

2008-08-14-0692

AN ORDINANCE

**AUTHORIZING ACCEPTANCE OF A SIDEWALK  
EASEMENT ALONG BLUEMEL STREET FROM THE  
EPISCOPAL CHURCH CORPORATION IN WEST TEXAS IN  
CONNECTION WITH THE LAUREL HILLS AREA  
STREETS/BLUEMEL SIDEWALK PROJECT, COUNCIL  
DISTRICT 8.**

\* \* \* \* \*

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

**SECTION 1.** The City Manager and her designee, severally, are authorized and directed to accept on behalf of the City a gift of a sidewalk easement on the real property described in **Attachment I**, which is incorporated herein by reference for all purposes as if it were fully set forth. The City Manager and her designee, severally, are further authorized and directed to take all other actions reasonably necessary or convenient to effect the gift, including agreeing to the form of conveyance and executing and delivering ancillary documents and instruments conducive to effectuating the gift. Recordation of a deed in favor of the City is conclusive evidence of the City's acceptance of the property.

**SECTION 2.** The budget in SAP Fund 46097000, HUD 108 PROJECTS, SAP Project Definition 23-00219, Laurel Hills Area Streets, shall be revised by decreasing SAP WBS Element 23-00219-05-06 entitled Project Contingency, SAP GL account 5209010, by the amount of \$1,500.00.

**SECTION 3.** The budget in SAP Fund 46097000, HUD 108 PROJECTS, SAP Project Definition 23-00219, Laurel Hills Area Streets, shall be revised by increasing SAP WBS Element 23-00219-03-02-01 entitled Title, SAP GL account 5209010, by the amount of \$300.00 is authorized to be encumbered and made payable to Bexar County, for title fee services.

**SECTION 4.** The budget in SAP Fund 46097000, HUD 108 PROJECTS, SAP Project Definition 23-00219, Laurel Hills Area Streets, shall be revised by increasing SAP WBS Element 23-00219-03-02-02 entitled Appraisals, SAP GL account 5209010, by the amount of \$1,200.00 is authorized to be encumbered and made payable to Dugger, for appraisal services.

**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.** This ordinance becomes effective 10 days after passage.

**PASSED AND APPROVED** this 14<sup>th</sup> day of August 2008.

  
M A Y O R  
**PHIL HARDBERGER**

**Attest:**

  
City Clerk

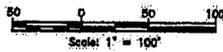
**Approved As To Form:**

  
City Attorney  
for KBJ



## Agenda Voting Results - 11

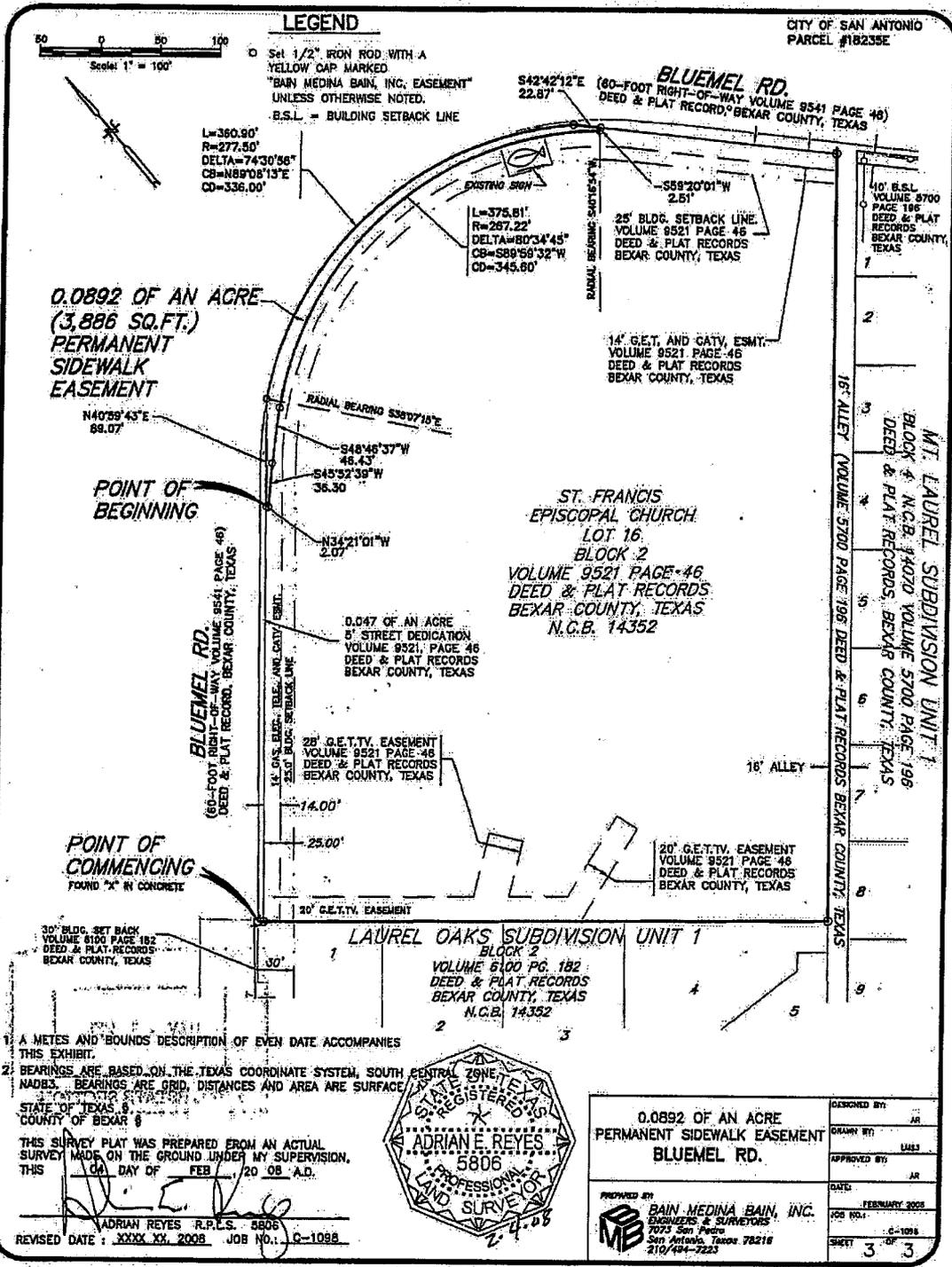
<b>Name:</b>	5, 6, 9, 11, 12, 13, 14, 15, 17, 24A, 24B, 25, 26, 27, 29A, 29B, 29C						
<b>Date:</b>	08/14/2008						
<b>Time:</b>	02:34:26 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance authorizing acceptance of a sidewalk easement along Bluemel Street from the Episcopal Church Corporation in West Texas in connection with the Laurel Hills Area Streets/Bluemel Sidewalk Project, Council District 8. [Penny Post oak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Phil Hardberger	Mayor		x				
Mary Alice P. Cisneros	District 1		x				x
Sheila D. McNeil	District 2	x					
Jennifer V. Ramos	District 3		x				
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Delicia Herrera	District 6	x					
Justin Rodriguez	District 7	x					
Diane G. Cibrian	District 8		x			x	
Louis E. Rowe	District 9		x				
John G. Clamp	District 10		x				



**LEGEND**

- Set 1/2" IRON ROD WITH A YELLOW CAP MARKED
- "BAIN MEDINA BAIN, INC. EASEMENT" UNLESS OTHERWISE NOTED.
- B.S.L. = BUILDING SETBACK LINE

CITY OF SAN ANTONIO  
PARCEL #18235E



1. A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.

2. BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE. NADEBS. BEARINGS ARE GRID. DISTANCES AND AREA ARE SURFACE.

STATE OF TEXAS,  
COUNTY OF BEXAR

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.  
THIS 04 DAY OF FEB, 2008 A.D.

*Adrian E. Reyes*  
ADRIAN REYES R.P.E.S. 5806  
REVISED DATE: XXXX XX, 2008 JOB NO.: C-1098



0.0892 OF AN ACRE  
PERMANENT SIDEWALK EASEMENT  
BLUEMEL RD.

DESIGNED BY: JR  
DRAWN BY: UMSJ  
APPROVED BY: JR

DATE: FEBRUARY 2008  
JOB NO.: C-1098  
SHEET 3 OF 3

PREPARED BY:  
**BAIN MEDINA BAIN, INC.**  
ENGINEERS & SURVEYORS  
7073 San Pedro  
San Antonio, Texas 78218  
210/494-2223

# Attachment I

## Exhibit A

### EXHIBIT "A"

City of San Antonio Parcel # 18235E

#### A Metes and Bounds Description of a 0.0892 of an Acre Permanent Pedestrian Easement

Being 0.0892 of an acre, (3,886 square foot), Permanent Pedestrian Easement, out of Lot 16, Block 2, Saint Francis Episcopal Church Subdivision recorded in Volume 9521, Page 46 of the Deed and Plat Records of Bexar County, Texas, NCB 14352, in the City of San Antonio, Bexar County, Texas, said easement being more particularly described as follows:

**COMMENCING:** At a found "X" marked in concrete within the right-of-way of Bluemel Road, (60-foot right-of-way, Volume 9521, Page 46, Deed and Plat Records, Bexar County, Texas), the west corner of a 0.047 of an acre 5 foot Street Dedication as shown in Volume 9521, Page 46 of the Deed and Plat Records of Bexar County, Texas, the north corner of Lot 1, Block 2 of the Laurel Oaks Subdivision, Unit-1 recorded in Volume 6100, Page 182 of the Deed and Plat Records of Bexar County, Texas;

**THENCE:** S 49°00'17" E, along and with the northeast line of the aforementioned Lot 1, Block 2 of the Laurel Oaks Subdivision, a distance of 5.00 feet to a point, on southwest right-of-way line of Bluemel Road, the west corner of Lot 16 of the aforementioned Saint Francis Episcopal Church Subdivision;

**THENCE:** along and with the southern right-of-way line of Bluemel Road the following courses and distances:

N 40°59'43" E, a distance of 340.72 feet to a set 1/2" iron rod with yellow cap stamped "B.M.B. Inc. Easement", the POINT OF BEGINNING of the herein described easement;

N 40°59'43" E, a distance of 89.07 feet to a set 1/2" iron rod with yellow cap stamped "B.M.B. Inc. Easement", the non-tangent beginning of a curve to the right whose radius point bears S 38°07'15" E a distance of 277.50 feet;

360.90 feet with the non-tangent curve to the right having a radius of 277.50 feet, a central angle of 74°30'56", and a chord bearing and distance of N 89°08'13" E, 336.00 feet, to a set 1/2" iron rod with yellow cap stamped "B.M.B. Inc. Easement", the non-tangent end of the curve;

S 42°42'12" E, a distance of 22.87 feet to a set 1/2" iron rod with yellow cap stamped "B.M.B. Inc. Easement" for the east corner of the herein described easement;

**THENCE:** S 59°20'01" W, departing the southwest right-of-way line of Bluemel Road a distance of 2.51 feet to a set 1/2" iron rod with yellow cap stamped "B.M.B. Inc. Easement" for the south corner of the herein described easement, the non-tangent beginning of a curve to the left whose radius point bears S 40°16'54" W a distance of 267.22 feet;

**THENCE:** 375.81 feet with the curve to the left having a radius of 267.22 feet, a central angle of 80°34'45", and a chord bearing and distance of S 89°59'32" W, 345.60 feet, to a set 1/2" iron rod with yellow cap stamped "B.M.B. Inc. Easement", the end of the curve;

City of San Antonio Parcel # 18235E

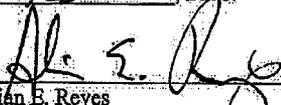
- THENCE: S 48°46'37" W, a distance of 46.43 feet to a set ½" iron rod with yellow cap stamped "B.M.B. Inc. Easement", an angle of the herein described easement;
- THENCE: S 45°52'39" W, a distance of 36.30 feet to a set ½" iron rod with yellow cap stamped "B.M.B. Inc. Easement", the south corner of the herein described easement;
- THENCE: N 34°21'01" W, a distance of 2.07 to the POINT OF BEGINNING containing 0.0892 of an acre more or less, said easement being described in accordance with a survey made on the ground under my supervision and prepared by Bain Medina Bain, Inc.

Bearings are based on the Texas Coordinate System, South Central Zone, NAD83.  
Bearings are grid, distances and area are surface.

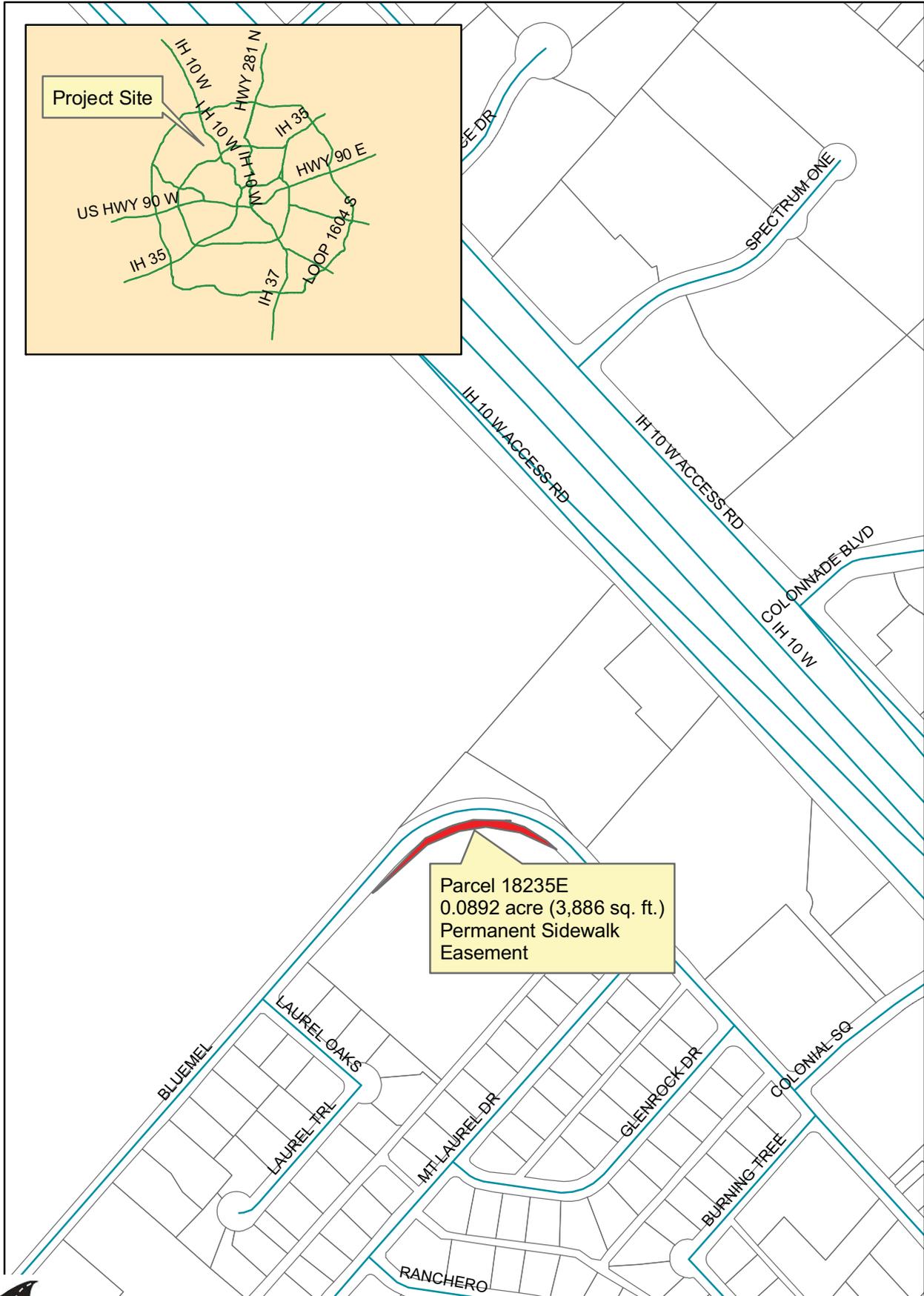
A plat of even date accompanies this metes and bounds description.

Surveyed on the ground 4th day of Feb, 2008.



  
Adrian E. Reyes  
Registered Professional Land Surveyor  
Texas Registration No. 5806

# Laurel Hills Area Streets Project



Not To Scale





**CITY OF SAN ANTONIO**  
**Request for Council Action**

Agenda Item # 11  
Council Meeting Date: 8/14/2008  
RFCA Tracking No: R-3614

---

**DEPARTMENT:** Capital Improvements  
Management Services

**DEPARTMENT HEAD:** Mike Frisbie

**COUNCIL DISTRICT(S) IMPACTED:**  
Council District 8

**SUBJECT:**  
Laurel Hills Area Streets public sidewalk dedication

**SUMMARY:**

This ordinance authorizes the City's acceptance of a Permanent Easement for Public Sidewalk from the Episcopal Church Corporation in West Texas in connection with the Laurel Hills Area Streets/Bluemel Sidewalk Project. This is a Housing & Urban Development (HUD) Section 108 Loan Program project that is located in City Council District 8.

**BACKGROUND INFORMATION:**

The scope of this project was to construct sidewalks along the south side of Bluemel from Gardendale to Mt. Laurel and replace driveways and construct retaining walls as required. The Permanent Easement is being dedicated to the City and to the public generally in connection with the pedestrian sidewalk that has been constructed within the Permanent Easement and the existing City Right-of-Way. The Grantor conveying the Dedication Easement to the City is the Corporation for Saint Francis Episcopal Church located at 4242 Bluemel Road.

The Permanent Easement to be dedicated is legally described as follows:

A 0.0892 acre tract, more or less, out of Lot 16, Block 2, NCB 14352. The appraised value for the Permanent Sidewalk Easement is \$2,700.00.

**ISSUE:**

This Permanent Easement acquisition is necessary as part of the HUD 108 Program and completes the Laurel Hills Area Streets Project.

Approval of this ordinance will be a continuation of the City Council policy to complete previously approved HUD 108 Loan Program funded projects.

**ALTERNATIVES:**

Other options have been considered and financially, it is in the City's best interest to accept the Public Sidewalk Dedication in connection with this project as the sidewalk has been constructed.

**FISCAL IMPACT:**

This is a one time expenditure of the listed items and is available from the Project Construction Contingency.

<b>Item</b>	<b>Amount</b>
Appraisal fee to Dugger Canaday & Grafe	\$1,200.00
Title and filing fees to Lawyers Title	\$300.00
<b>Total</b>	<b>\$1,500.00</b>

**RECOMMENDATION:**

Staff recommends approval of this Ordinance accepting the Public sidewalk Easement Dedication.

**ATTACHMENT(S):**

File Description	File Name
<a href="#">Map of Laurel Hills Area Streets</a>	Laurel Hills Area Streets.pdf
<a href="#">Public Sidewalk Easement Dedication</a>	Public Sidewalk Easement Dedication.pdf
<a href="#">Fiscal Impact Sheet</a>	fiscal impact sheet.pdf
<a href="#">Voting Results</a>	
<a href="#">Ordinance/Supplemental Documents</a>	200808140692.pdf

**DEPARTMENT HEAD AUTHORIZATIONS:**

Debbie Sittre Assistant Director Capital Improvements Management Services

**APPROVED FOR COUNCIL CONSIDERATION:**

Penny Post oak Ferguson Assistant City Manager