

AN ORDINANCE 2012-05-17-0353

**AUTHORIZING THE CLOSURE, VACATION AND ABANDONMENT
OF A 0.07 ACRE UNIMPROVED ALLEY IN NCB 6803 BETWEEN WEST
HARRIMAN PLACE, GROTHUES PLACE, WEST KIRK PLACE, AND
GENERAL HUDNELL.**

* * * * *

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

SECTION 1. Subject to the reservation below, the City finds the following right of way (“Right-of-Way Segment”) is no longer essential to the safe and efficient flow of traffic in the area in which the right of way is located. As an exercise of its discretion, the City Council closes, vacates, and abandons the Right-of-Way Segment. A condition of the closure, vacation, and abandonment is City’s receipt of the fee set out below in the funding section of this Ordinance. The Right-of-Way Segment is identified below.

That portion of an alley described generally as extending westward from the west right-of-way line of Grothues Place to the east right-of-way line of General Hudnell.

SECTION 2. A picture of the Right-of-Way Segment is set forth at **Attachment I**. The detailed description of the Right-of-Way Segment is set forth on **Attachment II**. Both Attachments I and II are incorporated into this ordinance for all purposes as if they were fully set forth. Attachment II controls over any discrepancy between it and Attachment I.

SECTION 3. All presently existing water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this Ordinance and may continue to be used, repaired, augmented, and maintained in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. After the date of this Ordinance, no utility may add additional utility lines or facilities in the Right-of-Way Segment based on a claim that the Right-of-Way Segment is public right of way. This Ordinance does not give up any right arising other than from the existence of public street or alley right of way, and utilities and others may continue to rely on those other rights, if any.

SECTION 4. The City Manager or her designee, severally, are authorized and directed to execute and deliver all documents and to do all other things conducive to reflect this closure, abandonment, and vacation.

SECTION 5. The Right-of-Way Segment exists by easement. The underlying fee ownership of the Right-of-Way Segment by the adjacent lot owners is now unburdened by the rights closed, vacated, and abandoned. For purposes of future conveyance and to better reflect their ownership

generally, owners of the adjacent property should replat, but no such replat impairs the rights retained by City above.

SECTION 6. Funds generated by this ordinance will be The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

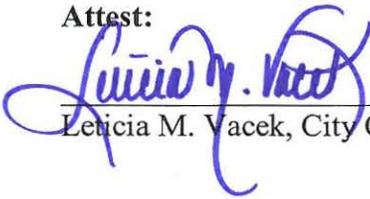
SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 8. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this 17th day of May 2012.


M A Y O R
Julián Castro

Attest:

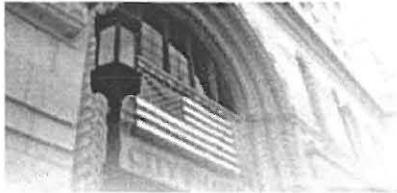


Leticia M. Vacek, City Clerk

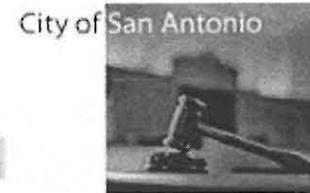
Approved As To Form:



Michael D. Bernard, City Attorney



Request for
**COUNCIL
ACTION**



Agenda Voting Results - 8A

Name:	5, 6A, 6B, 8A, 8B, 9, 12A, 12B, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25A, 25B						
Date:	05/17/2012						
Time:	10:47:57 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the closure, vacation and abandonment of a 0.07 acre unimproved alley in NCB 6803 between West Harriman Place , Grothues Place, West Kirk Place and General Hudnell.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				
Ivy R. Taylor	District 2		x				x
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6	x					
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x			x	
Carlton Soules	District 10		x				

Attachment II

Metes and Bounds
0.07 Acre Tract
15 ft. Alley

Being 15' alley out of the remaining portions of Lots 18, 19, 20, and lots 21 and 22, New City Block 6803, as recorded in Volume 2222, Page 198 of the Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows;

Commencing: at a found ½" iron rod at the intersection of the southeast right-of-way line of General Hudnell (150' R.O.W.) and the south right-of-way line of Darby Boulevard (variable width R.O.W.)

Thence: South 37°10'00" West, 370.19 feet, along the east R.O.W. line of said General Hudnell, to a point on the northwest line of the of the remaing portion of said Lot 18, for the **POINT OF BEGINNING**.

Thence: South 82°48'04" East, 206.98 feet, crossing said lots 18 thru 22 to a point on the west R.O.W. of Grothues Place (50' R.O.W.) for the northeast of this tract described herein;

Thence: South 07°11'56" West, 15.00 feet, along the west R.O.W. of Grothues Place and east line of lot 22 to a found ½" iron rod (GE REAVES), said being the northeast corner of lot 37, N.C.B. 6803, for southwest corner of this tract described herein;

Thence: North 82°48'04" West, 215.63 feet, along the north line, to lots 37 thru 33 to a point on the east R.O.W. of General Hudnell, for the southwest corner of this tract described herein;

Thence: North 37°10'00" East, 17.31 feet, along the east R.O.W. line of General Hudnell and west line of said remaing portion of lot 18, to the **POINT OF BEGINNING** and containing 3,170 square feet.

As surveyed on the ground by GE Reaves Engineering, Inc. on March 27, 2012.

GE Reaves Engineering, Inc
Gaylord E. Reaves, R.P.L.S., P.E.
Texas Survey Firm Number 101337



Gaylord E. Reaves 4/5/12

