

AN ORDINANCE 2011-06-02-0449

AN ORDINANCE CLOSING THAT PART OF SOUTH SAN JACINTO STREET CROSSING RAILROAD TRACKS ADJACENT TO NCB 2509 AND JUST SOUTH OF SALTILLO STREET TO ESTABLISH A QUIET ZONE LOCATED IN COUNCIL DISTRICT 5.

* * * * *

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 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. 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 affected right of way is identified below.

A segment of South San Jacinto Street described generally as that part of the street that crosses railroad tracks and is adjacent to NCB 2509.

SECTION 2. A picture of the subject right of way is set forth at **Attachment I**. The detailed description of the right-of-way subject to this ordinance 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.

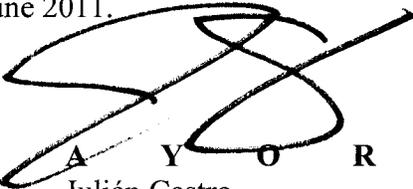
SECTION 3. This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, electric transmission and distribution lines, gas lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract. Neither does this ordinance give up any right arising other than from the plat or other document creating the street or alley. The City expressly reserves all rights not released.

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.

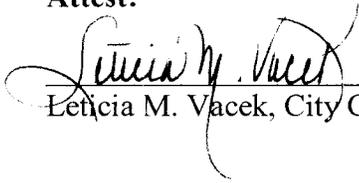
SECTION 5. The affected rights of way exist by easement. The underlying fee ownership of the affected rights of way by the adjacent lot owners is now unburdened by the rights closed, vacated, and abandoned. If the owners of the adjacent property replat, the replat does not impair the rights retained by City in the affected right of way.

SECTION 6. 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 2nd day of June 2011.

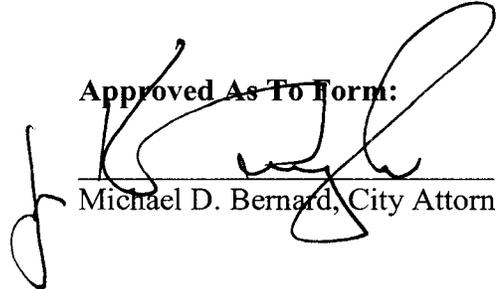

M A Y O R
Julián Castro

Attest:

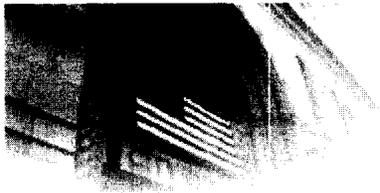


Leticia M. Vacek, City Clerk

Approved As To Form:

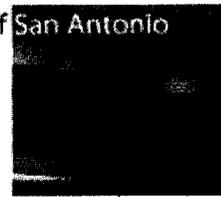


Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

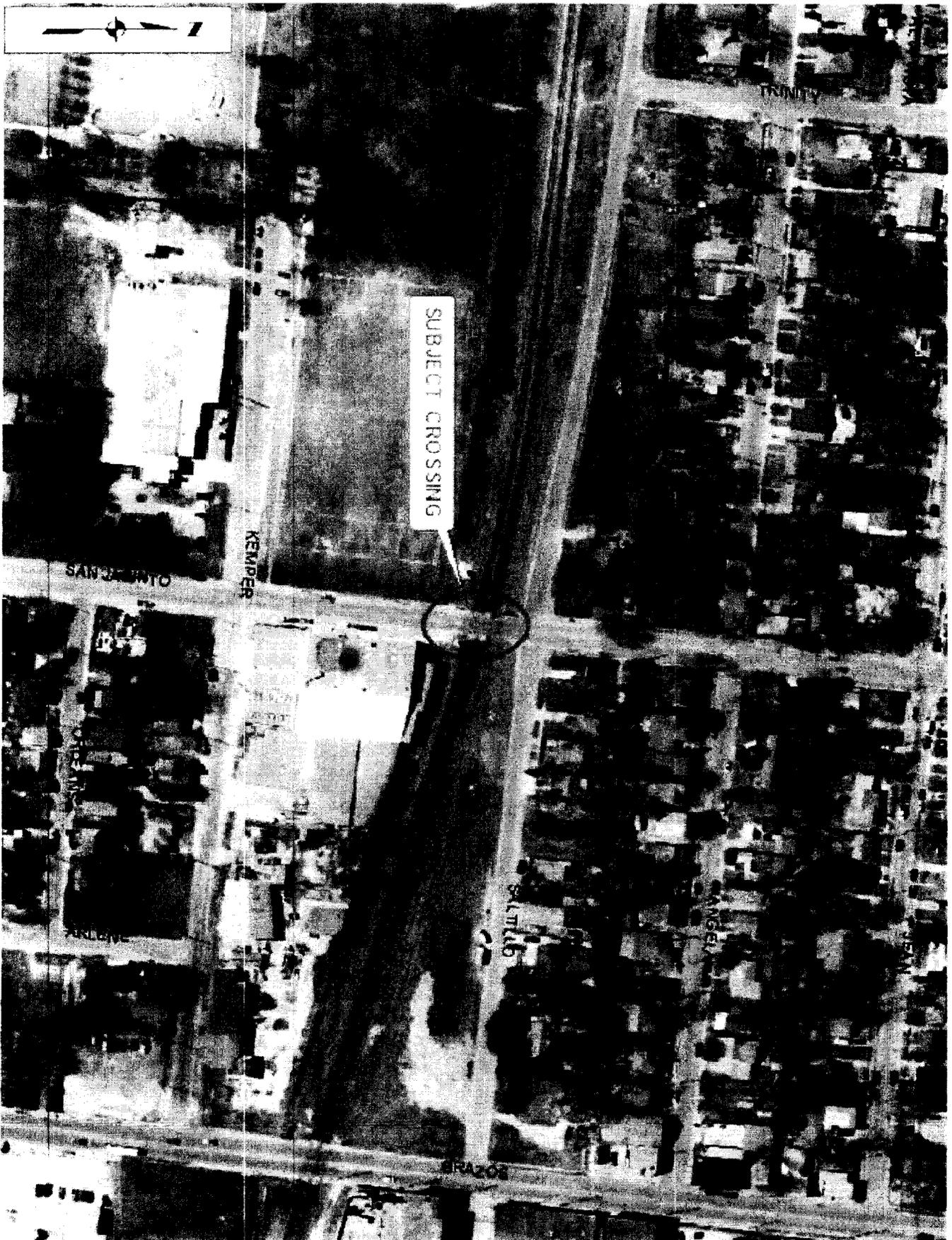
City of San Antonio



Agenda Voting Results - 25

Name:	6, 7, 8, 9, 11, 13, 14, 16, 18, 19, 20, 21, 25, 26, 28, 29A, 29B, 29C, 30, 31						
Date:	06/02/2011						
Time:	09:43:57 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the closure of a railroad crossing at South San Jacinto Street and Saltillo Street adjacent to NCB 2509 to establish a Quiet Zone located in Council District 5. [Sharon De La Garza, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Ivy R. Taylor	District 2		x				
Jennifer V. Ramos	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				x
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

Attachment I



Attachment II

0.125 ACRE TRACT
15451 SQ. FT.
111AN006.DWG

FN NO. 111AN006
February 22, 2011
JOB NO. 111AN006

FIELDNOTE DESCRIPTION TRACT 1

BEING A 0.125 ACRE TRACT OF LAND LYING NORTHWEST OF LOT 25, BLOCK B, N.C.P. 2510, SOUTHERN WOOL & SKIN COMPANY SUBDIVISION, RECORDED IN VOLUME 9524, PAGE 42, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING OUT OF THE UNION PACIFIC RAILROAD RIGHT OF WAY, SAID 0.125 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING, AT A POINT MARKING THE NORTHWEST CORNER OF SAID LOT 25 SITUATED AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF SAN JACINTO STREET WITH THE SOUTHERLY RIGHT OF WAY LINE OF THE UNION PACIFIC RAILROAD MARKING THE SOUTHEASTERLY CORNER AND THE **POINT OF BEGINNING** OF THIS TRACT;

THENCE, N 78° 20' 46" W, ALONG THE SOUTHERLY RIGHT OF LINE OF THE UNION PACIFIC RAILROAD AND ACROSS SAID SAN JACINTO STREET, A DISTANCE OF 56.52 FEET TO A POINT SITUATED ON THE EASTERLY LINE OF NCR 2509, THE WESTERLY RIGHT OF WAY LINE OF SAID SAN JACINTO STREET MARKING THE SOUTHWESTERLY CORNER OF THIS TRACT;

THENCE, N 06° 33' 36" E, INTO AND ACROSS SAID UNION PACIFIC RAILROAD RIGHT OF WAY, A DISTANCE OF 92.97 FEET TO POINT SITUATED ON THE SOUTHERLY RIGHT OF LINE OF SALTILLO STREET AND THE NORTHERLY RIGHT OF WAY LINE OF SAID UNION PACIFIC RAILROAD MARKING THE NORTHWESTERLY CORNER OF THIS TRACT;

THENCE, S 83° 41' 24" E, ALONG THE COMMON SOUTHERLY RIGHT OF LINE OF SALTILLO STREET AND THE NORTHERLY RIGHT OF WAY LINE OF SAID UNION PACIFIC RAILROAD, A DISTANCE OF 55.60 FEET TO A POINT MARKING THE NORTHEASTERLY CORNER OF THIS TRACT;

THENCE, S 06° 18' 36" W, INTO AND ACROSS SAID UNION PACIFIC RAILROAD, A DISTANCE OF 103.12 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 0.125 ACRES OF LAND, MORE OR LESS.

I, RICHARD A. GOODWIN, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

A SURVEY EXHIBIT WAS PREPARED ON THIS SAME DATE. BASIS OF BEARING IS NAD 83 TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE.



SHERWOOD SURVEYING, LLC
P.O. BOX 992
SPRING BRANCH, TEXAS 78070

RICHARD A. GOODWIN 02/22/11
R.P.L.S. #4069 STATE OF TEXAS

