

AN ORDINANCE 2011-10-06-0820

CLOSING, VACATING, AND ABANDONING A 0.426 ACRE PORTION OF MONTEREY STREET, BETWEEN SOUTH COMAL STREET AND SOUTH SALADO STREET LOCATED AT NCB 227 AND NCB 228 IN COUNCIL DISTRICT 5, AS REQUESTED BY BEXAR COUNTY, THE OTHERWISE APPLICABLE FEE OF \$55,303 TO BE WAIVED TO FACILITATE BEXAR COUNTY'S INITIATIVE TO EXPAND THE ADULT DETENTION CENTER.

* * * * *

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

SECTION 1. Subject to the reservation below, the City finds the right of way described in the following section 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. The affected right of way is identified below.

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. 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 in the affected right of way.

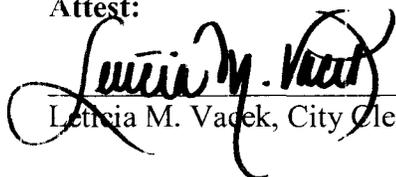
SECTION 6. There is no income in connection with this street closure. The otherwise applicable fee of \$55,303 is waived.

SECTION 7. 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.

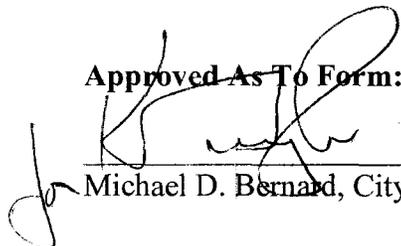
PASSED AND APPROVED this 6th day of October 2011.

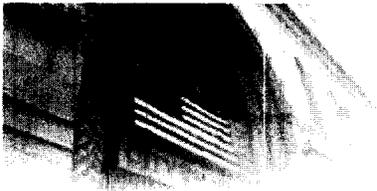

M A Y O R
Julián Castro

Attest:


Leticia M. Vacek, City Clerk

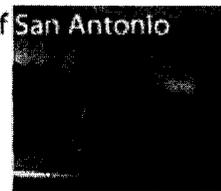
Approved As To Form:


Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 14A

| Name: | 4, 5, 6, 7, 8, 9, 10, 11A, 11B, 12, 13, 14A, 14B, 15, 16, 18A, 18B, 19, 20, 21, 22, 23, 24, 26, 27 | | | | | | |
|---------------------|--|-------------|-----|-----|---------|--------|--------|
| Date: | 10/06/2011 | | | | | | |
| Time: | 09:38:01 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance authorizing the closure, vacation and abandonment of a 0.426 acre portion of Monterey Street , between South Comal Street and South Salado Street located at NCB 227 and NCB 228, for a fee of \$55,303.00 which has been recommended to be waived. | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Julián Castro | Mayor | | x | | | | |
| Diego Bernal | District 1 | | x | | | | x |
| Ivy R. Taylor | District 2 | | x | | | | |
| Jennifer V. Ramos | District 3 | | x | | | 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 | | | | |
| Carlton Soules | District 10 | | x | | | | |

Attachment II

0.426 ACRES
(18,558 SQ. FT.)
010040850001EX2.DWG

FN NO.010040850001-3
DECEMBER 08, 2010
JOB NO. 010040850001.92

FIELD NOTE DESCRIPTION

0.426 ACRE TRACT OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF MONTEREY STREET (55.6' R.O.W.), FROM THE WESTERLY RIGHT OF WAY LINE OF SOUTH SALADO STREET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH COMAL STREET, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; SAID 0.426 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS WITH ALL BEARINGS BEING REFERENCED TO THE NORTH AMERICAN DATUM OF 1983, TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE:

BEGINNING, AT A FOUND ½ INCH IRON ROD, LOCATED ON THE NORTHERLY RIGHT OF WAY LINE OF MONTEREY STREET (55.6' R.O.W.), AND BEING THE POINT OF CURVATURE OF A CURVE TO THE RIGHT, AND THE SOUTHEASTERLY CORNER OF THE NORTHEASTERLY CURVE RETURN AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF MONTEREY STREET (55.6' R.O.W.), WITH THE EASTERLY RIGHT OF WAY LINE OF SOUTH COMAL STREET (VARIABLE R.O.W.);

THENCE, S 84° 18' 39" E, ALONG THE NORTHERLY LINE OF SAID MONTEREY STREET (55.6' R.O.W.), SAME BEING THE NORTHERLY LINE OF LOT 26, BLOCK 120, N.C.B. 227, TOUDOUZE WAREHOUSE SUBDIVISION, UNIT 1 AS DESCRIBED IN VOLUME 9505, PAGE 192 DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, A DISTANCE OF 324.41 FEET TO A FOUND ½ INCH IRON ROD WITH BPI CAP, FOR THE BEGINNING OF A CURVE TO THE LEFT;

THENCE, NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 90° 00' 00", AN ARC LENGTH OF 7.85 FEET AND A CHORD BEARING: N 50° 44' 07" E, A DISTANCE OF 7.07 FEET TO A FOUND ½ INCH IRON ROD WITH BPI CAP ON THE WESTERLY RIGHT OF WAY LINE OF SOUTH SALADO STREET (VARIABLE R.O.W.);

THENCE, S 05° 44' 07" W, CROSSING SAID MONTEREY STREET (55.6' R.O.W.), ALONG THE WESTERLY RIGHT OF WAY LINE OF SOUTH SALADO STREET (VARIABLE R.O.W.), A DISTANCE OF 60.60 FEET TO A FOUND ½ INCH IRON ROD WITH BPI CAP, AT THE INTERSECTION OF THE SOUTHERLY LINE OF MONTEREY STREET (55.6' R.O.W.) WITH THE WESTERLY LINE OF SOUTH SALADO STREET (VARIABLE R.O.W.), FOR THE NORTHEASTERLY CORNER

PAGE 2 OF 5

OF LOT 10, BLOCK 118, N.C.B. 228, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, (NOT A RECORDED SUBDIVISION);

THENCE, N 84° 18' 39" W, ALONG THE SOUTHERLY LINE OF SAID MONTEREY STREET (55.6' R.O.W.), SAME BEING THE NORTHERLY LINE OF LOTS 10 THROUGH 15, BLOCK 118, N.C.B. 228, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, (NOT A RECORDED SUBDIVISION), A DISTANCE OF 333.60 FEET TO A FOUND ¼ INCH IRON ROD WITH BPI CAP, AT THE INTERSECTION OF THE SOUTHERLY LINE OF MONTEREY STREET (55.6' R.O.W.) WITH THE EASTERLY LINE OF SOUTH COMAL STREET (VARIABLE R.O.W.), FOR THE NORTHWESTERLY CORNER OF SAID LOT 15;

THENCE, N 05° 44' 07" E, CROSSING SAID MONTERREY STREET (VARIABLE R.O.W.), ALONG THE EASTERLY RIGHT OF WAY LINE OF SOUTH COMAL STREET (VARIABLE R.O.W.), A DISTANCE OF 60.86 FEET TO A FOUND ¼ INCH IRON ROD WITH BPI CAP FOR THE BEGINNING OF A CURVE TO THE LEFT;

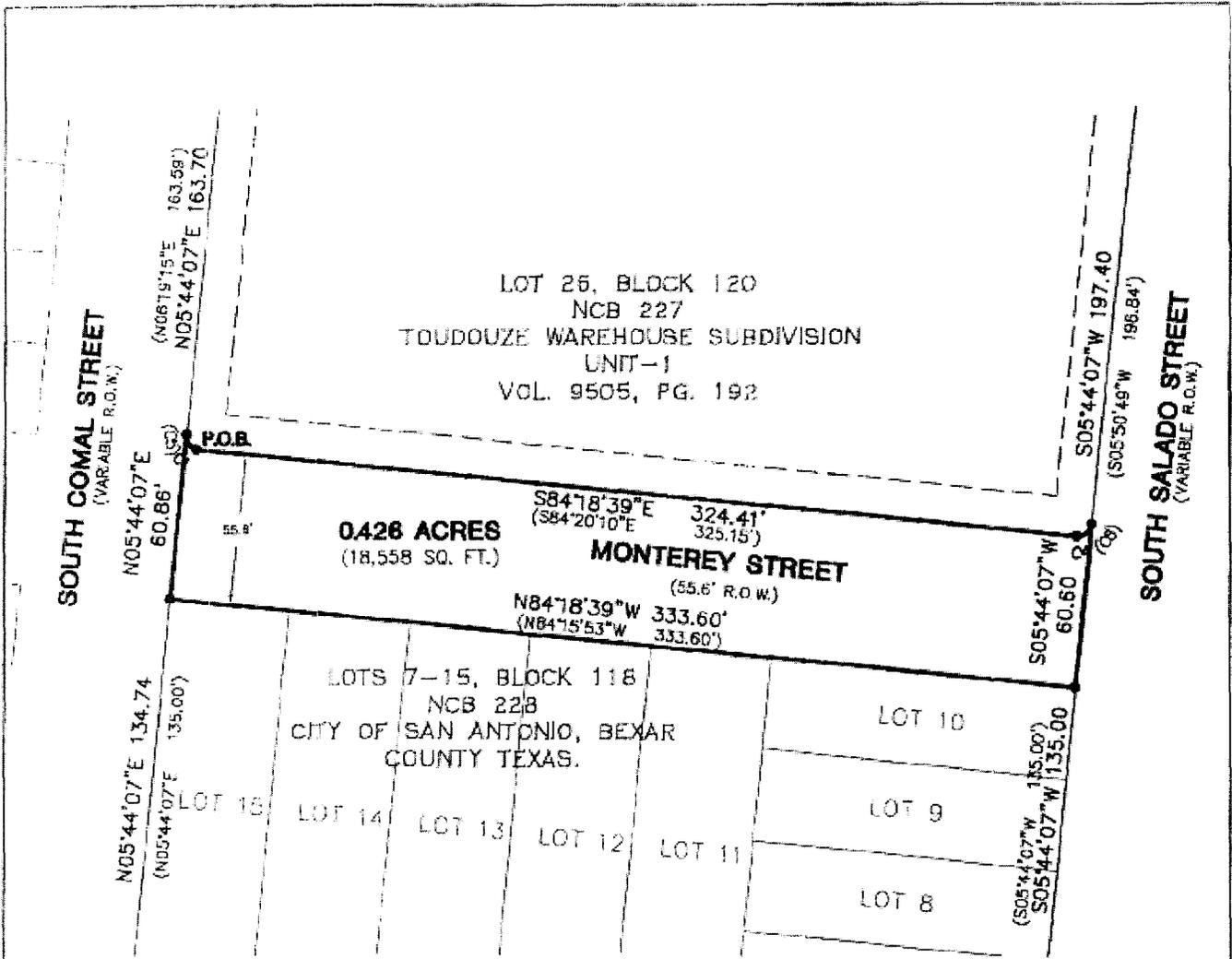
THENCE, SOUTHEASTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 5.00 FEET, A CENTRAL ANGLE OF 84° 31' 26", AN ARC LENGTH OF 7.38 FEET AND A CHORD BEARING: S 32° 47' 47" E, A DISTANCE OF 6.73 FEET TO THE **POINT OF BEGINNING**, CONTAINING AN AREA OF 0.426 ACRES (18,558 SQ. FT.) OF LAND, MORE OR LESS.

Hal B. Lane III

12/10/10

HAL B. LANE III
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4690
BURY & PARTNERS, INC.
ENGINEERS AND SURVEYORS
922 ISOM ROAD, SUITE #100
SAN ANTONIO, TEXAS 78216

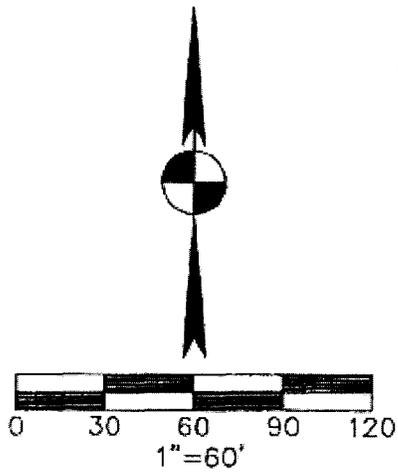




| CURVE TABLE | | | | | |
|-------------|-----------|--------|--------|-----------------|-------|
| CURVE | DELTA | RADIUS | LENGTH | CHORD DIRECTION | CHORD |
| C1 | 84°31'26" | 5.00 | 7.38 | N32°47'47"W | 6.73 |
| C4 | 90°00'00" | 5.00 | 7.85 | S50°44'07"W | 7.07 |
| (G5) | 90°42'38" | 5.00 | 7.92 | N39°00'28"W | 7.11 |
| (C8) | 89°43'27" | 5.00 | 7.83 | S50°45'19"W | 7.05 |

LEGEND

- 1/2" IRON ROD FOUND (UNLESS NOTED)
- 1/2" IRON ROD SET
- ⊙ IRON PIPE FOUND



| | | | | |
|---|--|-------------------------------|-----------------------|-----------------------------|
| <p>b Bury+Partners ENGINEERING SOLUTIONS 722 Loop Road, Suite 100 San Antonio, TX 78214 Tel. (210)925-9000 Fax (210)925-0589 Bury+Partners-S4, Inc. ©Copyright 2010 TSP Registration Number P-1344</p> | <p>SKETCH TO ACCOMPANY DESCRIPTION OF 0.426 ACRE TRACT OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, BEING A PORTION OF MONTERREY STREET (55.6' R.O.W.), FROM THE WESTERLY RIGHT OF WAY LINE OF SOUTH SALADO STREET TO THE EASTERLY RIGHT OF WAY LINE OF SOUTH COMAL STREET, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.</p> | <p>TOUDOUZE</p> | | |
| DATE: 12/08/10 | DRAWN BY: MAV | FILE: H:\100408-50002EX+2.DWG | FN NO. 100408-50002-3 | PROJECT No.-100408-50002.92 |