

AN ORDINANCE 2010-05-13-0417

AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION, DEDICATION OR CONDEMNATION OF A PORTION OF LOT 1, BLOCK 2, NCB 12608 THROUGH THE PORT AUTHORITY OF SAN ANTONIO; DECLARING IT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION.

* * * * *

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

WHEREAS, the City of San Antonio ("City") seeks to acquire 25.17 acres out of Lot 1, Block 2, NCB 12608, in District 4, either by negotiation, dedication or condemnation for the 36th Street Extension – Growdon to Billy Mitchell Project; and

WHEREAS, this Project provides for the construction of an extension of 36th Street from Growdon to Billy Mitchell to a 4-lane street with a median and include curbs, sidewalks and drainage improvements; **NOW THEREFORE**,

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

SECTION 1. The 36th Street Extension – Growdon to Billy Mitchell Project is hereby declared to be a necessary public project.

SECTION 2. The City Council of the City of San Antonio finds a public necessity exists to acquire 25.17 acres out of Lot 1, Block 2, NCB 12608, in District 4, either by negotiation, dedication or condemnation for the 36th Street Extension – Growdon to Billy Mitchell Project.

The property is more specifically shown on the Project Map attached hereto as **Exhibit A** and further described by metes and bounds and survey map in **Exhibit B** and incorporated herein for all purposes. Collectively, the property may be referred to as the "Property."

SECTION 3. Funding and payment authorization was previously approved and per originating department's RFCA details, there is no fiscal impact associated with this item; therefore, no fiscal ordinance language is required.

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer, City of San Antonio. The Chief Financial Officer 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.

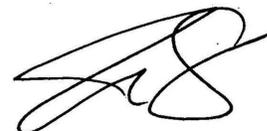
SECTION 5. The City staff is hereby directed to negotiate with the owner of the parcel for the acquisition of the property at fair market value, to execute sales agreements purchasing the property from the owner as the owner is identified by a Commitment for Issuance of Title Insurance issued by a title 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 property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Chief Financial Officer is directed to disburse funds in accordance herewith.

SECTION 6. 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.

SECTION 7. 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 the 13th day of May, 2010.



M A Y O R
Julián Castro

ATTEST:



Leticia M. Vacek, City Clerk

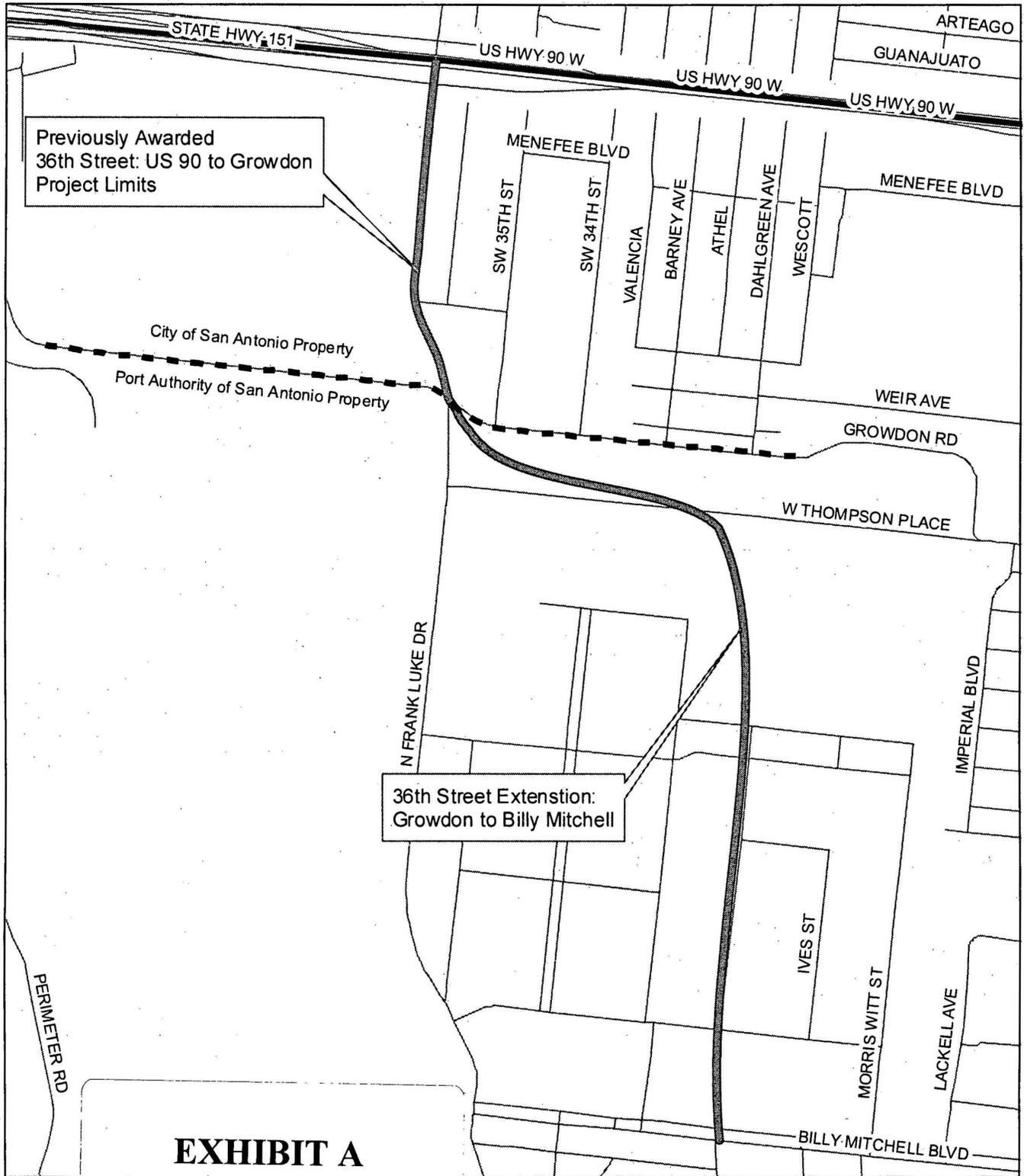
APPROVED AS TO FORM:



Michael Bernard, City Attorney

Agenda Item:	19D (in consent vote: 19A, 19C, 19D)						
Date:	05/13/2010						
Time:	03:31:07 PM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the acquisition, through negotiation, dedication or condemnation of a turnaround easement to a portion of Lot 1, Block 2, NCB 12608 through the Port Authority of San Antonio; and declaring it to be a public project; declaring a public necessity for the acquisition.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1	x					
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x			x	
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7	x					
W. Reed Williams	District 8	x					
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

36th Street Extension: Growdon to Billy Mitchell



Previously Awarded
36th Street: US 90 to Growdon
Project Limits

36th Street Extension:
Growdon to Billy Mitchell

EXHIBIT A



CITY OF SAN ANTONIO
DEPARTMENT OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES
HORIZONTAL DIVISION



Parcel No.: 18520

Project Name: 36th Street Extension

Owner's Name: Port Authority of San Antonio

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FIELD NOTE
DESCRIPTION OF S.W. 36th STREET RIGHT-OF-WAY
25.17 ACRE TRACT OF LAND

Being 25.17 acres of land in Bexar County, Texas, being out of and part of Lot 1, Block 2, N.C.B. 12608, Replat & Development Plat Establishing Port Authority Of San Antonio recorded in Volume 9577, Pages 198-206, Deed and Plat Records of Bexar County, Texas.

COMMENCING at a ½" iron rod with a Vickery plastic cap found, along the terminal end of 35th Street, at a north corner of said Lot 1 and a corner of Lot 49, Block 7, N.C.B. 11371, Vacating & Resubdivision of Aelvoet Subdivision recorded in Volume 5502, Page 177, Plat Records of Bexar County, Texas; Thence North 84°07'17" West, along a north line of said Lot 1, the terminal line of S.W. 35th Street and the south line of the remainder of Lot 25, N.C.B. 8084, Vacate Plat of Aelvoet Subdivision recorded in Volume 4600, Page 142, Plat Records of Bexar County, Texas, a distance of 368.35 feet to the POINT OF BEGINNING, from which a ½" iron rod with BMB cap found at the terminal east right-of-way line of 36th Street bears North 87°07'13" West a distance of 10.83 feet;

THENCE crossing said Lot 1 along the northerly and easterly proposed right-of-way line of S.W. 36th Street (Private Street) as follows:

Southeasterly a distance of 646.35 feet along the arc of a circular curve to the left, the radius of which is 902.00 feet, having a delta angle of 41°03'23" and which has a chord length of 632.61 feet along a bearing of South 47°13'27" E to a MAG nail with a CEC washer set for a point of tangency;

South 67°45'08" East a distance of 381.34 feet to a ½" iron rod with a CEC plastic cap set at the west end of a cutback line to the west right-of-way line of 34th Street (Private Street) for a corner of this parcel;

North 66°14'16" East along said cutback line a distance of 55.60 feet to a ½" iron rod with a CEC plastic cap set at the east end of said cutback line on the west right-of-way line of said 34th Street for a corner of this parcel;

THENCE along the west right-of-way line of said 34th Street (Private Street) as follows:

North 22°14'51" East a distance of 69.48 feet to a ½" iron rod with a CEC plastic cap set for a point of curvature;

Northeasterly a distance of 44.02 feet along the arc of a circular curve to the left, the radius of which is 325.00 feet, having a delta angle of 7°45'41" and which has a chord length of 43.99 feet along a bearing of North 18°22'01" East to a ½" iron rod with a CEC plastic cap set for a point of continuous curvature and of this parcel;

EXHIBIT B

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Northeasterly a distance of 51.62 feet along the arc of a circular curve to the left, the radius of which is 189.00 feet, having a delta angle of $15^{\circ}38'56''$ and which has a chord length of 51.46 feet along a bearing of North $06^{\circ}39'43''$ East to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point of tangency of this parcel:

North $01^{\circ}09'45''$ West a distance of 66.90 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set on the north line of said Lot 1 and the terminal south right-of-way line of S.W. 34th Street for a corner of this parcel;

THENCE SOUTH $83^{\circ}56'47''$ East, along the north line of said Lot 1, with the south terminal right-of-way line of S.W. 34th Street and continuing along the south line of Lot 23, Block 5, West Gardendale Subdivision recorded in Volume 105, Page 198-199, Deed and Plat Records of Bexar County, Texas a distance of 77.47 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE SOUTH $05^{\circ}58'33''$ West crossing said Lot 1 a distance of 75.84 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point on the east right-of-way line of 34th Street (Private Street) for an angle point of this parcel;

THENCE continuing across said Lot 1 along the east right-of-way line of 34th Street (Private Street) as follows:

South $51^{\circ}04'36''$ West a distance of 23.87 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point of curvature;

Southwesterly a distance of 83.44 feet along the arc of a circular curve to the right, the radius of which is 375.00 feet, having a delta angle of $12^{\circ}44'55''$ and which has a chord length of 83.27 feet along a bearing of South $15^{\circ}52'24''$ West to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point of tangency;

South $22^{\circ}14'52''$ West a distance of 69.48 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the north end of a cutback line to the north right-of-way line of S.W. 36th Street for an angle point of this parcel;

South $25^{\circ}15'10''$ East along said cutback line a distance of 59.21 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the south end of said cutback line on the north right-of-way line of S.W. 36th Street for an angle point of this parcel;

THENCE along the north right-of-way line of S.W. 36th Street (Private Street) as follows:

South $67^{\circ}45'08''$ East a distance of 649.63 feet to a MAG nail with a CEC washer set for a point of curvature;

Southeasterly a distance of 408.12 feet along the arc of a circular curve to the right, the radius of which is 1,016.00 feet, having a delta angle of $23^{\circ}00'55''$ and which has a chord length of 405.38 feet along a bearing of South $56^{\circ}14'41''$ East to a $\frac{1}{2}$ " iron rod with a

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CEC plastic cap set, at the west end of a cutback line to the north right-of-way line of West Thompson Place (Private Street) for an angle point of this parcel;

South 87°59'37" East, along said cutback line, a distance of 109.55 feet to a ½" iron rod with a CEC plastic cap set at the east end of said cutback line on the north right-of-way line of West Thompson Place (Private Street) for an angle point of this parcel;

THENCE along the north right-of-way line of West Thompson Place (Private Street) as follows:

North 52°03'53" East a distance of 66.16 feet to a ½" iron rod with a CEC plastic cap set for an angle point of this parcel;

North 63°47'17" East a distance of 53.32 feet to a MAG nail with a CEC washer set for a point of curvature;

Northeasterly a distance of 383.30 feet along the arc of a circular curve to the right, the radius of which is 540.00 feet, having a delta angle of 40°40'08" and which has a chord length of 375.30 feet along a bearing of North 75°35'03" East to a ½" iron rod with a CEC plastic cap set for a point of tangency;

South 84°04'58" East a distance of 120.00 feet to a ½" iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE South 05°55'02" West crossing West Thompson Place a distance of 80.00 feet to a MAG Nail with a CEC washer set on the south right-of-way line of West Thompson Place for a corner of this parcel;

THENCE along the south right-of-way line of West Thompson Place (Private Street) as follows:

North 84°04'58" West a distance of 120.00 feet to a ½" iron rod with a CEC plastic cap set for a point of curvature;

Southwesterly a distance of 352.08 feet along the arc of a circular curve to the left, the radius of which is 460.00 feet, having a delta angle of 43°51'15" and which has a chord length of 343.55 feet along a bearing of South 73°59'30" West to a ½" iron rod with a CEC plastic cap set for the end of curve;

South 52°03'53" West a distance of 76.10 feet to a ½" iron rod with a CEC plastic cap set at the north end of a cutback line to the east right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE South 11°05'33" West along said cutback line a distance of 128.07 feet to a ½" iron rod with a CEC plastic cap set at the south end of said cutback line on the east curvilinear right-of-way line of S.W. 36th Street (Private Street) for a corner of this parcel;

THENCE continuing along the east right-of-way line of said S.W. 36th Street a distance of 654.22 feet along the arc of a circular curve to the right, the radius of which is 1,016.00 feet,

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having a delta angle of $36^{\circ}53'38''$ and which has a chord length of 642.98 feet along a bearing of South $12^{\circ}28'47''$ East to a $\frac{1}{2}$ " iron rod with a Vickrey cap found for a point of tangency;

THENCE South $05^{\circ}58'02''$ West continuing along the east right-of-way line of S.W. 36th Street a distance of 651.02 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the north end of a cutback line to the north right-of-way line of Medina Street (Private Street) for a corner of this parcel;

THENCE South $39^{\circ}03'48''$ East along said cutback line a distance of 136.53 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the south end of said cutback line on the north line of Medina Street for an angle point of this parcel;

THENCE South $83^{\circ}11'51''$ East along the north right-of-way line of Medina Street (Private Street) a distance of 77.80 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE South $06^{\circ}48'09''$ West crossing said Medina Street a distance of 60.00 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set on the south right-of-way line of Medina Street (Private Street) for a corner of this parcel;

THENCE North $83^{\circ}11'51''$ West along the south right-of-way line of Medina Street a distance of 74.11 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the north end of a cutback line to the east right-of-way line of S.W. 36th Street for an angle point of this parcel;

THENCE South $51^{\circ}49'13''$ West along said cutback line a distance of 138.54 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set, at the south end of said cutback line, on the east right-of-way line of S.W. 36th Street for an angle point of this parcel;

THENCE continuing along the east right-of-way line of S.W. 36th Street (Private Street) as follows:

South $05^{\circ}58'02''$ West a distance of 890.82 feet to a MAG nail with a CEC washer set for a point of curvature;

Southwesterly a distance of 233.30 feet along the arc of a circular curve to the left, the radius of which is 1,337.00 feet, having a delta angle of $9^{\circ}59'53''$ and which has a chord length of 233.01 feet along a bearing of South $00^{\circ}58'06''$ West to a $\frac{1}{2}$ " iron rod with a Vickrey cap found at the end of curvature;

South $04^{\circ}01'51''$ East a distance of 846.07 feet to a $\frac{1}{2}$ " iron rod with a Vickrey cap found for a point of curvature;

Southeasterly a distance of 248.12 feet along the arc of a circular curve to the right, the radius of which is 2,063.00 feet, having a delta angle of $6^{\circ}53'28''$ and which has a chord length of 247.97 feet along a bearing of South $00^{\circ}35'07''$ East to a $\frac{1}{2}$ " iron rod with a Vickrey cap found for a point of tangency;

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South 02°51'37" West a distance of 240.71 feet to a ½" iron rod with a CEC plastic cap set at the north end of a cutback line to the north right-of-way line of Billy Mitchell Boulevard (Private Street) for an angle point of this parcel;

THENCE South 40°30'09" East along said cutback line a distance of 135.08 feet to a ½" iron rod with a CEC plastic cap set at the south end of said cutback line on the north right-of-way line of Billy Mitchell Boulevard (Private Street) for a corner of this parcel;

THENCE South 83°59'29" East along said north right-of-way line of Billy Mitchell Boulevard a distance of 358.79 feet to a ½" iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE South 06°00'31" West crossing Billy Mitchell Boulevard (Private Street) a distance of 140.00 feet to a MAG nail with a CEC washer set on the south right-of-way line of said Billy Mitchell Boulevard for a corner of this parcel;

THENCE North 83°59'29" West along the south right-of-way line of said Billy Mitchell Boulevard a distance of 398.35 feet to a MAG nail with a CEC washer set at the north end of a cutback line to the east right-of-way line of S.W. 36th Street (Private Street) for an angle point of this parcel;

THENCE South 48°52'12" West along said cutback line a distance of 56.08 feet to a ½" iron rod with a CEC plastic cap set on the east right-of-way line of S.W. 36th Street for the south end of said cutback line for a corner of this parcel;

THENCE North 74°01'29" West crossing said S.W. 36th Street a distance of 118.49 feet to a MAG nail with a CEC washer set on the west right-of-way line of 36th Street, at the east end of a cutback line to the south right-of-way line of said Billy Mitchell Boulevard for a corner of this parcel;

THENCE North 69°17'22" West along said cutback line a distance of 81.16 feet to a ½" iron rod with a CEC plastic cap set at the west end of said cutback line on said south right-of-way line for an angle point of this parcel;

THENCE North 83°59'29" West along the south right-of-way line of Billy Mitchell Boulevard (Private Street) a distance of 418.29 feet to a ½" iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE North 06°00'31" East crossing Billy Mitchell Boulevard (Private Street) a distance of 140.00 feet to a ½" iron rod with a CEC plastic cap set on the north right-of-way line of Billy Mitchell Boulevard (Private Street) for a corner of this parcel;

THENCE South 83°59'29" East along said north right-of-way line a distance of 388.34 feet to a MAG nail with a CEC washer set at the south end of a cutback line to the west right-of-way line of S.W. 36th Street for a corner of this parcel;

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THENCE North 48°35'22" East along said cutback line a distance of 133.61 feet to a MAG nail with a CEC washer set at the north end of said cutback line on the west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE Northerly along the west right-of-way line of 36th Street (Private Street) as follows:

North 02°51'37" East a distance of 229.03 feet to a ½" iron rod with a Vickrey cap found at a point of curvature;

Northwesterly a distance of 234.41 feet along the arc of a circular curve to the left, the radius of which is 1,949.00 feet, having a delta angle of 6°53'28" and which has a chord length of 234.26 feet along a bearing of North 00°35'07" West to a ½" iron rod with a Vickrey cap found for a point of tangency;

North 04°01'51" West a distance of 117.38 feet to a MAG nail with a CEC washer set at the south end of a cutback line to the south right-of-way line of Davy Crockett Road (Private Road) for a corner of this parcel;

THENCE North 44°22'30" West along said cutback line a distance of 138.28 feet to a MAG nail with a CEC washer set at the north end of said cutback line along the south right-of-way line of Davy Crockett Road (Private Road) for a corner of this parcel;

THENCE North 84°05'02" West along the south right-of-way line of Davy Crockett Road (Private Road) a distance of 260.17 feet to a ½" iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE North 05°54'58" East crossing said Davy Crockett Road a distance of 70.00 feet to a ½" iron rod with a CEC plastic cap set on the north right-of-way line of Davy Crockett Road (Private Road) for a corner of this parcel;

THENCE South 84°05'02" East along said north right-of-way line of Davy Crockett Road a distance of 200.00 feet to a chiseled "+" plus set at the south end of a cutback line to the west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE North 60°20'34" East along said cutback line a distance of 151.61 feet to a MAG nail with a CEC washer set at the north end of said cutback line on the west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE Northerly along the west right-of-way line of 36th Street (Private Street) as follows:

North 04°01'51" West a distance of 478.39 feet to a MAG nail with a CEC washer set for a point of curvature;

Northeasterly a distance of 253.20 feet along the arc of a circular curve to the right, the radius of which is 1,451.00 feet, having a delta angle of 9°59'53" and which has a chord length of 252.88 feet along a bearing of North 00°58'06" East to a MAG nail with a CEC washer set for the end of curvature;

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North 05°58'02" East a distance of 895.34 feet to a ½" iron rod with a CEC plastic cap set at the south end of a cutback line to the south right-of-way line of Sam Houston Boulevard (Private Street) for a corner of this parcel;

THENCE North 39°03'48" West along said cutback line a distance of 136.53 feet to a MAG nail with a CEC washer set at the north end of said cutback line on the south right-of-way line of said Sam Houston Boulevard for a corner of this parcel;

THENCE North 83°11'51" West along the south right-of-way line of Sam Houston Boulevard (Private Street) a distance of 79.29 feet to a ½" iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE North 06°48'09" East crossing said Sam Houston Boulevard a distance of 60.00 feet to a ½" iron rod with a CEC plastic cap set on the north right-of-way line of Sam Houston Boulevard (Private Street) for a corner of this parcel;

THENCE South 83°11'51" East along the north right-of-way line of said Sam Houston Boulevard a distance of 75.60 feet to a ½" iron rod with a CEC plastic cap set at the south end of a cutback line to the west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE North 51°49'13" East along said cutback line a distance of 138.54 feet to a ½" iron rod with a CEC plastic cap set at the north end of said cutback line on the west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE along the west right-of-way line of S.W. 36th Street (Private Street) as follows:

North 05°58'02" East a distance of 646.49 feet to a ½" iron rod with a Vickrey cap found for a point of curvature;

Northwesterly a distance of 1,160.56 feet along the arc of a circular curve to the left, the radius of which is 902.00 feet, having a delta angle of 73°43'11" and which has a chord length of 1,082.15 feet along a bearing of North 30°53'32" West to a MAG nail with a CEC washer set for a point of tangency;

North 67°45'08" West a distance of 1,163.23 feet to a MAG nail with a CEC washer set for a point of curvature;

Northwesterly a distance of 217.72 feet along the arc of a circular curve to the right, the radius of which is 1,016.00 feet, having a delta angle of 12°16'40" and which has a chord length of 217.30 feet along a bearing of North 61°36'48" West to a MAG nail with a CEC washer set at the east end of a cutback line to the east right-of-way line of N. Frank Luke Drive (Private Drive) for a corner of this parcel;

THENCE South 83°27'49" West along said cutback line a distance of 130.26 feet to a ½" iron rod with a CEC plastic cap set at the west end of said cutback line on the east right-of-way line of N. Frank Luke Drive for a corner of this parcel;

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THENCE Southerly along the east right-of-way line of N. Frank Luke Drive (Private Drive) as follows:

South $41^{\circ}44'29''$ West a distance of 16.74 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point of curvature;

Southwesterly a distance of 172.95 feet along the arc of a circular curve to the left, the radius of which is 265.00 feet, having a delta angle of $37^{\circ}23'36''$ and which has a chord length of 169.90 feet along a bearing South $23^{\circ}02'41''$ West to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point of tangency;

South $04^{\circ}20'53''$ West a distance of 61.55 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a corner of this parcel;

THENCE North $65^{\circ}55'52''$ West crossing said N. Frank Luke Drive (Private Drive) a distance of 74.36 feet to a MAG nail with a CEC washer set on the west right-of-way line of N. Frank Luke Drive for a corner of this parcel;

THENCE Northerly along the west right-of-way line of said N. Frank Luke Drive (Private Street) as follows:

North $04^{\circ}20'53''$ East a distance of 36.46 feet to a MAG nail with a CEC washer set for a point of curvature;

Northeasterly a distance of 218.63 feet along the arc of a circular curve to the right, the radius of which is 335.00 feet, having a delta angle of $37^{\circ}23'36''$ and which has a chord length of 214.77 feet along a bearing of North $23^{\circ}02'41''$ East to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set for a point of tangency;

North $41^{\circ}44'29''$ East a distance of 18.39 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the south end of a cutback line to the west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE North $02^{\circ}07'23''$ West along said cutback line a distance of 131.28 feet to a $\frac{1}{2}$ " iron rod with a CEC plastic cap set at the north end of said cutback line on the curvilinear west right-of-way line of S.W. 36th Street for a corner of this parcel;

THENCE Northwesterly along the west right-of-way line of S.W. 36th Street (Private Street) as follows:

Northwesterly a distance of 333.33 feet along the arc of a circular curve to the right, the radius of which is 1,016.00 feet, having a delta angle of $18^{\circ}47'52''$ and which has a chord length of 331.84 feet along a bearing of North $32^{\circ}04'27''$ West to a MAG nail with a CEC washer set on the north line of said Lot 1, Block 2, N.C.B. 12608, Port Authority Of San Antonio Replat and the south line of Lot 5, N.C.B. 8669, Resubdivision of West Gardendale Subdivision recorded in Volume 6700, Page 69, Deed and Plat Records of Bexar County, Texas for the northwest corner of this parcel;

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THENCE South 84°07'17" East along said north line of Lot 1, the south line of said Lot 5, the terminal end of S. W. 36th Street and the south line of the remainder of said Lot 25 a distance of 132.31 feet to the POINT OF BEGINNING and containing 25.17 acres of land, more or less.

Notes:

All bearings are based on the Texas State Plane Coordinate System, South Central Zone, NAD (83). The existing project controls were provided by the client. All distances are U.S. Survey Feet. The distances recited herein are based on mathematical calculations and are subject to the rules of rounding and significant numbers. This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants.

The surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

An exhibit plat of like job number accompanies this metes and bounds description.

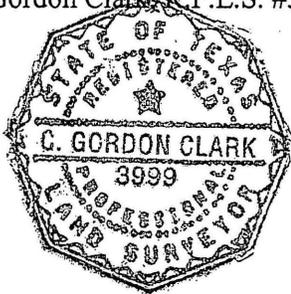
CEC Job Number E0244100.

C. Gordon Clark

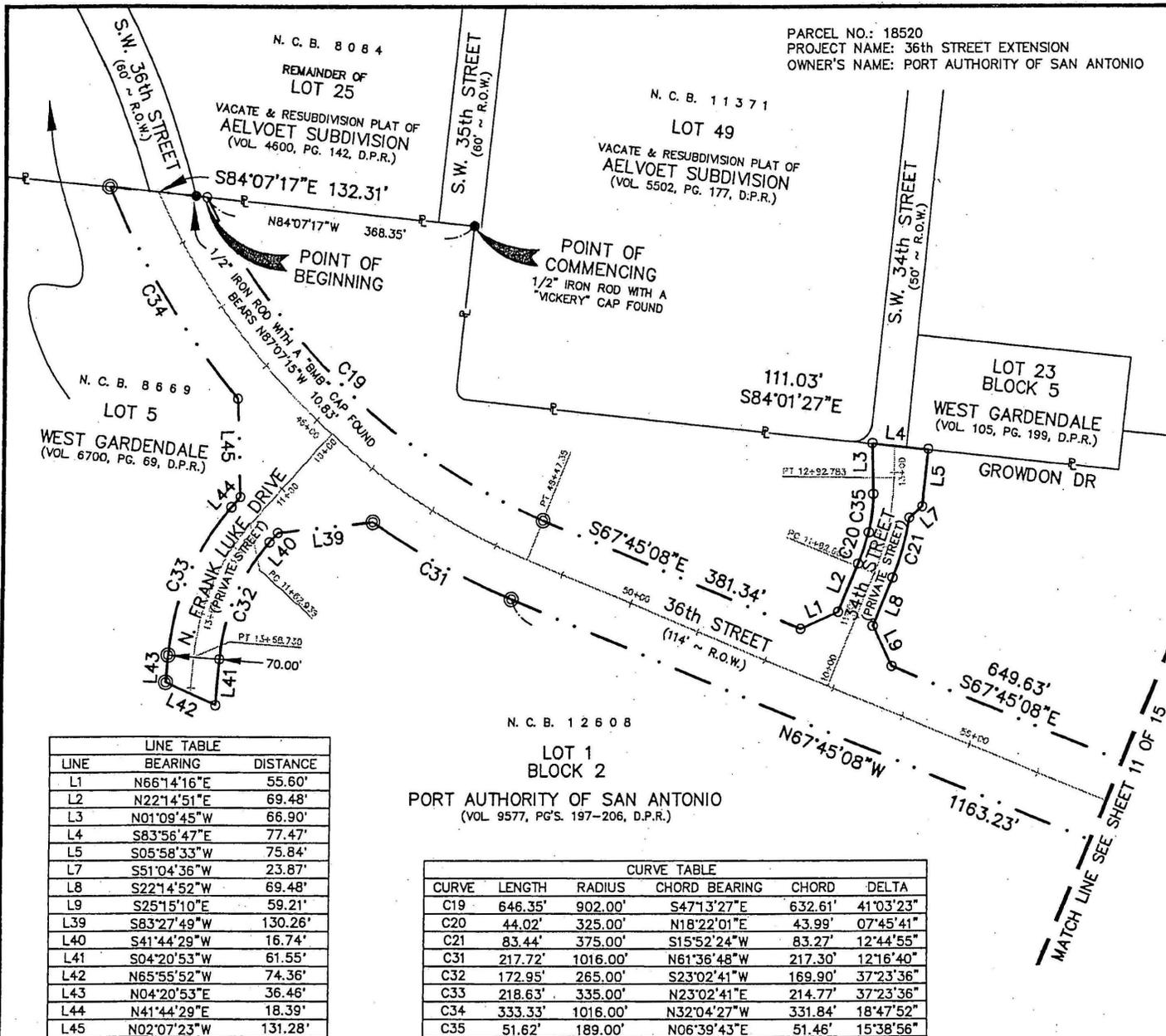
C. Gordon Clark, R.P.L.S. #3999

10-27-2009

Date



PARCEL NO.: 18520
 PROJECT NAME: 36th STREET EXTENSION
 OWNER'S NAME: PORT AUTHORITY OF SAN ANTONIO



LINE	BEARING	DISTANCE
L1	N66°14'16"E	55.60'
L2	N22°14'51"E	69.48'
L3	N01°09'45"W	66.90'
L4	S83°56'47"E	77.47'
L5	S05°58'33"W	75.84'
L7	S51°04'36"W	23.87'
L8	S22°14'52"W	69.48'
L9	S25°15'10"E	59.21'
L39	S83°27'49"W	130.26'
L40	S41°44'29"W	16.74'
L41	S04°20'53"W	61.55'
L42	N65°55'52"W	74.36'
L43	N04°20'53"E	36.46'
L44	N41°44'29"E	18.39'
L45	N02°07'23"W	131.28'

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)

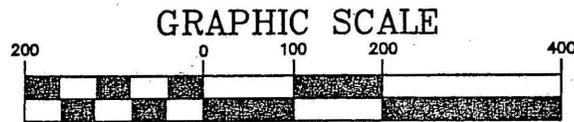
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD	DELTA
C19	646.35'	902.00'	S47°13'27"E	632.61'	41°03'23"
C20	44.02'	325.00'	N18°22'01"E	43.99'	07°45'41"
C21	83.44'	375.00'	S15°52'24"W	83.27'	12°44'55"
C31	217.72'	1016.00'	N61°36'48"W	217.30'	12°16'40"
C32	172.95'	265.00'	S23°02'41"W	169.90'	37°23'36"
C33	218.63'	335.00'	N23°02'41"E	214.77'	37°23'36"
C34	333.33'	1016.00'	N32°04'27"W	331.84'	18°47'52"
C35	51.62'	189.00'	N06°39'43"E	51.46'	15°38'56"

NOTES

1. A 1/2" REBAR WITH A CEC PLASTIC CAP WAS SET AT EACH CORNER UNLESS NOTED OTHERWISE.
2. BEARINGS ARE BASED ON NAD 83 TEXAS STATE PLANE COORDINATE SYSTEM (SOUTH CENTRAL ZONE). PROJECT CONTROLS WITH VALUES WERE PROVIDED BY OTHERS.
3. FIELD SURVEY COMPLETED ON 10/27/2009.
4. BUILDINGS, AND SURFACE AND SUBSURFACE IMPROVEMENTS ON OR ADJACENT TO THE SITE ARE NOT SHOWN HEREON.
5. A DESCRIPTION OF LIKE JOB NUMBER ACCOMPANIES THIS EXHIBIT.
6. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
7. THE DIMENSIONS RECITED HEREIN ARE MATHEMATICAL CALCULATIONS AND IS SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.

LEGEND

- D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- 1/2" IRON ROD WITH A "CEC" PLASTIC CAP SET
- ⊙ MAG NAIL WITH A "CEC" WASHER SET
- 1/2" IRON ROD FOUND



CEC JOB NO.: E0244100

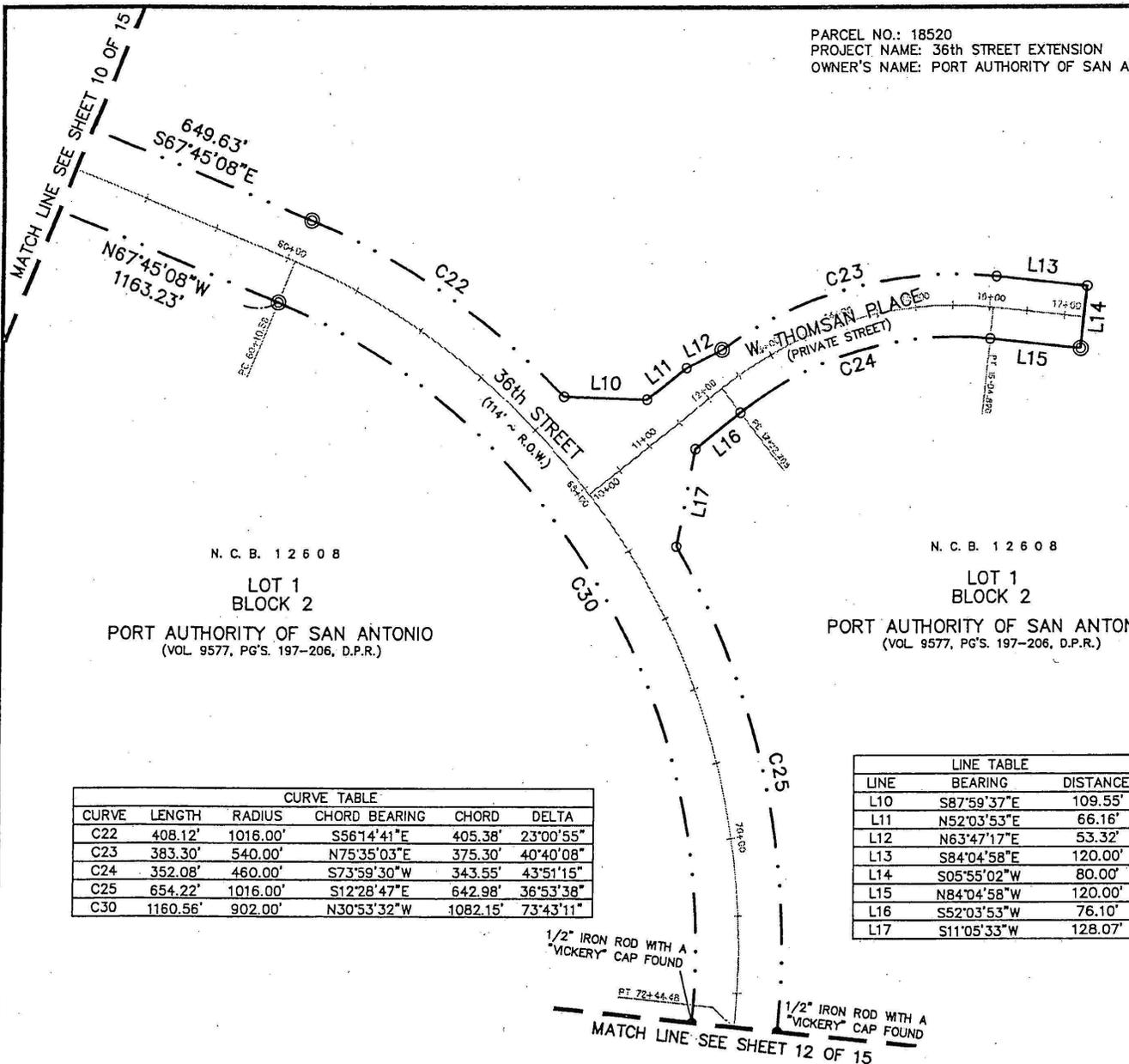


CIVIL ENGINEERING CONSULTANTS
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EXHIBIT OF
 S.W. 36th STREET EXTENSION
 RIGHT-OF-WAY
 25.17 ACRES
 LOT 1, BLOCK 2
 NEW CITY BLOCK (N.C.B.) 12608,
 SAN ANTONIO, BEXAR COUNTY, TEXAS

DATE	10/27/09
JOB NUMBER	DMO 2004(424)ES
SHEET	10
OF	15

PARCEL NO.: 18520
 PROJECT NAME: 36th STREET EXTENSION
 OWNER'S NAME: PORT AUTHORITY OF SAN ANTONIO



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD	DELTA
C22	408.12'	1016.00'	S56°14'41"E	405.38'	23°00'55"
C23	383.30'	540.00'	N75°35'03"E	375.30'	40°40'08"
C24	352.08'	460.00'	S73°59'30"W	343.55'	43°51'15"
C25	654.22'	1016.00'	S12°28'47"E	642.98'	36°53'38"
C30	1160.56'	902.00'	N30°53'32"W	1082.15'	73°43'11"

LINE TABLE		
LINE	BEARING	DISTANCE
L10	S87°59'37"E	109.55'
L11	N52°03'53"E	66.16'
L12	N63°47'17"E	53.32'
L13	S84°04'58"E	120.00'
L14	S05°55'02"W	80.00'
L15	N84°04'58"W	120.00'
L16	S52°03'53"W	76.10'
L17	S11°05'33"W	128.07'

NOTES

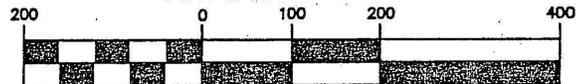
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- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- 1/2" IRON ROD WITH A "CEC" PLASTIC CAP SET
- ⊙ MAG NAIL WITH A "CEC" WASHER SET
- 1/2" IRON ROD FOUND



GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.

CEC JOB NO.: E0244100

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EXHIBIT OF
 S.W. 36th STREET EXTENSION
 RIGHT-OF-WAY
 25.17 ACRES
 LOT 1, BLOCK 2
 NEW CITY BLOCK (N.C.B.) 12608,
 SAN ANTONIO, BEXAR COUNTY, TEXAS

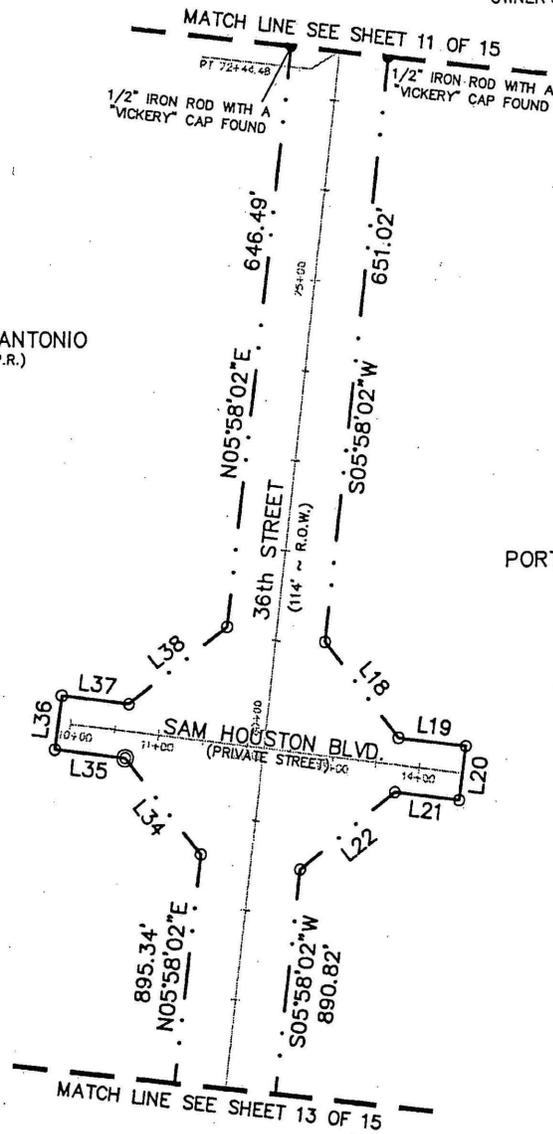
DATE	10/27/09
JOB NUMBER	DMO 2004(424)ES
SHEET	11
OF	15

PARCEL NO.: 18520
 PROJECT NAME: 36th STREET EXTENSION
 OWNER'S NAME: PORT AUTHORITY OF SAN ANTONIO

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)

LINE	BEARING	DISTANCE
L18	S39°03'48"E	136.53'
L19	S83°11'51"E	77.80'
L20	S06°48'09"W	60.00'
L21	N83°11'51"W	74.11'
L22	S51°49'13"W	138.54'
L34	N39°03'48"W	136.53'
L35	N83°11'51"W	79.29'
L36	N06°48'09"E	60.00'
L37	S83°11'51"E	75.60'
L38	N51°49'13"E	138.54'



NOTES

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3. FIELD SURVEY COMPLETED ON 10/27/2009.
4. BUILDINGS, AND SURFACE AND SUBSURFACE IMPROVEMENTS ON OR ADJACENT TO THE SITE ARE NOT SHOWN HEREON.
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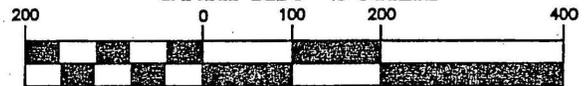
CEC JOB NO.: E0244100

LEGEND

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- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- 1/2" IRON ROD WITH A "CEC" PLASTIC CAP SET
- ⊙ MAG NAIL WITH A "CEC" WASHER SET
- 1/2" IRON ROD FOUND



GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.



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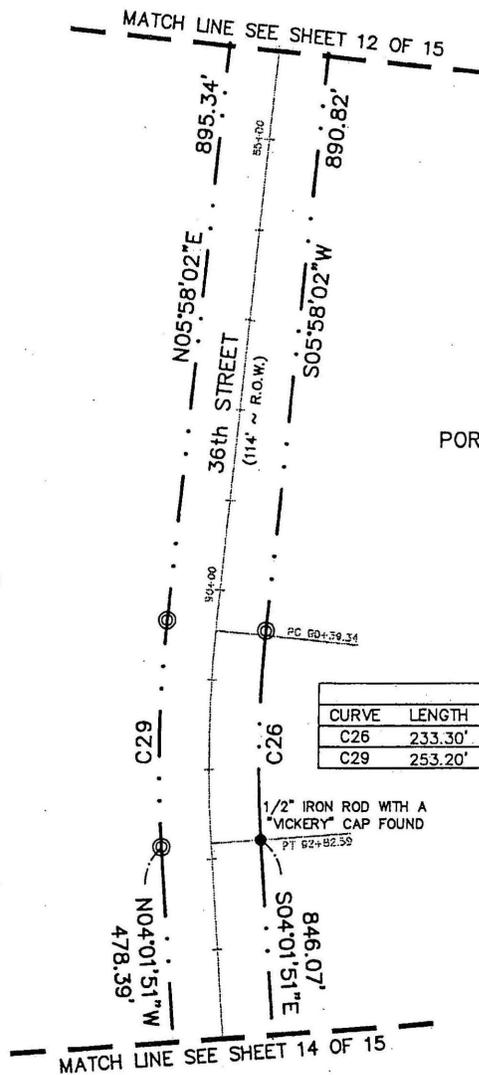
EXHIBIT OF
 S.W. 36th STREET EXTENSION
 RIGHT-OF-WAY
 25.17 ACRES
 LOT 1, BLOCK 2
 NEW CITY BLOCK (N.C.B.) 12608,
 SAN ANTONIO, BEXAR COUNTY, TEXAS

DATE	10/27/09
JOB NUMBER	DMO 2004(424)ES
SHEET	12
OF	15

PARCEL NO.: 18520
 PROJECT NAME: 36th STREET EXTENSION
 OWNER'S NAME: PORT AUTHORITY OF SAN ANTONIO

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)



CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD	DELTA
C26	233.30'	1337.00'	S00°58'06\"W	233.01'	9°59'53\"
C29	253.20'	1451.00'	N00°58'06\"E	252.88'	9°59'53\"

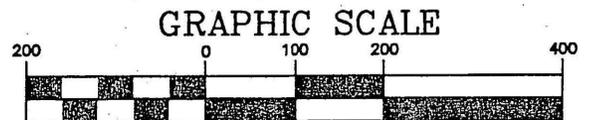
1/2" IRON ROD WITH A
 "VICKERY" CAP FOUND
 PT 62+82.59

NOTES

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LEGEND

- D.R. DEED RECORDS OF BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- 1/2" IRON ROD WITH A "CEC" PLASTIC CAP SET
- ⊙ MAG NAIL WITH A "CEC" WASHER SET
- 1/2" IRON ROD FOUND



(IN FEET)
 1 inch = 200 ft.

CEC JOB NO.: E0244100



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EXHIBIT OF
 S.W. 36th STREET EXTENSION
 RIGHT-OF-WAY
 25.17 ACRES

LOT 1, BLOCK 2
 NEW CITY BLOCK (N.C.B.) 12608,
 SAN ANTONIO, BEXAR COUNTY, TEXAS

DATE	10/27/09
JOB NUMBER	DMO 2004(424)ES
SHEET	13
OF	15

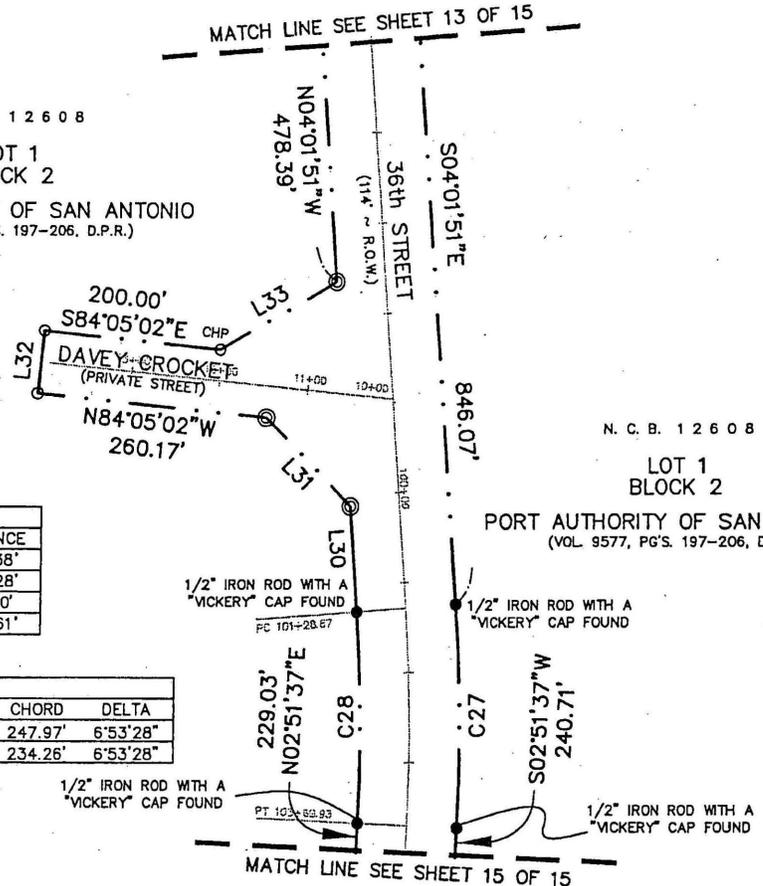
PARCEL NO.: 18520
 PROJECT NAME: 36th STREET EXTENSION
 OWNER'S NAME: PORT AUTHORITY OF SAN ANTONIO

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)

N. C. B. 12608
 LOT 1
 BLOCK 2
 PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-206, D.P.R.)

LINE TABLE		
LINE	BEARING	DISTANCE
L30	N04°01'51"W	117.38'
L31	N44°22'30"W	138.28'
L32	N05°54'58"E	70.00'
L33	N60°20'34"E	151.61'

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD BEARING	CHORD	DELTA
C27	248.12'	2063.00'	S00°35'07"E	247.97'	6°53'28"
C28	234.41'	1949.00'	N00°35'07"W	234.26'	6°53'28"



NOTES

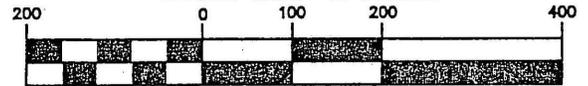
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- D.P.R. DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
- O.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS
- CHP CHISELED PLUS (SCRIBED)
- 1/2" IRON ROD WITH A "CEC" PLASTIC CAP SET
- ⊙ MAG NAIL WITH A "CEC" WASHER SET
- 1/2" IRON ROD FOUND



GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.

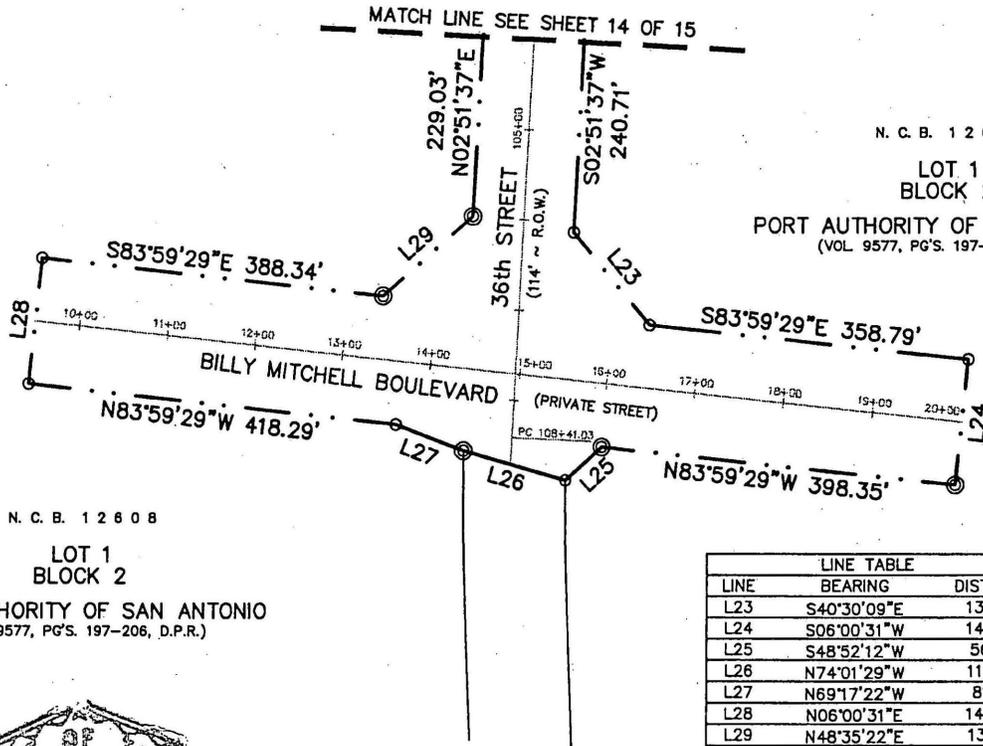
CEC JOB NO.: E0244100

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EXHIBIT OF
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 RIGHT-OF-WAY
 25.17 ACRES
 LOT 1, BLOCK 2
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 SAN ANTONIO, BEXAR COUNTY, TEXAS

DATE	10/27/09
JOB NUMBER	DMO 2004(424)ES
SHEET	14
OF	15

PARCEL NO.: 18520
 PROJECT NAME: 36th STREET EXTENSION
 OWNER'S NAME: PORT AUTHORITY OF SAN ANTONIO



N. C. B. 1 2 6 0 8

LOT 1
 BLOCK 2

PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-208, D.P.R.)

N. C. B. 1 2 6 0 8

LOT 1
 BLOCK 2

PORT AUTHORITY OF SAN ANTONIO
 (VOL. 9577, PG'S. 197-208, D.P.R.)

LINE TABLE		
LINE	BEARING	DISTANCE
L23	S40°30'09\"E	135.08'
L24	S06°00'31\"W	140.00'
L25	S48°52'12\"W	56.08'
L26	N74°01'29\"W	118.49'
L27	N69°17'22\"W	81.16'
L28	N06°00'31\"E	140.00'
L29	N48°35'22\"E	133.61'

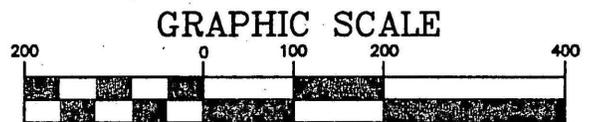


NOTES

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- 1/2" IRON ROD WITH A "CEC" PLASTIC CAP SET
- ⊙ MAG NAIL WITH A "CEC" WASHER SET
- 1/2" IRON ROD FOUND



(IN FEET)
 1 inch = 200 ft.

CEC JOB NO.: E0244100



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 RIGHT-OF-WAY
 25.17 ACRES
 LOT 1, BLOCK 2
 NEW CITY BLOCK (N.C.B.) 12608,
 SAN ANTONIO, BEXAR COUNTY, TEXAS

DATE	10/27/09
JOB NUMBER	DMO 2004(424)ES
SHEET	15
OF	15