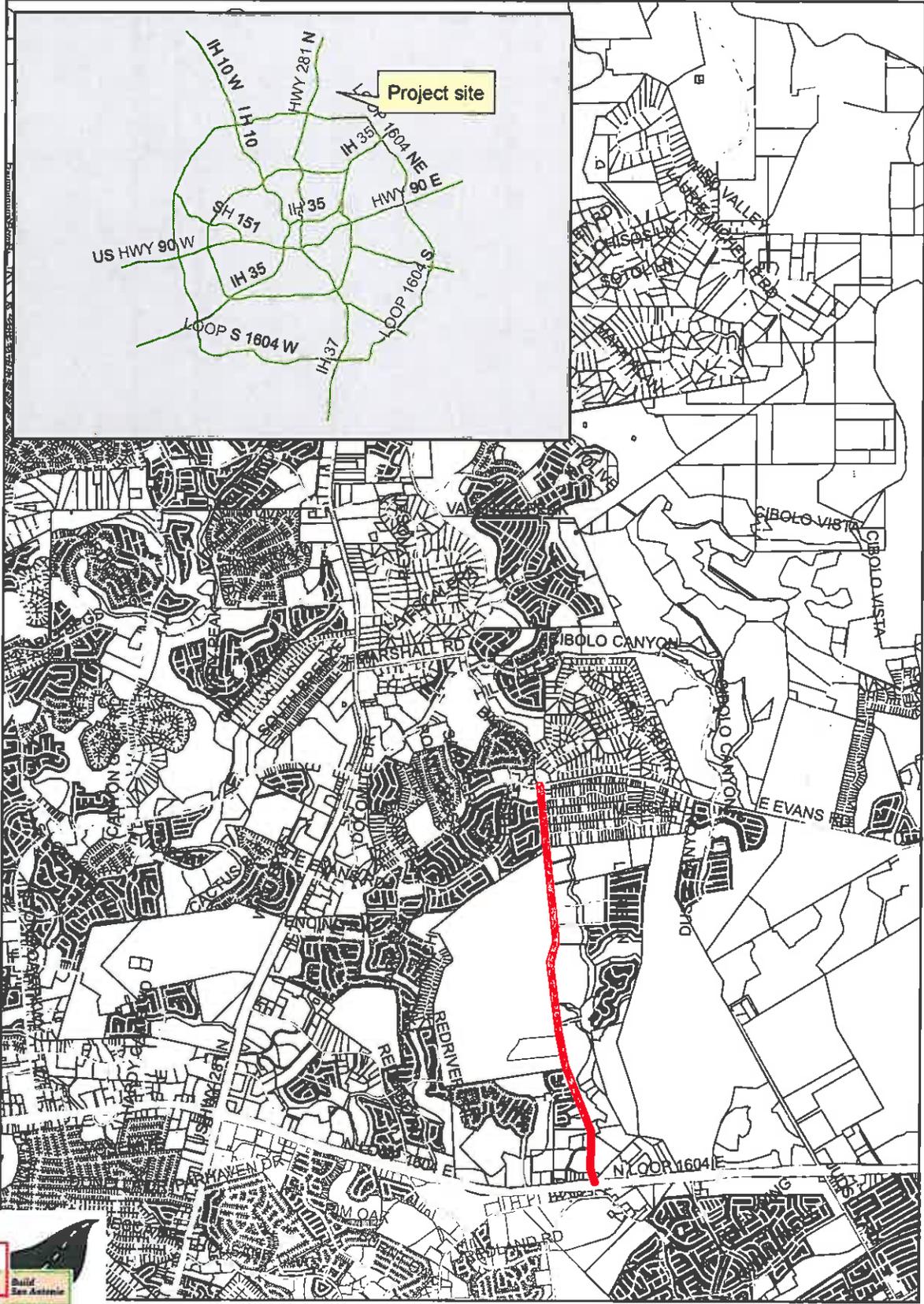
RECORDER'S MEMORANDUM

AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY CARBON OR PHOTO COPY, DISCOLORED PAPER ETC.

Jones Maltzberger (Redland to Thousand Oaks)

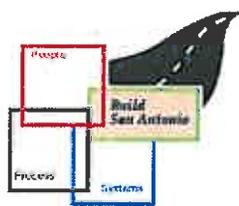


Bulverde Road (Loop 1604 to Evans)



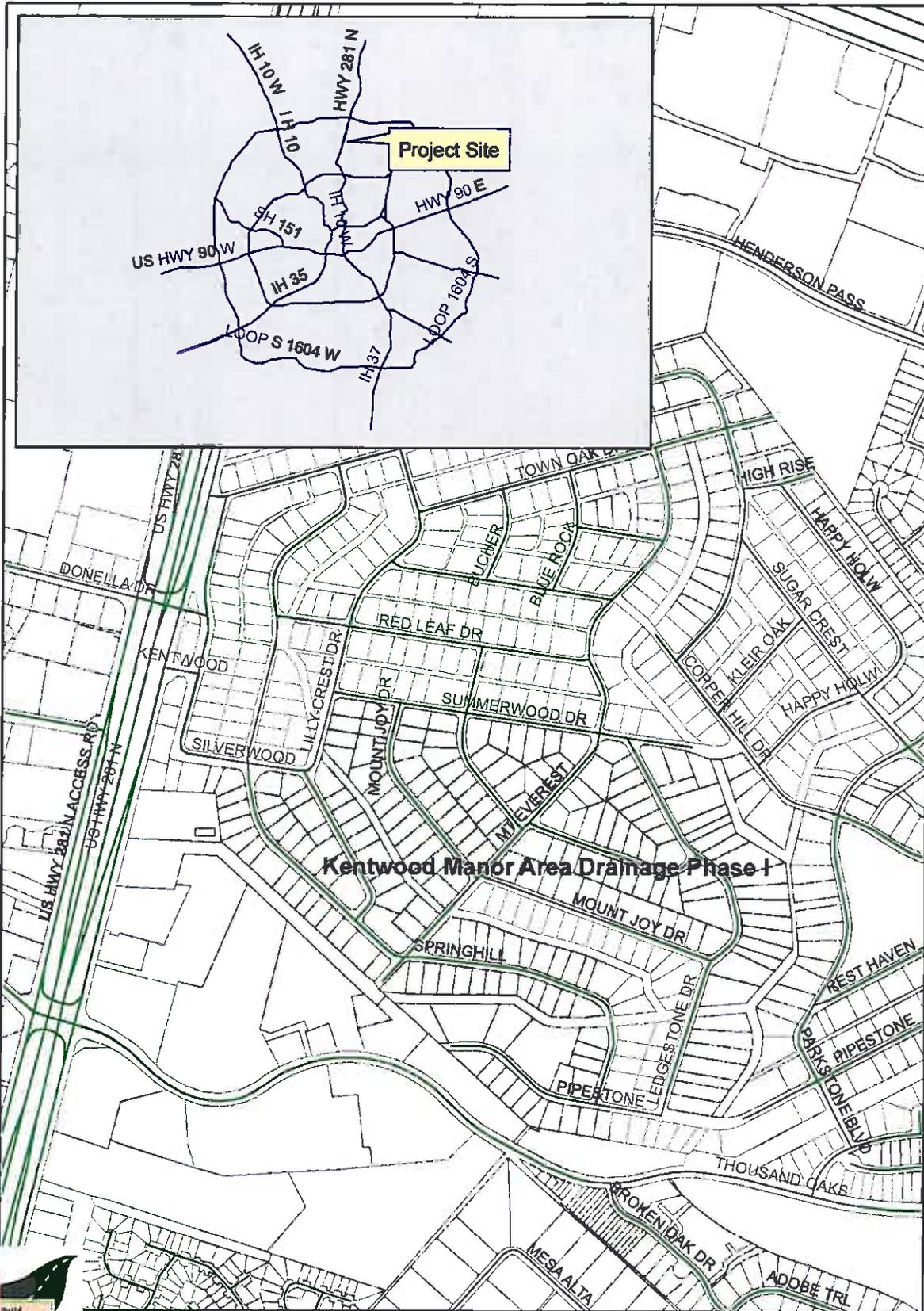
Capital Improvements Management Services

New Braunfels/Nacogdoches Intersection



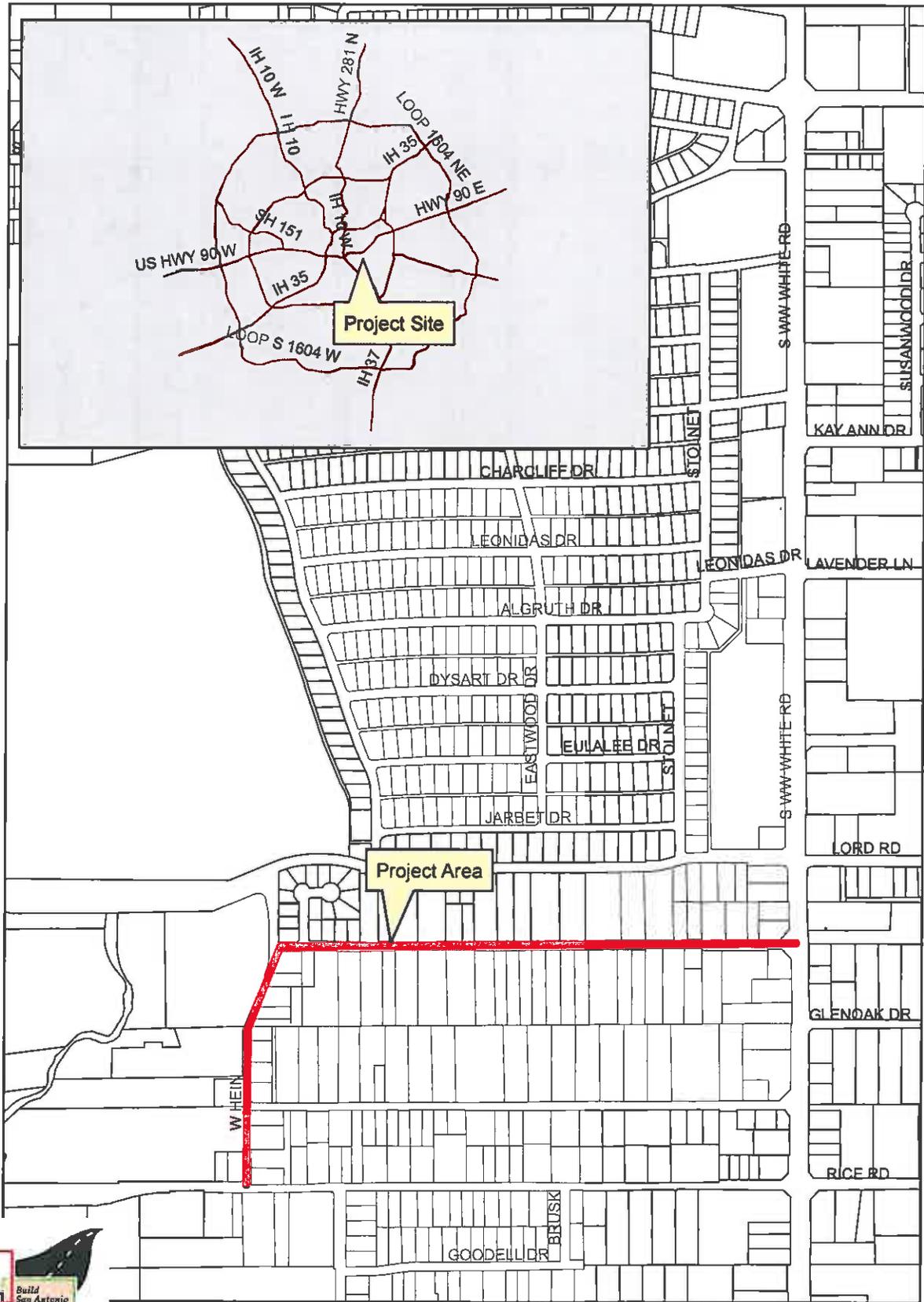
Capital Improvements
Management Services

Kentwood Manor Area Drainage Phase I

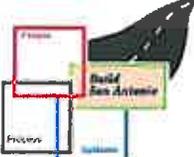
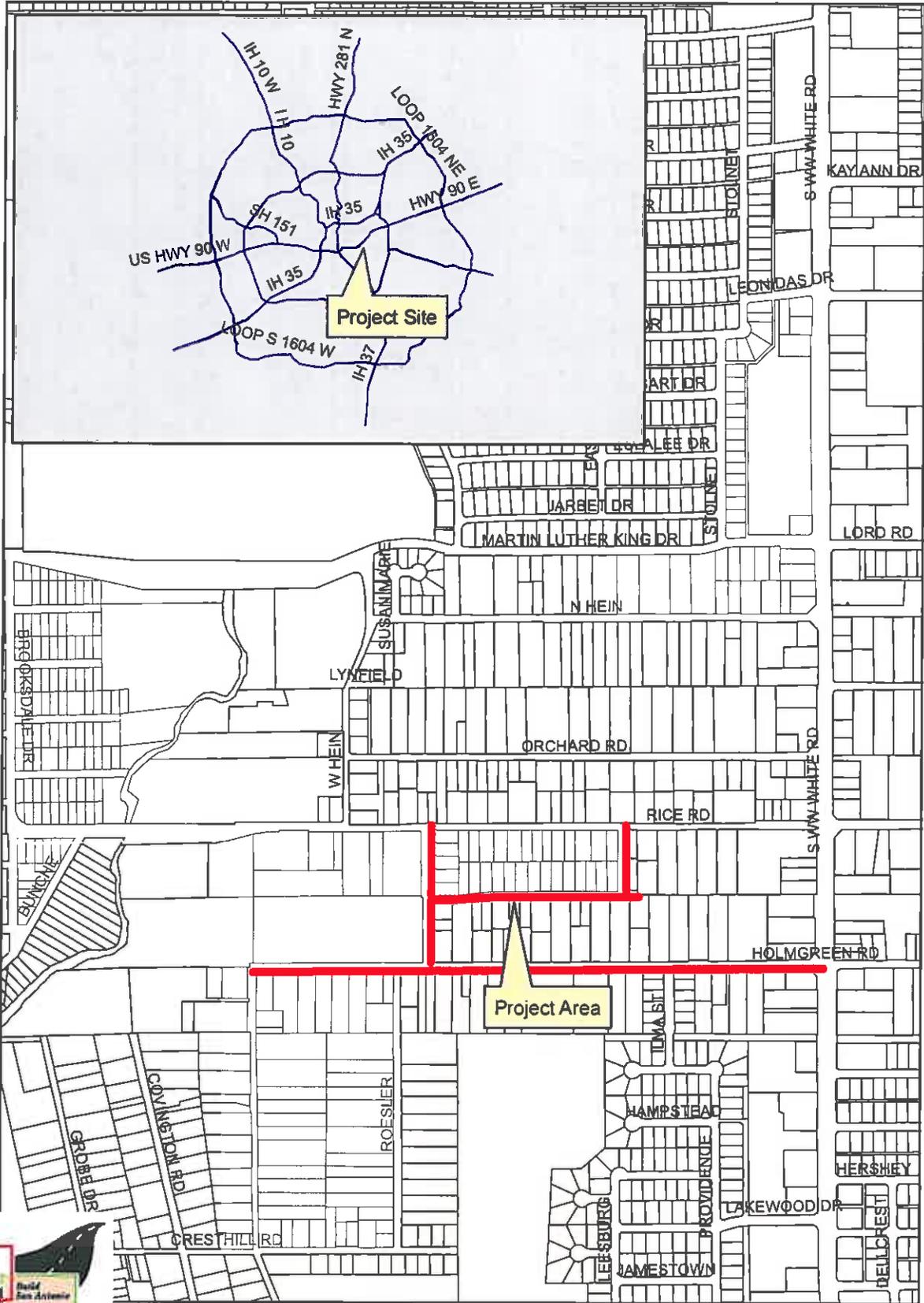


Not to scale

North Hein (W.W. White - Hein West) and Hein West (Rice-N. Hein)

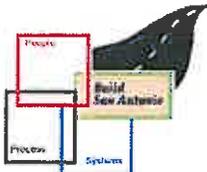
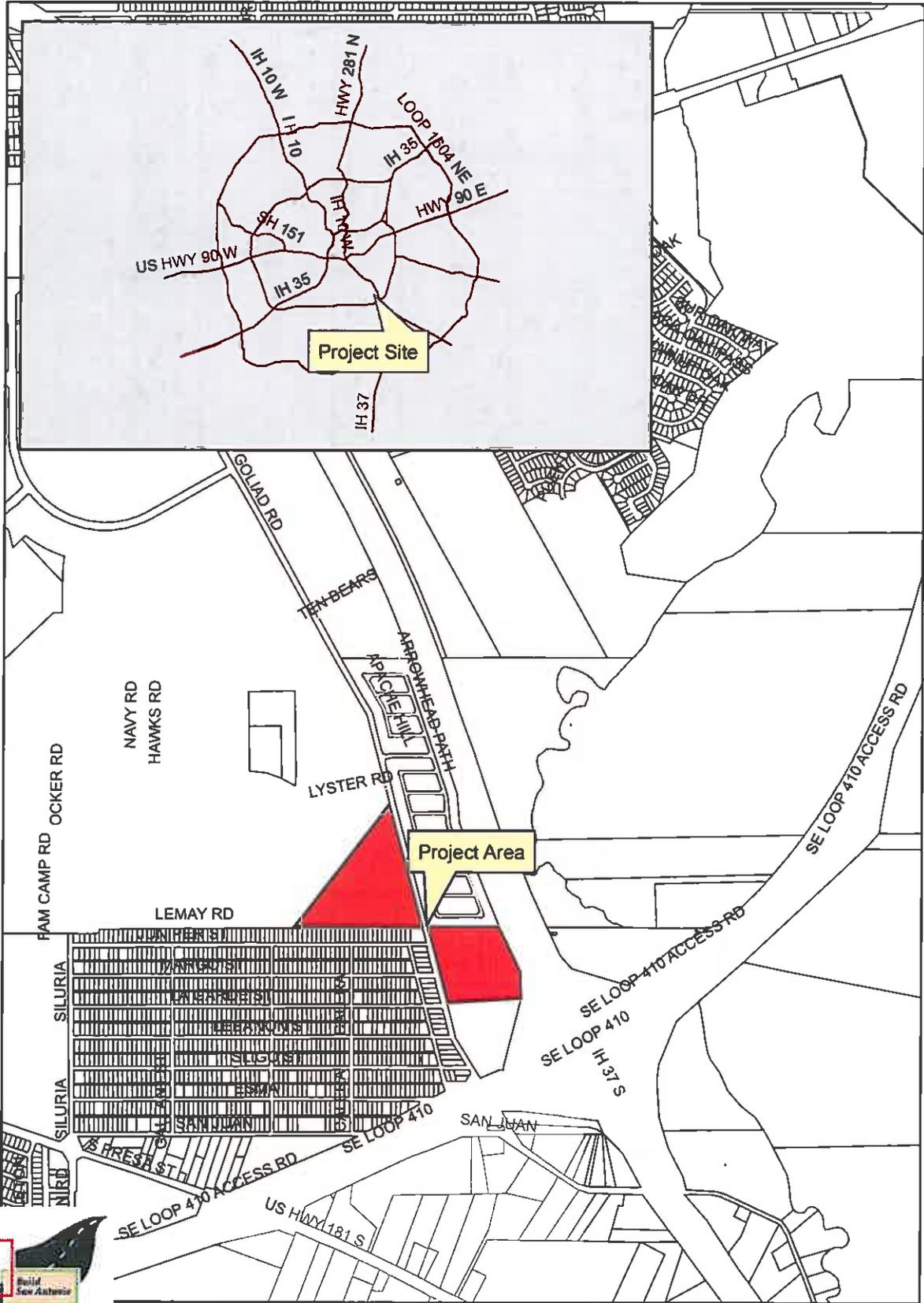


W.W. White Area Streets, Phase II



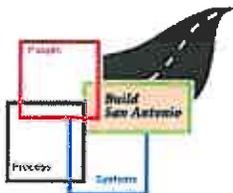
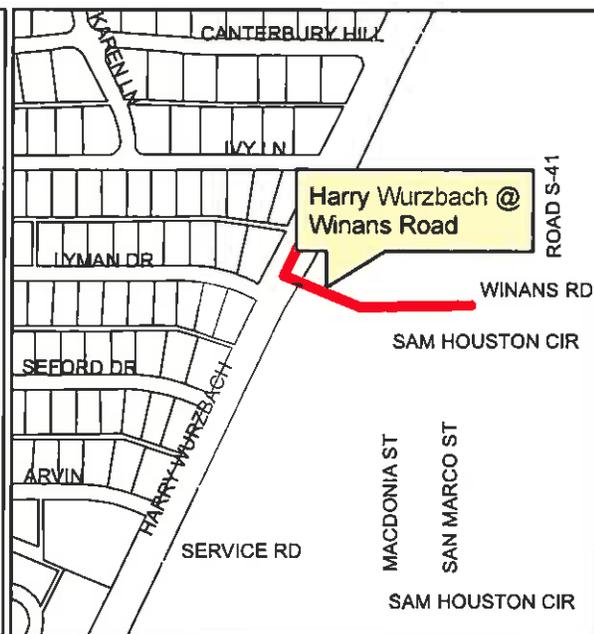
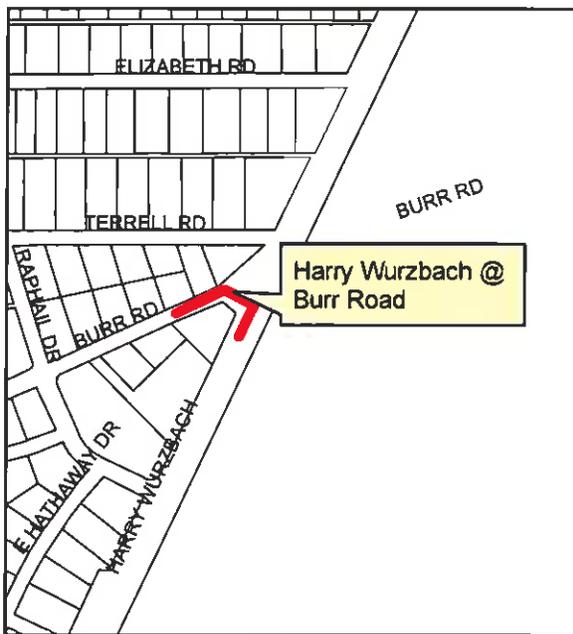
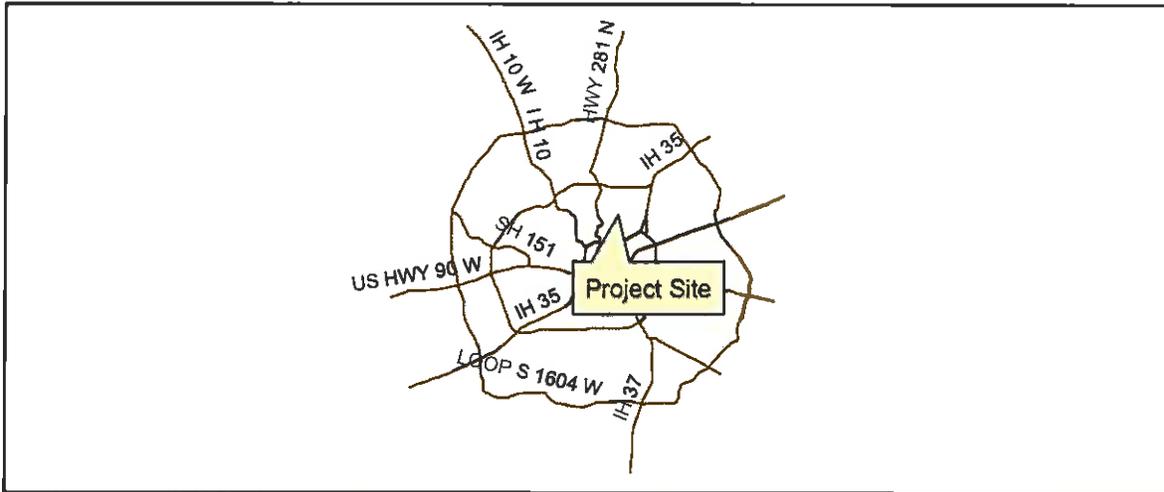
Capital Improvements Management Services

Goliad/I-37 Outfall



Capital Improvements
Management Services

Fort Sam Transportation Projects

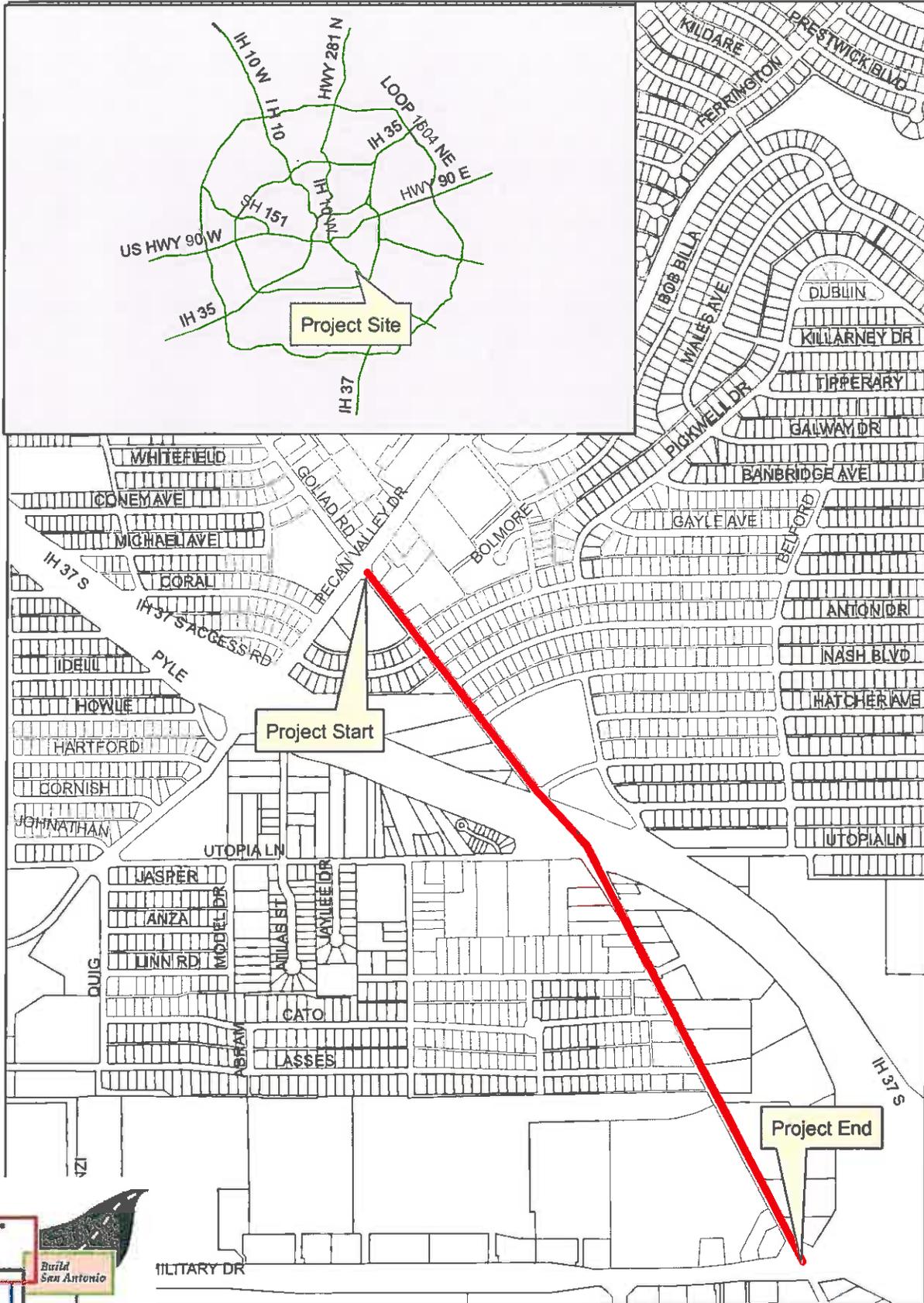


Capital Improvements
Management Services

Not to scale

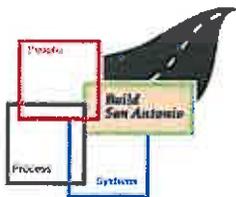
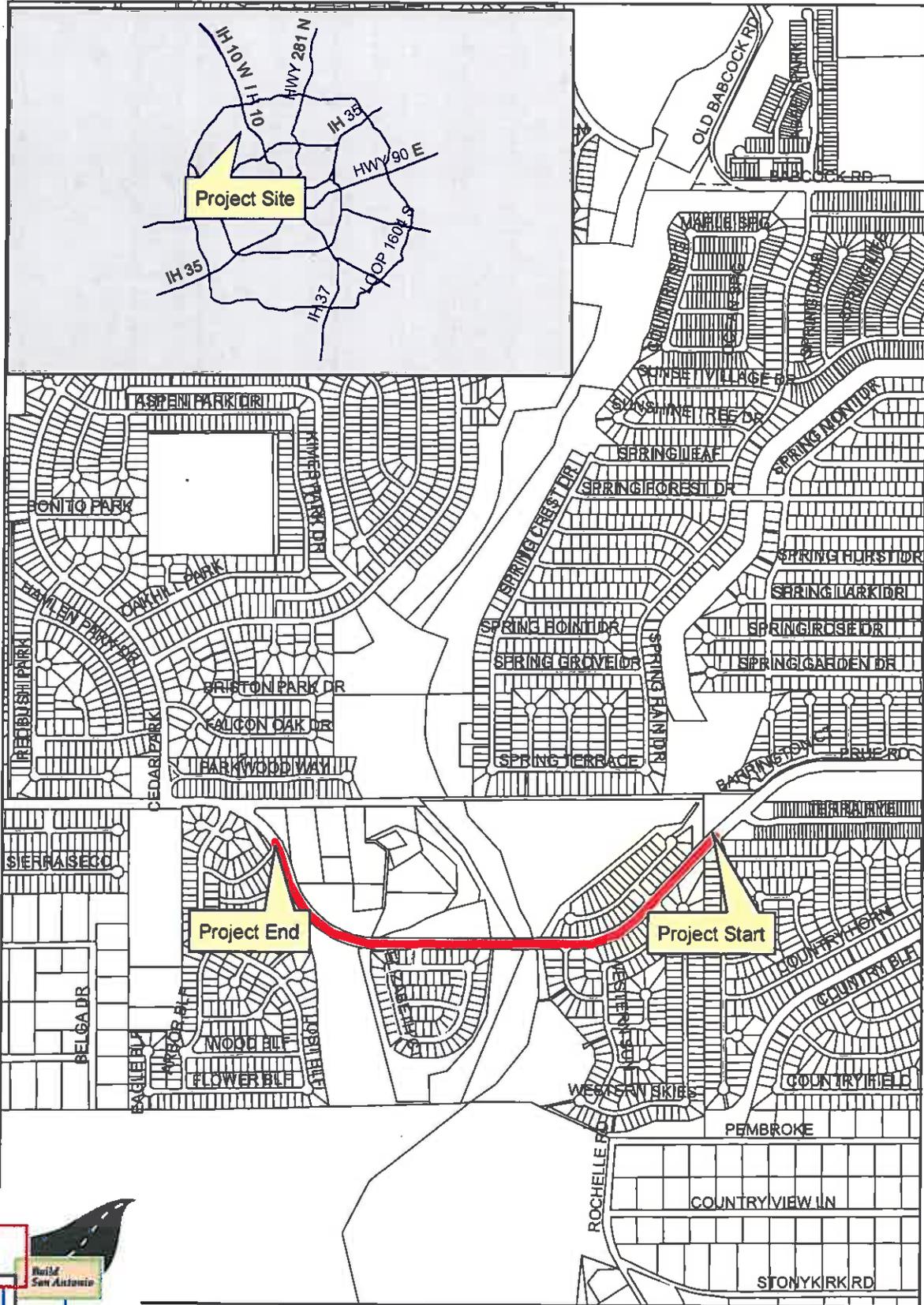


Goliad Road Drainage Phase II (Lasses to Pecan Valley)



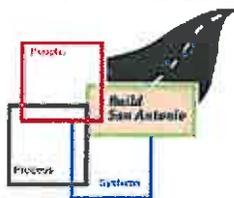
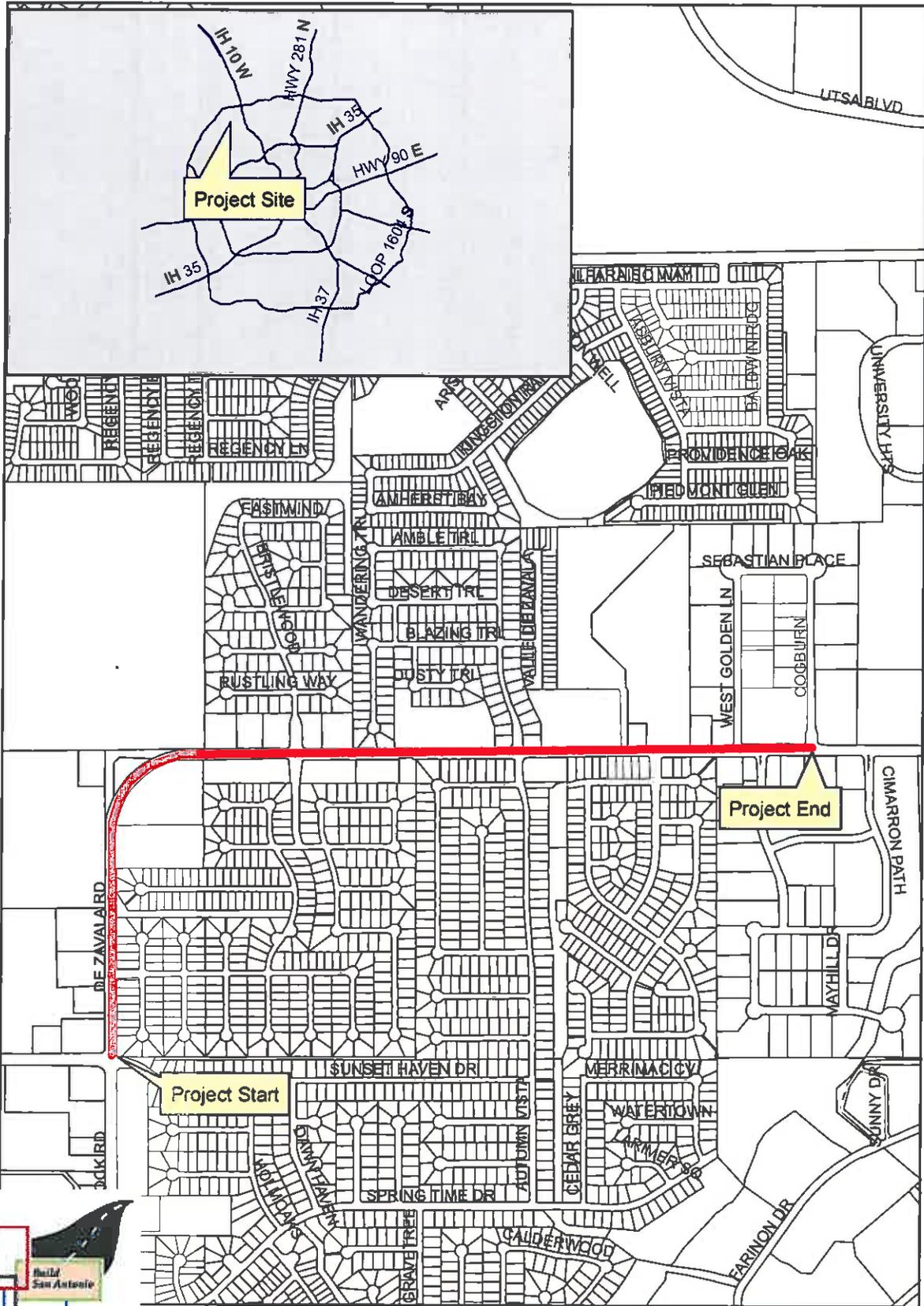
Capital Improvements
Management Services

Prue Road (Country Dawn to Autumn Bluff)



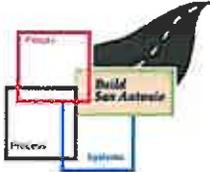
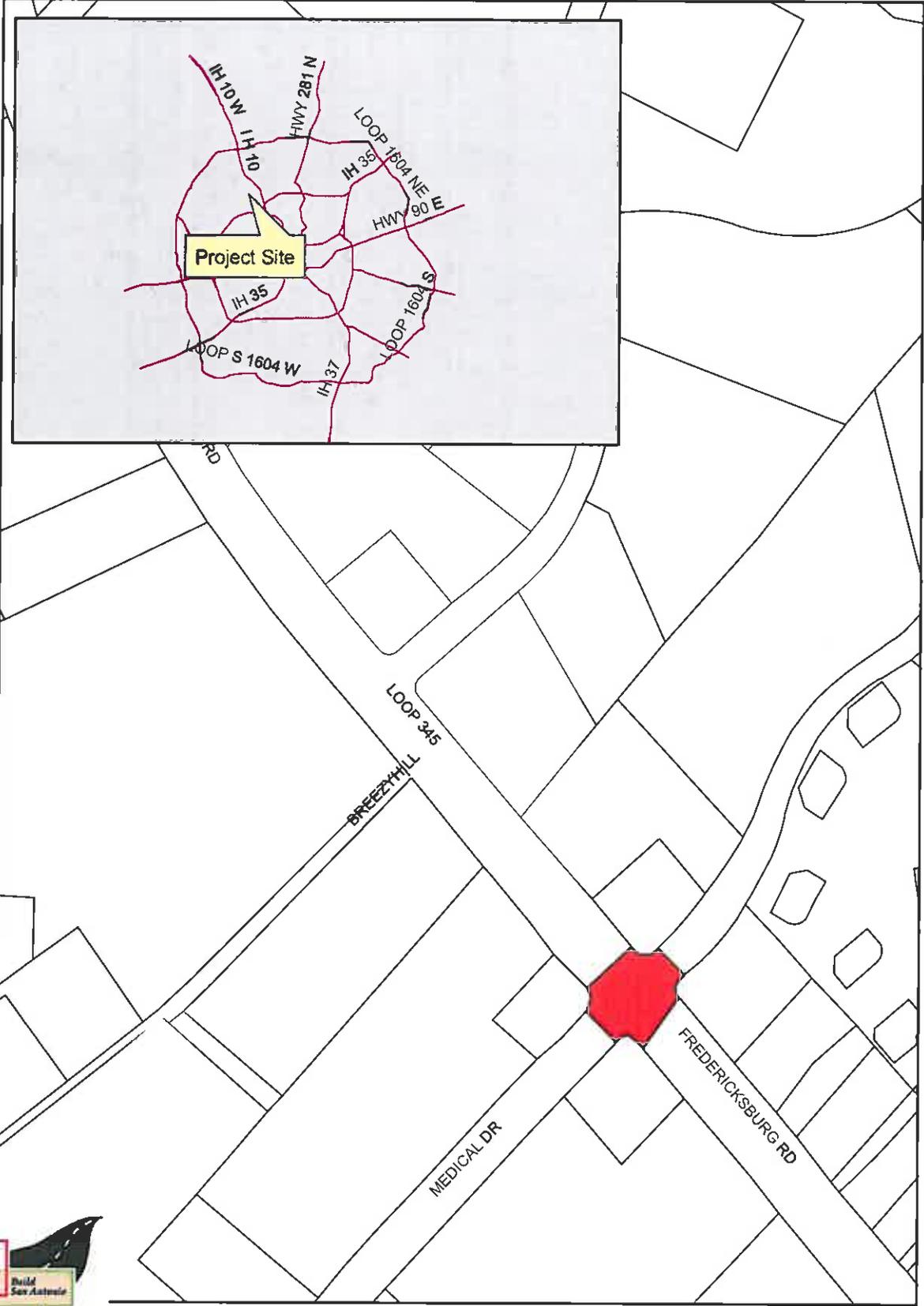
Capital Improvements
Management Services

DeZavala Phase I (Babcock to Cogburn)

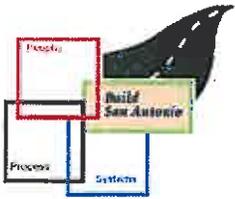
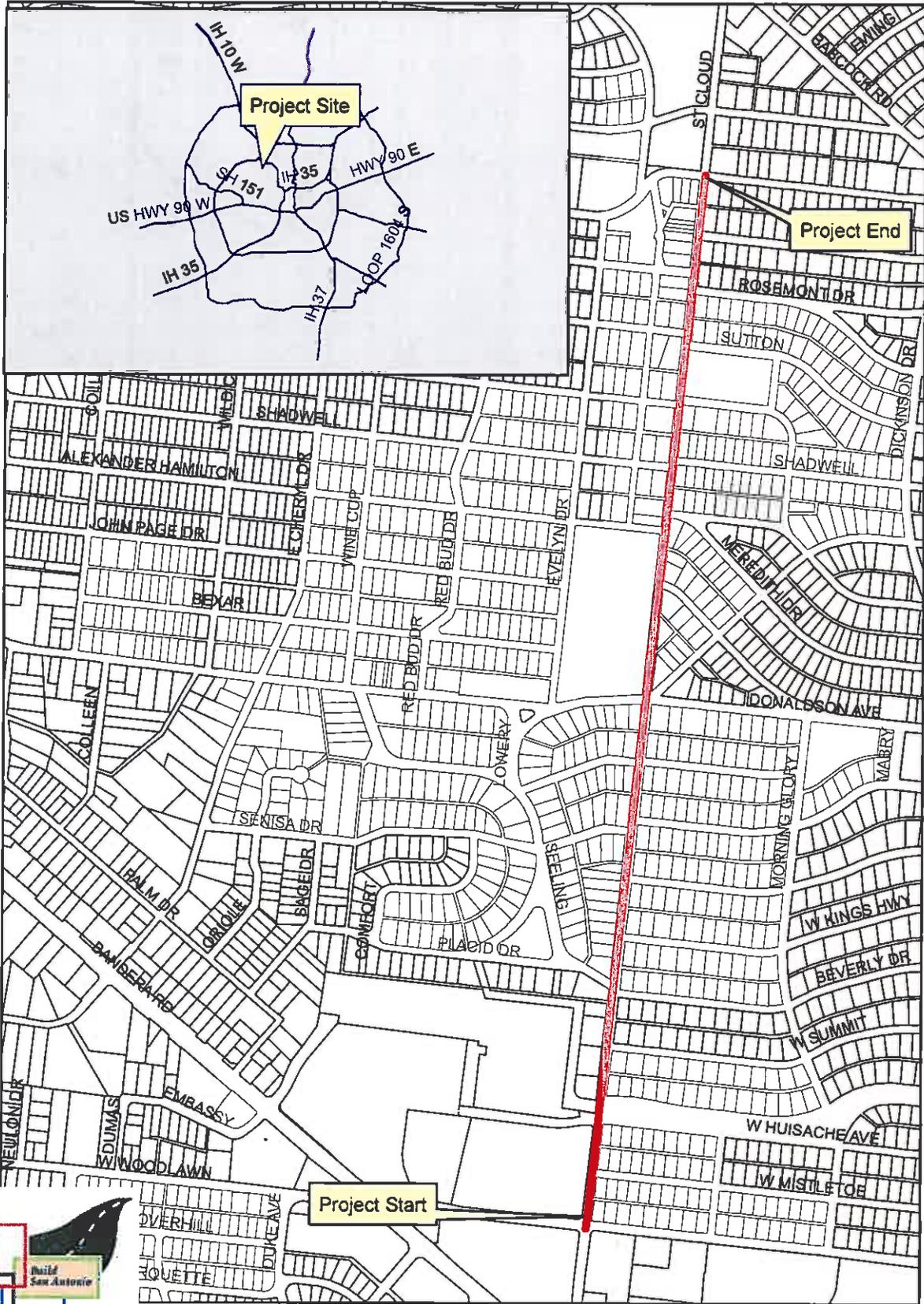


Capital Improvements
Management Services

Medical Drive @ Fredericksburg Road

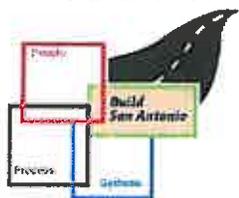
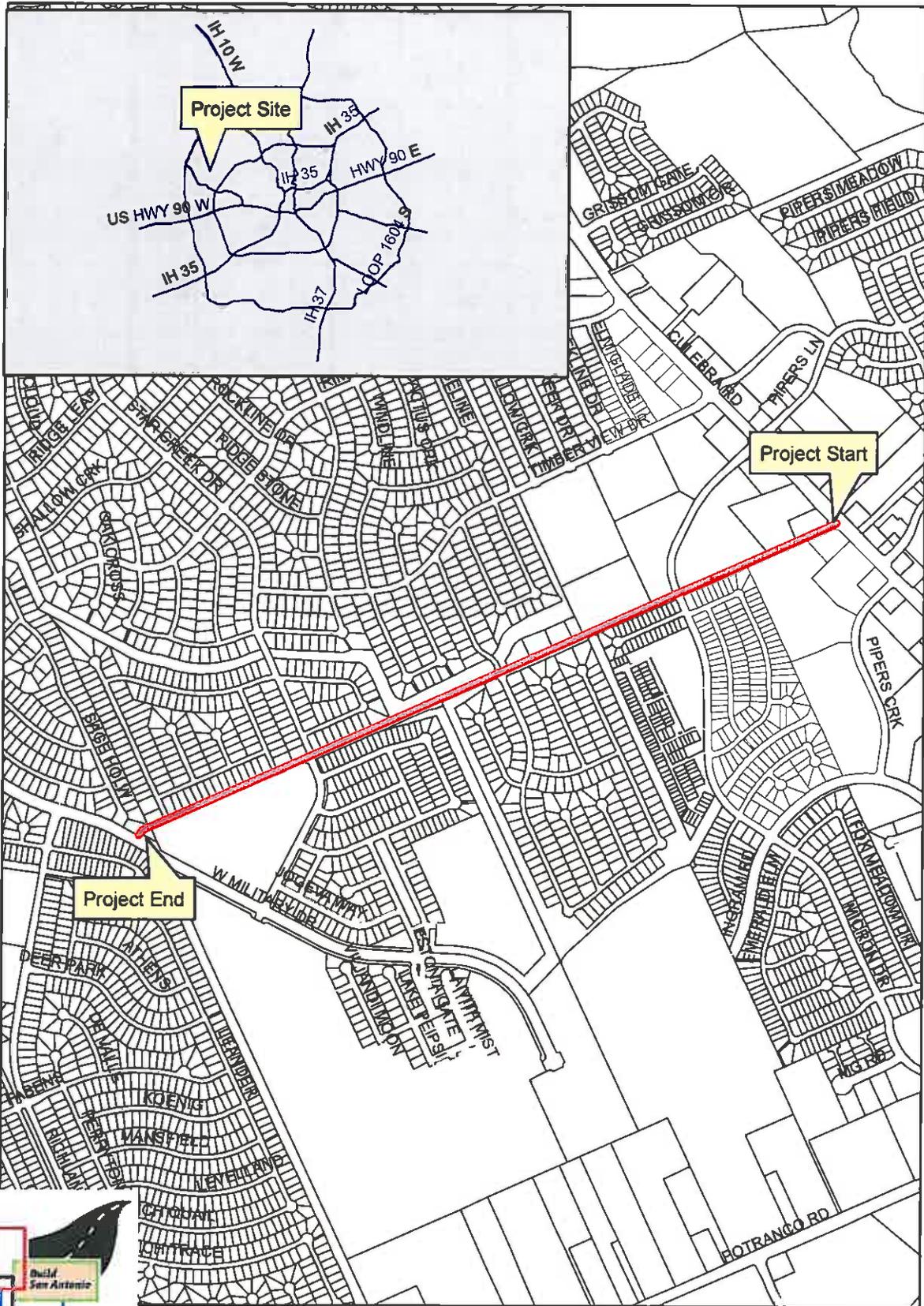


St. Cloud Pedestrian Improvement (Woodlawn to Babcock)



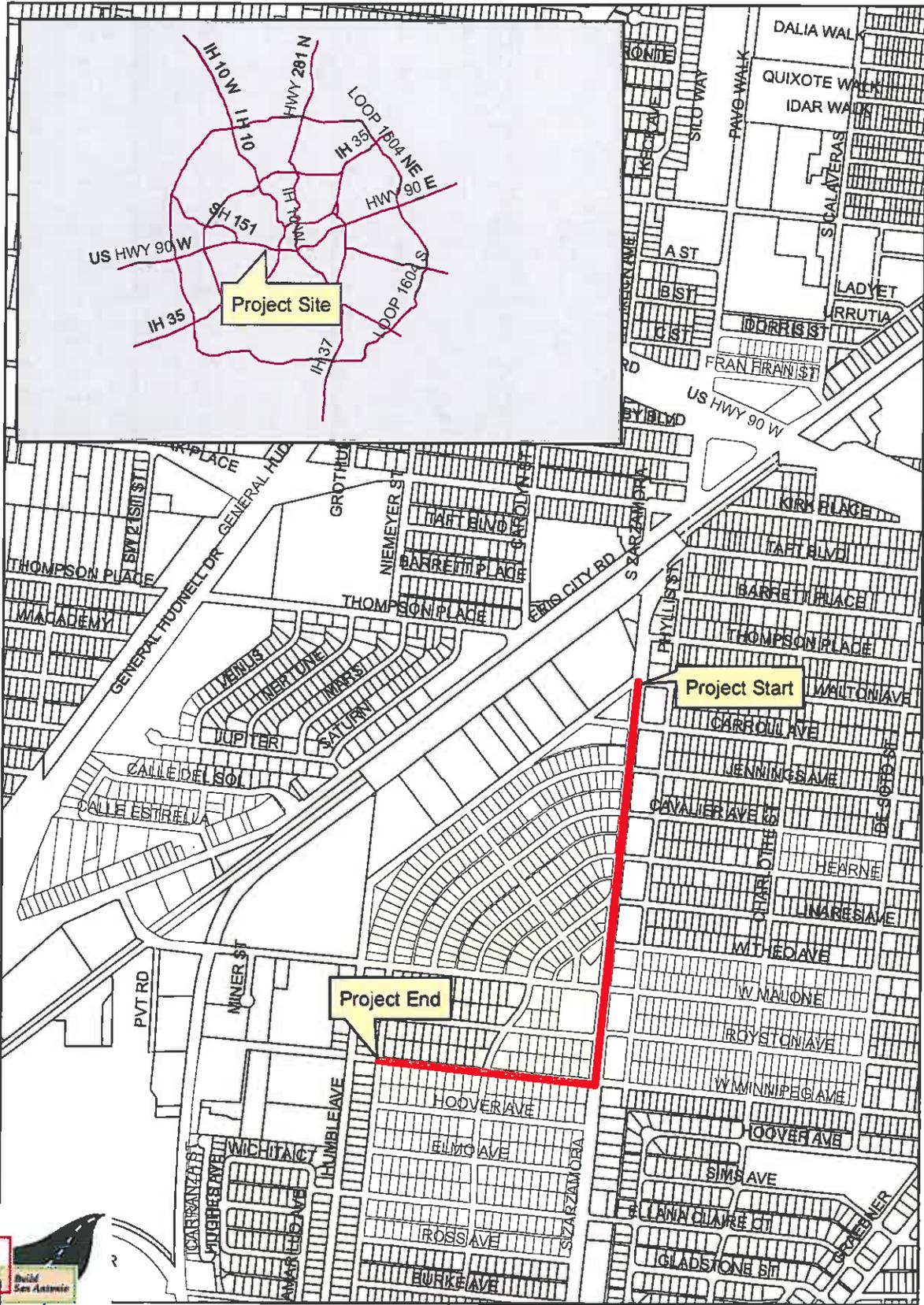
Capital Improvements
Management Services

Reed Road (Culebra to Military)

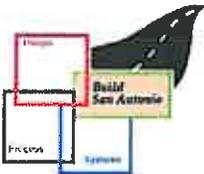


Capital Improvements
Management Services

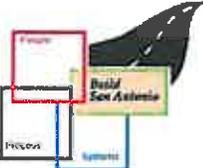
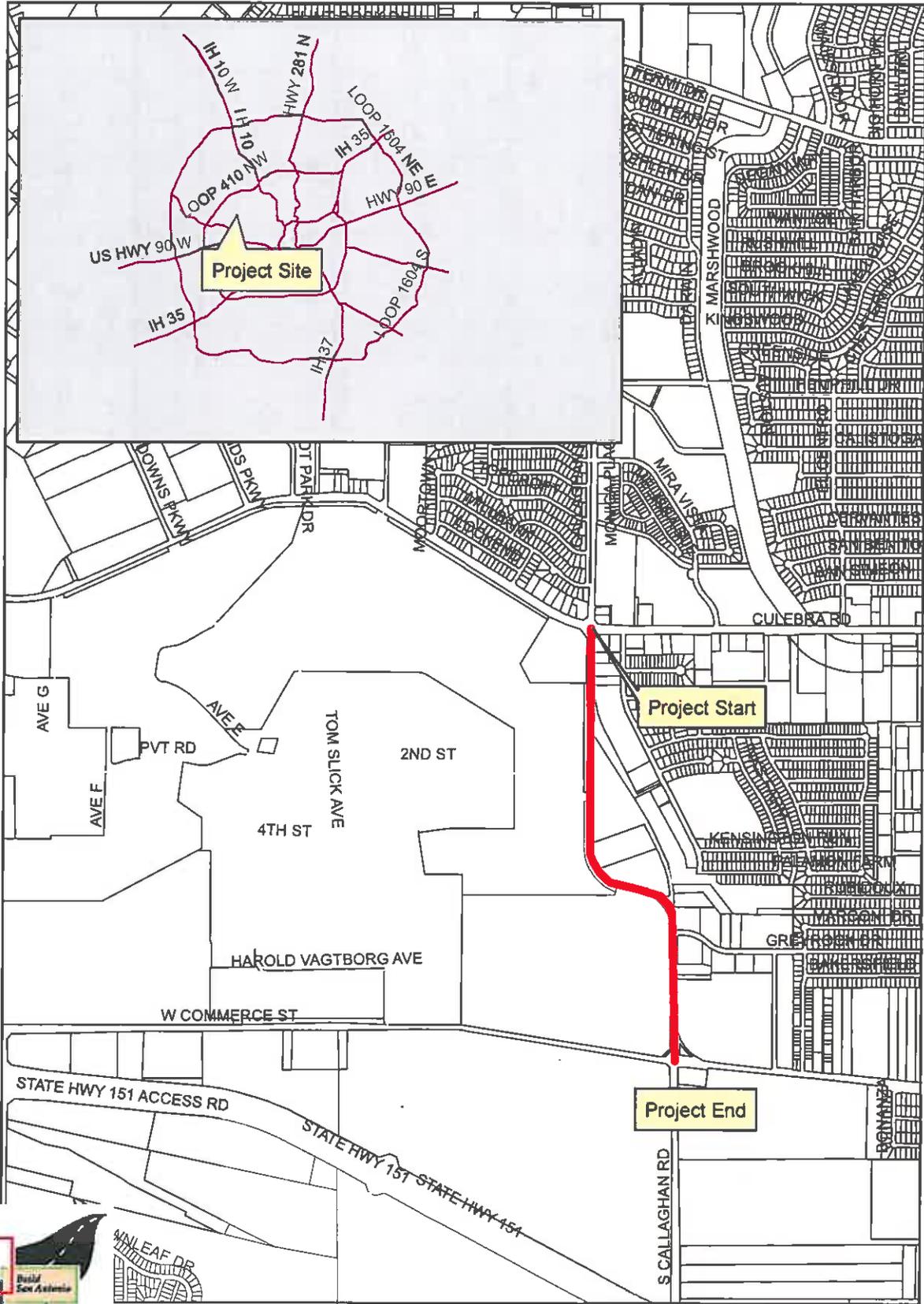
Zarzamora Drainage #39 Phase I (Winnipeg to Humble) and Winnipeg (Zarzamora to Jennings)



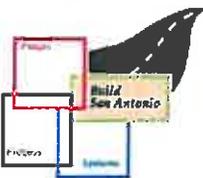
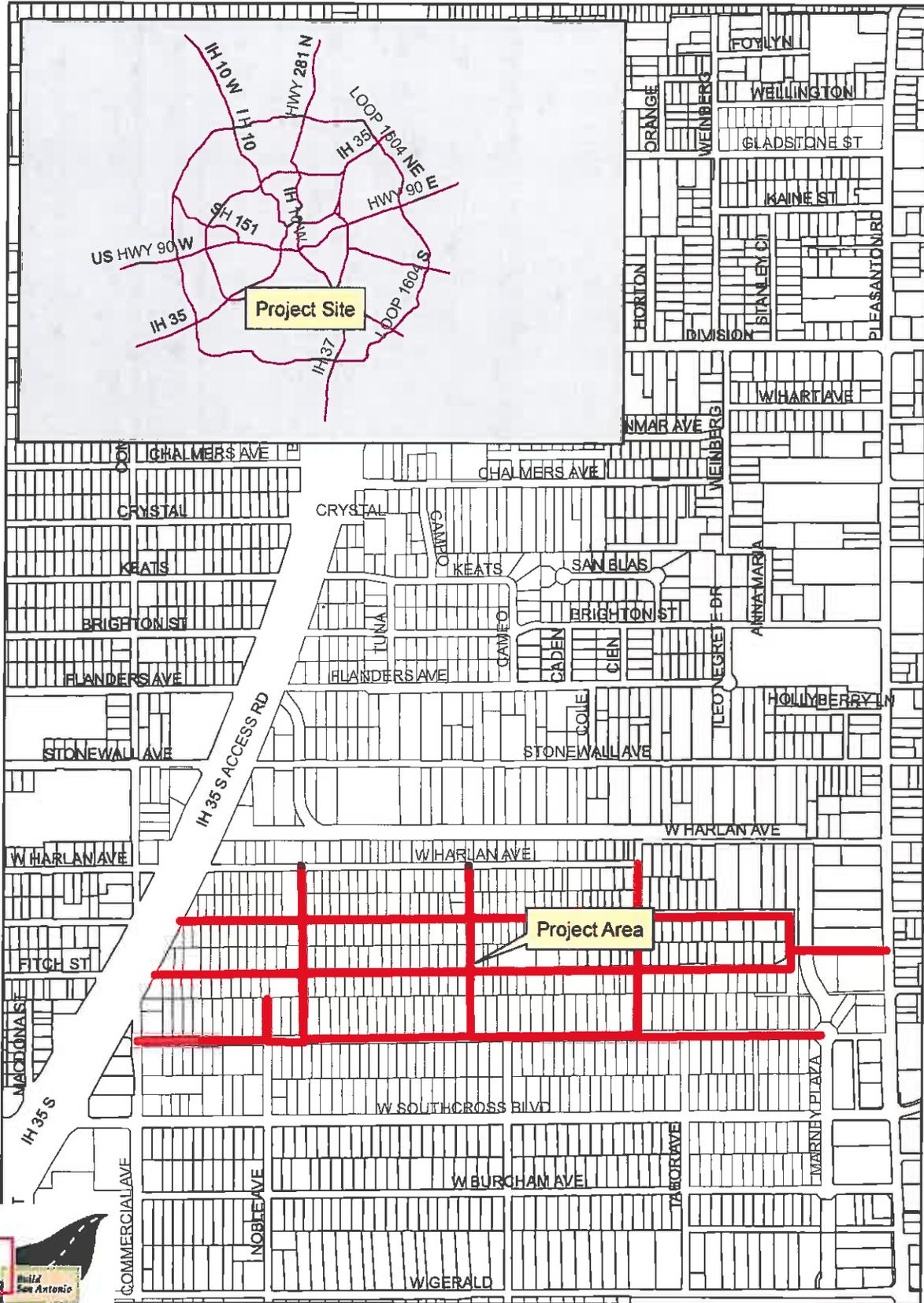
Tesla (Culebra to Mayberry)



Callaghan Road (Culebra to Commerce)

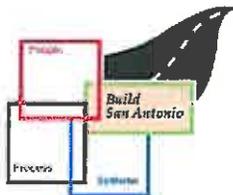
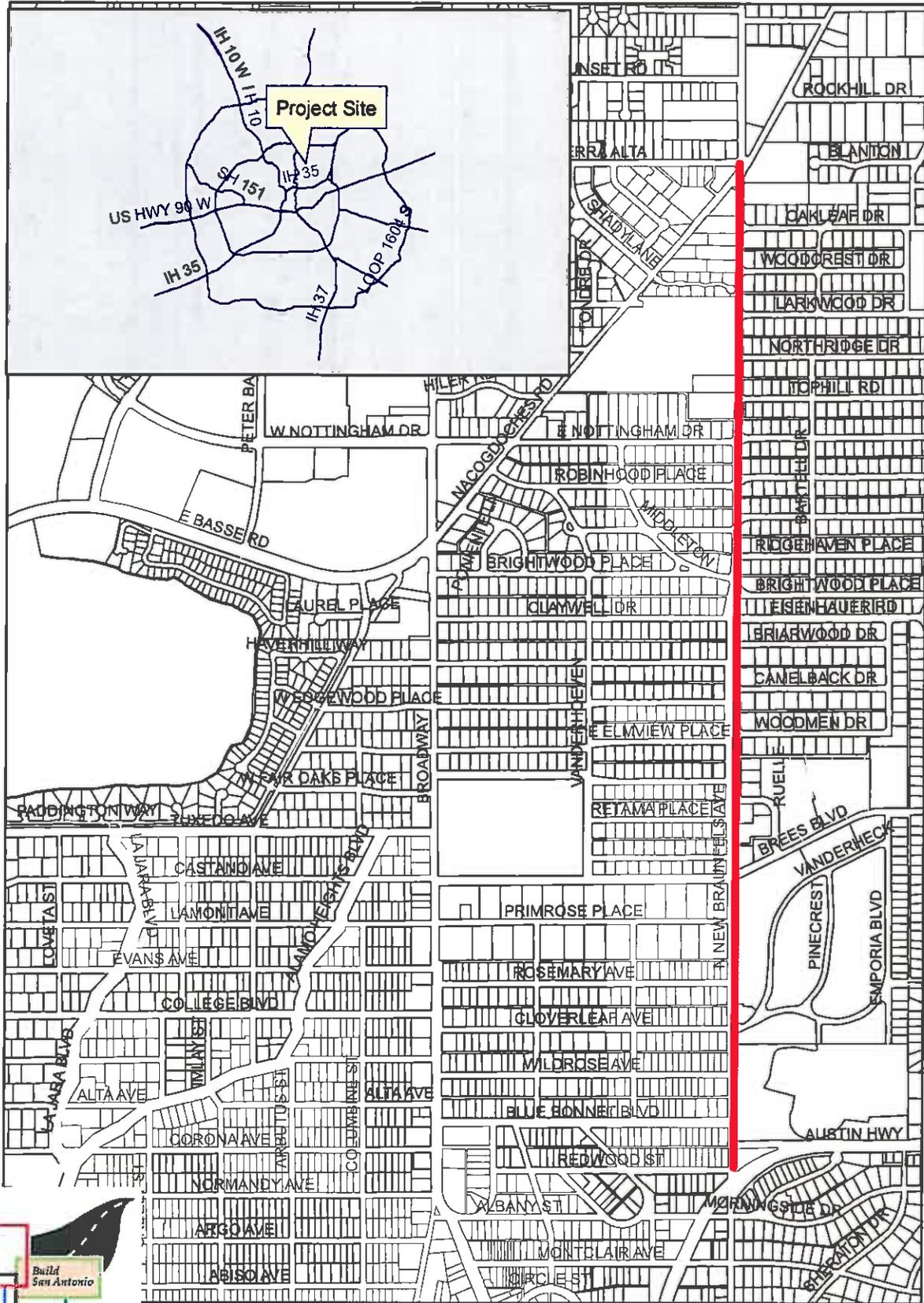


Rip Rap #69 - Phase IID

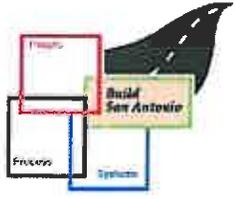


Capital Improvements
Management Services

North New Braunfels Sidewalks



Skyline Area Drainage Phase I A (Skyline, Middle, Cisco)



Capital Improvements
Management Services