LEF:mb
03/12/15
Item No. 16.

AN ORDINANCE 2015-03-12-0189

FOR THE CUPPLES ROAD (MERIDA ST. TO CASTROVILLE RD.) PROJECT, A 2012-2017 BOND PROJECT, LOCATED IN COUNCIL DISTRICT 5, AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION, OF APPROXIMATELY 0.1894 ACRES FOR INTERESTS IN LAND SUFFICIENT FOR PROJECT PURPOSES IN A PORTION OF FIVE PARCELS OF PRIVATELY-OWNED REAL PROPERTY LOCATED IN NCBS 9564, 9563, 3686 AND 3685 AND DECLARING IT TO BE A PUBLIC USE PROJECT FOR THE ACQUISITION AND AUTHORIZING EXPENDITURES NOT TO EXCEED $191,500.00, PAYABLE TO THE SELECTED TITLE COMPANY, FOR LAND, RELOCATION, LITIGATION EXPENSES AND ASSOCIATED TITLE FEES.

* * * * *

WHEREAS, the City of San Antonio ("City") desires to acquire right-of-way easement interests of privately owned real property in Council District 5 as part of the Cupples Road (Merida to Castroville Road) Project; and

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

WHEREAS, it is necessary to obtain and acquire right-of-way easement interests of privately owned real property as part of the Project as further described in SECTION 2 below; and

WHEREAS, the acquisitions will be used for the reconstruction and widening of Cupples Road from Merida to Castroville Road, including curbs, sidewalks, driveway approaches, and traffic and drainage improvements; and

WHEREAS, funds for the property acquisitions are available from previously authorized 2012-2017 Bond Program funds, and are included in the FY 2015-FY 2020 Capital Improvement Program; **NOW THEREFORE,**

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

SECTION 1. A public use and necessity is hereby declared for the City of San Antonio to acquire right-of-way easement interest of privately owned real property in Council District 5, by negotiation or condemnation, as part of the Cupples Road (Merida to Castroville Road) Project of approximately 0.1894 acres in a portion of five parcels as described below:

Parcel Number	Legal Description
19145	0.010 acres (435 sq. ft) out of Lot 2, Block 25, New City Block 9564, Mazzurana Addition
19147	0.0271 acres (1,181 sq. ft) out of Lot 1, New City Block 9563, Mazzurana Addition
19167	0.020 acres (873 sq. ft) out of Lot 22, Block 23, New City Block 3686, Edgewood Addition
19171	0.0488 acres (2,125 sq. ft) out of remaining portion of Lot 10, Block 22, New City Block 3685, Edgewood Addition
19172	0.0835 acres (3,637 sq. ft) out of a 2.88 acre tract and being out of Lot 47, Block 22, New City Block 3686, Edgewood Addition

The Project is depicted in **Exhibit A** and more particularly described by metes and bounds in **Exhibits B through F** and incorporated herein for all purposes. Collectively, the properties may be referred to as the "Property."

SECTION 2. The City Manager, or her designee, is hereby authorized to direct the City Attorney to institute and prosecute to conclusion all necessary proceedings to condemn such properties if the City of San Antonio is unable to acquire through negotiation by reason of its inability to agree with the owners thereof as to the value of such property, or for any other reason, and to take any other legal action deemed necessary by the City Attorney to accomplish these purposes.

SECTION 3. Payment in the amount not to exceed $191.500.00 in SAP Fund 45099000, General Obligation Capital Project, SAP Project Definition 40-00295, Cupples Rd (Merida St to Castroville Rd), is authorized to be encumbered and made payable to the selected title company for land, relocation, litigation expenses and associated title fees; the acquisition of five parcels of privately owned real property located in NCB 9564, 9563, 3686 and 3685 in Council District 5 in Bexar County, Texas.

SECTION 4. 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 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(s) of the respective parcels for the acquisition of the Property at fair market value, to execute sales agreements purchasing the property from the owners as the owners are 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 the Property from whomever holds legal and

equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 6. In the event that the City negotiations fail and staff is unable to acquire one or more parcels 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 upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED and **APPROVED** this 12th day of March, 2015.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

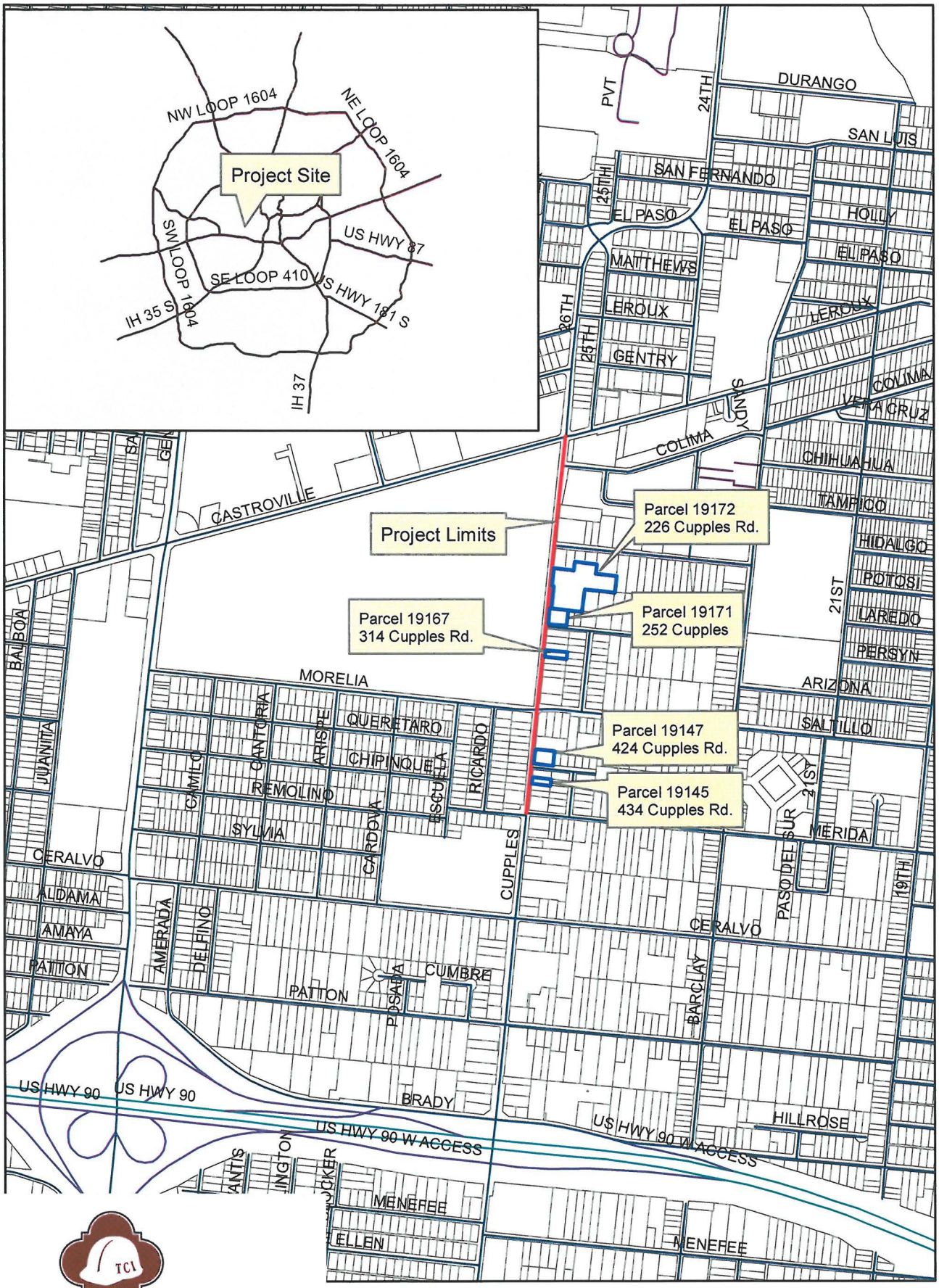
for Martha G. Sepeda, Acting City Attorney

Agenda Item:	**16**
Date:	03/12/2015
Time:	10:17:02 AM
Vote Type:	Motion to Approve
Description:	An Ordinance for the Cupples Road (Merida St. to Castroville Rd.) Project, a 2012-2017 Bond Program-funded project, located in Council District 5; authorizing the acquisition, through negotiation or condemnation, of approximately 0.1894 acres for interests in land sufficient for project purposes in a portion of five parcels of privately-owned real property located in NCBs 9564, 9563, 3686 and 3685; and declaring it to be a public use project for the acquisition and authorizing expenditures not to exceed $191,500.00, payable to the selected title company, for land, relocation, litigation expenses and associated title fees. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Trevino	District 1		x				
Alan Warrick	District 2	x					
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x			x	
Ray Lopez	District 6	x					
Cris Medina	District 7		x				x
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

Cupples Road (Merida St. to Castroville Rd.)

Council District 5



CITY OF SAN ANTONIO
TRANSPORTATION & CAPITAL IMPROVEMENTS

EXHIBIT "A"

THE STATE OF TEXAS:
COUNTY OF BEXAR:

Project Name: Cupples Road
Project Number: 40-00295
Owner Name: Gregory Delgado

Parcel No: 19145

BEING 0.0100 OF AN ACRE (435 SQ. FT.) OF LAND, OUT OF LOT 2, BLOCK 25, NEW CITY BLOCK 9564, MAZZURANA ADDITION AS RECORDED IN VOLUME 2575, PAGE 224 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AS CONVEYED TO GREGORY DELGADO IN QUITCLAIM DEED, RECORDED SEPTEMBER 25TH, 2006, IN VOLUME 12411, PAGE 901 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", (N: 13,699,675.05; E: 2,112,948.25), at the intersection of the proposed east Right-of-Way line of Cupples Road, with the south line of said Lot 2 and the north line of Lot 3 of said Mazzurana Addition, for the southeast corner of the herein described parcel, from said point a calculated point for the southeast corner of said Lot 2, bears S. 83°56'10" E., 130.58 feet;

THENCE, North 83°56'10" West, 9.00 feet, with the south line of said Lot 2 and the north line of said Lot 3, to a point, in the existing east Right-of-Way line of Cupples Road (40' Right of Way), recorded in Volume 190, Page 393 of the Deed Records of Bexar County, Texas, for the northwest corner of said Lot 3 and the southwest corner of said Lot 2 of said Mazzurana Addition, and the southwest corner of the herein described parcel;

THENCE, North 05°52'21" East, 48.29 feet, with the existing east Right-of-Way line of Cupples Road and the west line of said Lot 2, to a point, for the northwest corner of said Lot 2 and the southwest corner of Lot 1 of said Mazzurana Addition, and the northwest corner of the herein described parcel;

THENCE, South 83°56'10" East, 9.00 feet, leaving the existing east Right-of-Way line of Cupples Road, with the north line of said Lot 2 and the south line of said Lot 1, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the proposed east Right of Way line of Cupples Road, for the northeast corner of the herein described parcel;

THENCE, South 05°52'21" West, 48.29 feet, leaving the south line of said Lot 1 and crossing said Lot 2 with the proposed east Right of Way line of Cupples Road, to the **POINT OF BEGINNING** and containing 0.0100 of an acre (435 sq. ft.) of land more or less.

EXHIIBIT "B"

Tract	Acreage
Parent Tract	0.1488 Acres Calculated
Parcel 19145	0.0100 Acres
Remainder	0.1388 Acres Calculated

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 21st, day of January, 2014.
Plat Prepared by Bain Medina Bain, Inc.

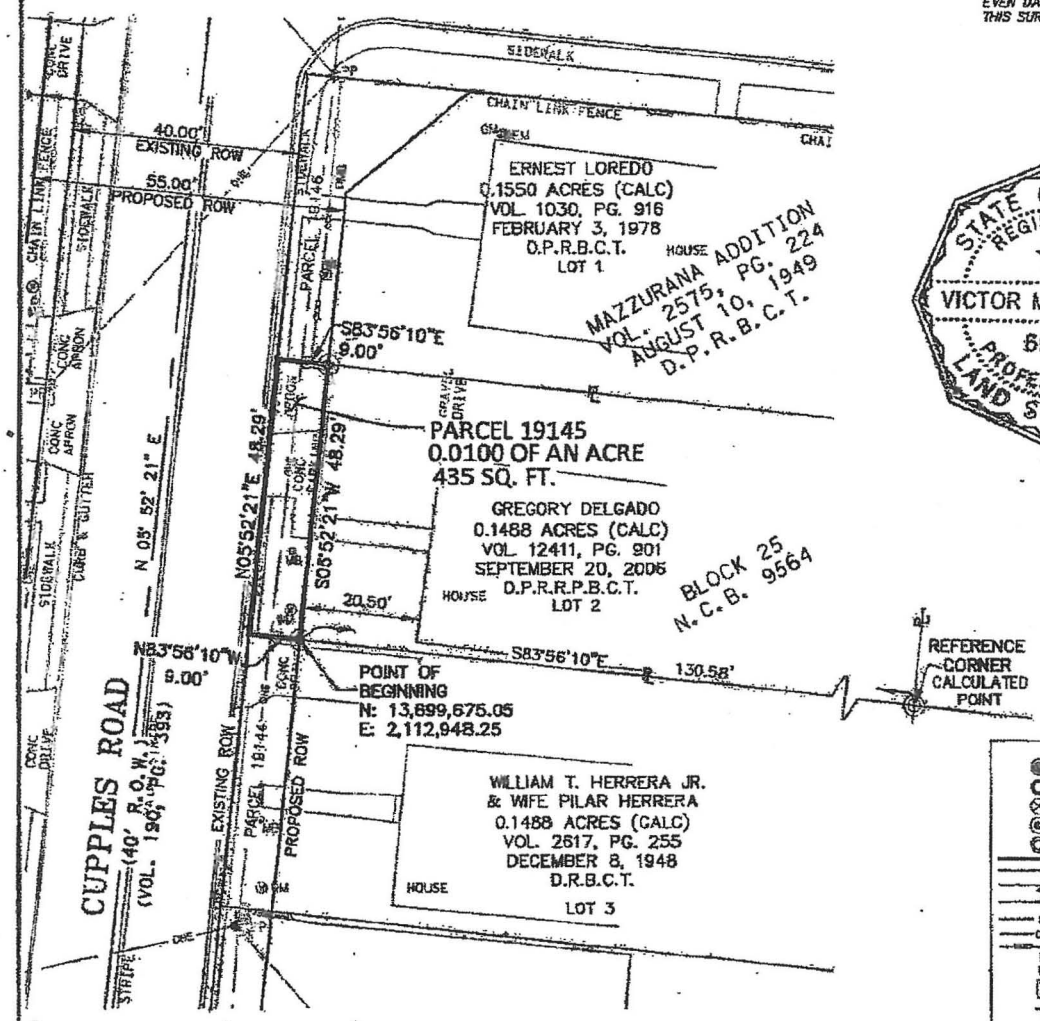
STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

Victor Mendez Jr. R.P.L.S. 6056

REMAINDER TABLE		
EXISTING	TAKING	REMAINDER
0.1488 Ac.	0.0100 Ac.	0.1388 Ac.
(CALC)		(CALC)

BEARING SOURCE:
NAD 83/93 SOUTH CENTRAL ZONE
SURFACE COORDINATES
SCALE FACTOR: 1.09017

NOTES:
A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.



STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

SCALE: 1" = 30'

LEGEND

- FOUND IRON ROD
- FOUND IRON PIPE
- "X" IN CONCRETE
- SET 1/2" IRON ROD W/ ORANGE PLASTIC CAP "BMB"
- CALCULATED POINT
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE/SAME OWNER
- PROPERTY LINE
- HV — HIGH VOLTAGE TRANSMISSION LINE
- OHE — OVERHEAD ELECTRIC
- CHAINLINK FENCE
- MB — MAILBOX
- PP — POWER POLE
- HIGH VOLTAGE TRANSMISSION POLE
- SIGN
- LP — LIGHT POST
- FH — FIRE HYDRANT
- WM — WATER METER
- WV — WATER VALVE
- WASTEWATER MANHOLE
- GV — GAS VALVE

O.P.R.B.C.T.=OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
D.P.R.B.C.T.=DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS
D.R.B.C.T.=DEED RECORDS OF BEXAR COUNTY, TEXAS

PLAT SHOWING:

BEING 0.0100 OF AN ACRE (435 SQ. FT.) OF LAND, OUT OF LOT 2, BLOCK 25, NEW CITY BLOCK 9564, MAZZURANA ADDITION AS RECORDED IN VOLUME 2575, PAGE 224 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AS CONVEYED TO GREGORY DELGADO IN QUITCLAIM DEED, RECORDED SEPTEMBER 25TH, 2006, IN VOLUME 12411, PAGE 901 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY.

STATE OF TEXAS
GUADALUPE COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 21 DAY OF JANUARY 2014 A.D.

VICTOR MENDEZ, JR. RPLS# 6056

PREPARED BY:
BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223
TBPE Registration No. F-1712
TBPLS Registration No. 10020900

DRAWN BY: RDA	CoSA-CUPPLES ROAD MERIDA TO CASTROVILLE	PAGE: 3 OF 3
JOB No.: C-1349	PLAT OF PARCEL 19145	SURVEY DATE: 01-21-2014
PROJECT: CUPPLES RD.		
PROJECT No: 40-00295		
DOC. TYPE:		
OWNER: GREGORY DELGADO		

Parcel name: PARCEL 19145

North: 13699675.0452 East : 2112948.2524
Line Course: N 83-56-10 W Length: 9.00
North: 13699675.9959 East : 2112939.3028
Line Course: N 05-52-21 E Length: 48.29
North: 13699724.0325 East : 2112944.2436
Line Course: S 83-56-10 E Length: 9.00
North: 13699723.0818 East : 2112953.1932
Line Course: S 05-52-21 W Length: 48.29
North: 13699675.0452 East : 2112948.2524

Perimeter: 114.58 Area: 435 sq. ft. 0.0100 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0000 Course: S 90-00-00 E
Error North: 0.00000 East : 0.00000
Precision 1: 114,580,000.00

THE STATE OF TEXAS:
COUNTY OF BEXAR:

Project Name: Cupples Road
Project Number: 40-00295
Owner Name: Marie Elena Rubio

Parcel No: 19147

BEING 0.0271 OF AN ACRE (1,181 SQ. FT.) OF LAND, OUT OF LOT 1, NEW CITY BLOCK 9563, MAZZURANA ADDITION AS RECORDED IN VOLUME 2575, PAGE 224 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AS CONVEYED TO MARIA ELENA RUBIO, ALONG WITH LOT 2 OF SAID MAZZURANA ADDITION (0.4995 OF AN ACRE, LOTS 1 AND 2 CALCULATED), RECORDED DECEMBER 21ST, 2004, IN VOLUME 11138, PAGE 1032 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", (N: 13,699,820.52; E: 2,112,983.32), at the intersection of the proposed east Right-of-Way line of Cupples Road and the existing north Right of Way line of Rocco Street, a 50 foot Right of Way, as shown on said Mazzurana Addition plat, in the south line of said Lot 1, for the southeast corner of the herein described parcel, from said point, a calculated point for the southeast corner of said Lot 1, bears S. 84°07'21" E., 115.25 feet;

THENCE, North 84°07'21" West, 29.00 feet, with the existing north Right of Way line of said Rocco Street, the south line of said Lot 1, to a point, for the southwest corner of said Lot 1 and the southwest corner of the herein described parcel, at the intersection of the existing east Right-of-Way line of Cupples Road and the existing north Right of Way line of Rocco Street;

THENCE, North 05°52'21" East, 108.93 feet, with the existing east Right-of-Way line of Cupples Road and the west line of said Lot 1, to a point; for the northwest corner of said Lot 1, the southwest corner of Lot 47, Block 25, City Block 3688, Edgewood Addition, as shown in Volume 642, Page 219 of the Deed and Plat Records of Bexar County, Texas, the northwest corner of the herein described parcel;

THENCE, South 84°24'28" East, 9.00 feet, with the south line of said Lot 47 and the north line of said Lot 1, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the proposed east Right-of-Way line of Cupples Road, for the northeast corner of the herein described parcel;

THENCE, South 05°52'21" West, 88.98 feet, crossing said Lot 1 with the proposed east Right of Way line of Cupples Road, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the proposed east Right of Way line of Cupples Road, for an interior corner of the herein described parcel;

THENCE, South 39°07'26" East, 28.29 feet, continuing across said Lot 1 with the proposed east Right of Way line of Cupples Road, to the **POINT OF BEGINNING** and containing 0.0271 of an acre (1,181 sq. ft.) of land more or less.

EXHIBIT "C"

Tract	Acreage
Parent Tract	0.4955 Acres Calculated
Parcel 19147	0.0271 Acres
Remainder	0.4684 Acres Calculated

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 21st, day of January, 2014.
Plat Prepared by Bain Medina Bain, Inc.

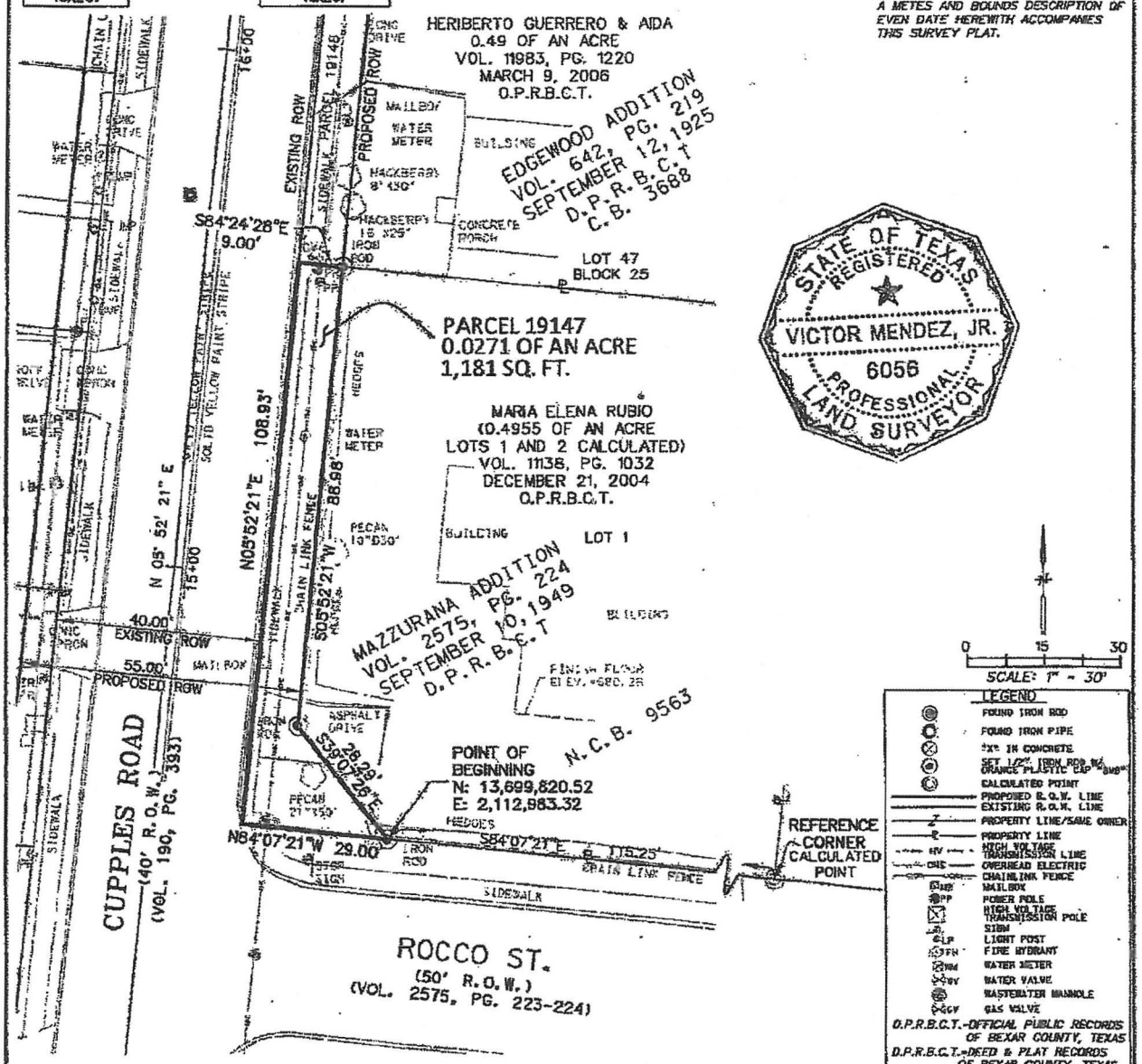
Victor Mendez, Jr. R.P.L.S. 6056

STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

REMAINDER TABLE		
EXISTING	TAKING	REMAINDER
0.4955 Ac.	0.0271 Ac.	0.4684 Ac.
(CALC)		(CALC)

BEARING SOURCE:
NAD 83/93 SOUTH CENTRAL ZONE
SURFACE COORDINATES
SCALE FACTOR: 1.00017

NOTES:
A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.



STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

PLAT SHOWING:

BEING 0.0271 OF AN ACRE (1,181 SQ. FT.) OF LAND, OUT OF LOT 1, NEW CITY BLOCK 9563, MAZZURANA ADDITION AS RECORDED IN VOLUME 2575, PAGE 224 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AS CONVEYED TO MARIA ELENA RUBIO, ALONG WITH LOT 2 OF SAID MAZZURANA ADDITION (0.4995 OF AN ACRE, LOTS 1 AND 2 CALCULATED), RECORDED DECEMBER 21ST, 2004, IN VOLUME 11138, PAGE 1032 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS:

STATE OF TEXAS
GUADALUPE COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 12TH DAY OF MAY 2014 A.D.

VICTOR MENDEZ, JR. RPLS# 6056

PREPARED BY:
BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223
TBPE Registration No. F-1712
TBPLS Registration No. 10020900

DRAWN BY:	CoSA-CUPPLES ROAD MERIDA TO CASTROVILLE	PAGE: 3 OF 3
JOB No.: Q-1349	PLAT OF PARCEL 19147	SURVEY DATE: 4
PROJECT: CUPPLES RD.		
PROJECT No: 40-00295		
DOC. TYPE:		
OWNER: MARIA ELENA RUBIO		

Parcel name: PARCEL 19147

North: 13699820.5212 East : 2112983.3211
Line Course: N 84-07-21 W Length: 29.00
North: 13699823.4908 East : 2112954.4735
Line Course: N 05-52-21 E Length: 108.93
North: 13699931.8492 East : 2112965.6187
Line Course: S 84-24-28 E Length: 9.00
North: 13699930.9721 East : 2112974.5759
Line Course: S 05-52-21 W Length: 88.98
North: 13699842.4591 East : 2112965.4719
Line Course: S 39-07-26 E Length: 28.29
North: 13699820.5122 East : 2112983.3228

Perimeter: 264.19 Area: 1,181 sq.ft. 0.0271 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0092 Course: S 11-09-43 E
Error North: -0.00898 East : 0.00177
Precision 1: 28,717.39

THE STATE OF TEXAS:
COUNTY OF BEXAR:

Project Name: Cupples Road
Project Number: 40-00295
Owner Name: Alfred C. Ochoa, Jr. and wife, Esther Ochoa

Parcel No: 19167

BEING 0.0200 OF AN ACRE (873 SQ. FT.) OF LAND, OUT OF LOT 22, BLOCK 23, NEW CITY BLOCK 3686, EDGEWOOD ADDITION RECORDED IN VOLUME 2805, PAGE 66 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND CONVEYED TO ALFRED C. OCHOA, JR. AND WIFE, ESTHER OCHOA IN WARRANTY DEED, RECORDED JUNE 7TH, 1982, IN VOLUME 2599, PAGE 1669 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", (N: 13,700,664.88; E: 2,113,058.61), in the proposed east Right of Way line of Cupples Road and the north line of said Lot 22 and the south line of Lot 21, Block 23, as shown on said plat of Edgewood Addition, for the northeast corner of the herein described parcel, from said point a found iron pipe for the northeast corner of said Lot 22 and the southeast corner of said Lot 21, bears S. 84°00'39" E., 148.38 feet;

THENCE, S. 05°52'21" W., 49.88 feet, leaving the south line of said Lot 21 and crossing said Lot 22, with the proposed east Right of Way line of Cupples Road, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the south line of said Lot 22 and the north line of Lot 23, Block 23 shown on said plat of Edgewood Addition, for the southeast corner of the herein described parcel;

THENCE, N. 84°00'39" W., 17.50 feet, leaving the proposed east Right of Way line of Cupples Road, with the south line of said Lot 22 and the north line of said Lot 23, to a point, in the existing east Right of Way line of Cupples (40'Right of Way) recorded in Volume 190, Page 393 of the Deed Records of Bexar County, for the northwest corner of said Lot 23 and the southwest corner of said Lot 22 and the southwest corner of the herein described parcel;

THENCE, N. 05°52'21" E., 49.88 feet, (50.00 feet Plat) with the west line of said Lot 22 and the existing east Right of Way line of Cupples Road, to a point, for the southwest corner of said Lot 21 and the northwest corner of said Lot 22 and the northwest corner of the herein described parcel;

THENCE, S. 84°00'39" E., 17.50 feet, leaving the existing east Right of Way line of Cupples Road, with the north line of said Lot 22 and the south line of said Lot 21, to the Point of Beginning and containing 0.0200 of an acre (873 sq. ft.) of land more or less.

EXHIBIT "D"

Tract	Acreage
Parent Tract	0.1839 Acres (Plat)
Parcel 19167	0.0200 Acres
Remainder	0.1639 Acres

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 21st, day of January, 2014.
Plat Prepared by Bain Medina Bain, Inc.

Revised: 29 May, 2014

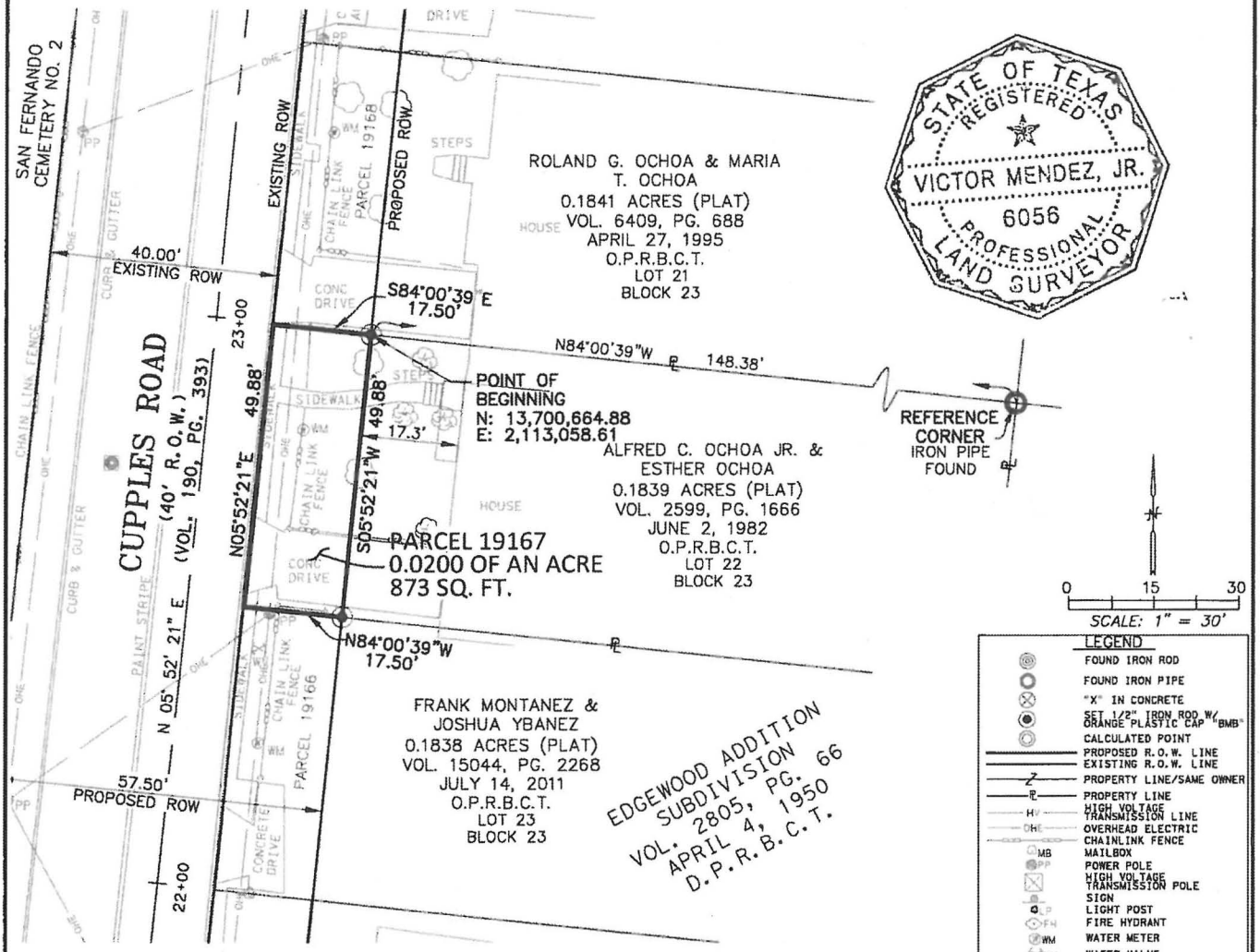
STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

Victor Mendez Jr. R.P.L.S. 6056

REMAINDER TABLE		
EXISTING	TAKING	REMAINDER
0.1839 Ac.	0.0200 Ac.	0.1639 Ac.
(PLAT)		(PLAT)

BEARING SOURCE:
NAD 83/93 SOUTH CENTRAL ZONE SURFACE COORDINATES SCALE FACTOR: 1.00017

NOTES:
A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.



LEGEND

- FOUND IRON ROD
- FOUND IRON PIPE
- "X" IN CONCRETE
- SET 1/2" IRON ROD W/ ORANGE PLASTIC CAP "BMB"
- CALCULATED POINT
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE/SAME OWNER
- PROPERTY LINE
- HIGH VOLTAGE TRANSMISSION LINE
- OVERHEAD ELECTRIC
- CHAINLINK FENCE
- MB MAILBOX
- PP POWER POLE
- HIGH VOLTAGE TRANSMISSION POLE
- SIGN
- LP LIGHT POST
- FH FIRE HYDRANT
- WM WATER METER
- WV WATER VALVE
- WASTEWATER MANHOLE
- GV GAS VALVE

O.P.R.B.C.T.=OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
D.P.R.B.C.T.=DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS
D.R.B.C.T.=DEED RECORDS OF BEXAR COUNTY, TEXAS

PLAT SHOWING:

BEING 0.0200 OF AN ACRE (873 SQ. FT.) OF LAND, OUT OF LOT 22, BLOCK 23, NEW CITY BLOCK 3686, EDGEWOOD ADDITION RECORDED IN VOLUME 2805, PAGE 66 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND CONVEYED TO ALFRED C. OCHOA, JR. AND WIFE, ESTHER OCHOA IN WARRANTY DEED, RECORDED JUNE 7TH, 1982, IN VOLUME 2599, PAGE 1669 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS

STATE OF TEXAS
GUADALUPE COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 21 DAY OF JANUARY, 2014 A.D.

VICTOR MENDEZ, JR. RPLS# 6056

PREPARED BY:
BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223
TBPE Registration No. F-1712
TBPLS Registration No. 10020900

DRAWN BY: RDA	**CoSA-CUPPLES ROAD** MERIDA TO CASTROVILLE	PAGE: 3 OF 3
JOB No.: C-1349	**PLAT OF PARCEL 19167**	SURVEY DATE: 01-21-2014
PROJECT: CUPPLES RD.		
PROJECT No: 40-00295		
DOC. TYPE:		
OWNER: ALFRED C. & ESTHER OCHOA, JR.		

Parcel name: PARCEL 19167

```
   North: 13700664.8819       East : 2113058.6082
Line  Course: S 05-52-21 W  Length: 49.88
        North: 13700615.2636        East : 2113053.5047
Line  Course: N 84-00-18 W  Length: 17.50
        North: 13700617.0914        East : 2113036.1004
Line  Course: N 05-52-21 E  Length: 49.88
        North: 13700666.7096        East : 2113041.2039
Line  Course: S 84-00-26 E  Length: 17.50
        North: 13700664.8825        East : 2113058.6082

   Perimeter: 134.76   Area: 873 sq. ft. 0.0200 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0007               Course: N 05-59-38 E
  Error North: 0.00068               East : 0.00007
Precision  1: 192,514.29
```

THE STATE OF TEXAS:
COUNTY OF BEXAR:

Project Name: Cupples Road
Project Number: 40-00295
Owner Name: James Michael Diaz, Sr., Et. Al.

Parcel No: 19171

BEING 0.0488 OF AN ACRE (2,125 SQ. FT.) OF LAND, OUT OF THE REMAINING PORTION OF LOT 10, BLOCK 22, NEW CITY BLOCK 3685, EDGEWOOD ADDITION (NO PLAT FOUND) CONVEYED AND DESCRIBED IN VOLUME 6148, PAGE 471 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", (N: 13,700,858.97; E: 2,113,098.66), at the east end of a cutback, at the intersection of the proposed east Right of Way line of Cupples Road and the north Right of Way line of Cheyenne Avenue a 50 foot Right of Way, shown on plat of Edgewood Addition, recorded in Volume 2805, Page 66 of the Deed and Plat Records of Bexar County, Texas and in the south line of said remaining portion of Lot 10, for the southeast corner of the herein described parcel, from said point a found iron rod for the southeast corner of said remaining portion of Lot 10, bears S. 84°00'39" E., 104.83 feet;

THENCE, N. 84°00'39" W., 37.50 feet, leaving the proposed east Right of Way line of Cupples Road, with the south line of said remaining portion of Lot 10 and the north Right of Way line of Cheyenne Avenue, to a point, in the existing east Right of Way line of Cupples Road (40'Right of Way) recorded in Volume 190, Page 393 Deed Records Bexar County, Texas, for the southwest corner of the remaining portion of Lot 10 of the Edgewood Addition and the southwest corner of the herein described parcel;

THENCE, N. 05°52'21" E., 110.00 feet, leaving the north Right of Way line of Cheyenne Avenue, with the west line of said remaining portion of Lot 10 and the existing east Right of Way line of Cupples Road, to a point, for the northwest corner of said remaining portion of Lot 10 and the northwest corner of the herein described parcel;

THENCE, S. 84°00'39" E., 17.50 feet, with the north line of said remaining portion of Lot 10 and the south line of Lot 47, Block 22, New City Block 3686, Edgewood Addition as recorded in Volume 9541, Page 90 of the Deed and Plat Records of Bexar County, Texas, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the proposed east Right of Way line of Cupples Road, for the northeast corner of the herein described parcel;

THENCE, S. 05°52'21" W., 90.00 feet, leaving the south line of said Lot 47, with the proposed east Right of Way line of Cupples Road crossing said remaining portion of Lot 10, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", at the north end of said cutback, at the intersection of the proposed east Right of Way line of Cupples Road and the north Right of Way line of Cheyenne Avenue, for an angle point of the herein described parcel;

EXHIBIT "E"

THENCE, S. 39°04'09" E., 28.31 feet, with the proposed east Right of Way line of Cupples Road continuing across said remaining portion of Lot 10, along said cutback, at the intersection of the proposed east Right of Way line of Cupples Road and the north Right of Way line of Cheyenne Avenue, to the Point of Beginning and containing 0.0488 of an acre (2,125 sq. ft.) of land more or less.

Tract	Acreage
Parent Tract	0.3594 Acres (calculated)
Parcel 19171	0.0488 Acres
Remainder	0.3106 Acres

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 21st, day of January, 2014.
Plat Prepared by Bain Medina Bain, Inc.

Revised: 29 May, 2014

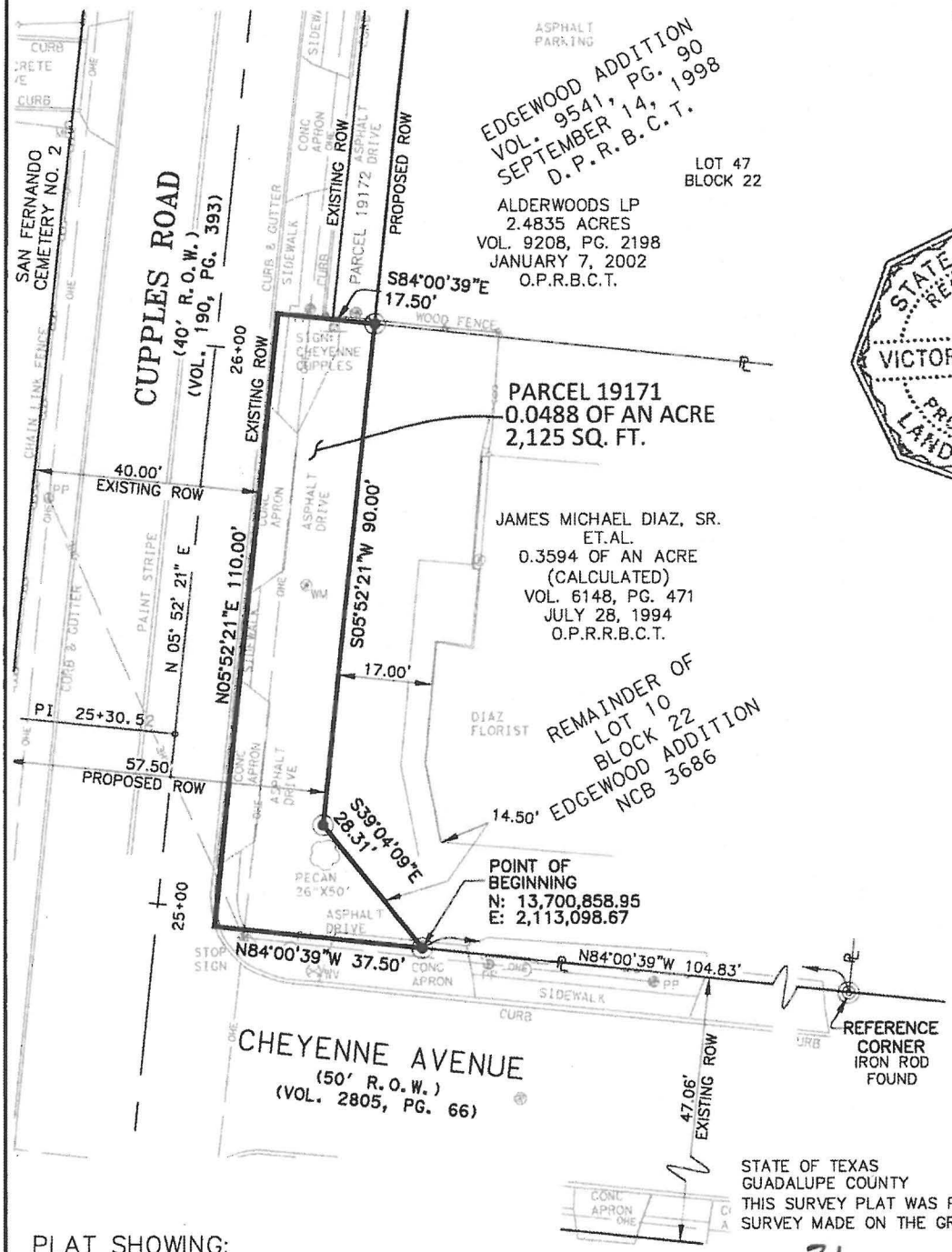
STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

Victor Mendez Jr. R.P.L.S. 6056

REMAINDER TABLE		
EXISTING	TAKING	REMAINDER
0.3594 Ac.	0.0488 Ac.	0.3106 Ac.
(CALCULATED)		(CALCULATED)

BEARING SOURCE:
NAD 83/93 SOUTH CENTRAL ZONE
SURFACE COORDINATES
SCALE FACTOR: 1.00017

NOTES:
A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.



STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

0 15 30
SCALE: 1" = 30'

LEGEND

	FOUND IRON ROD
	FOUND IRON PIPE
	"X" IN CONCRETE
	SET 1/2" IRON ROD W/ ORANGE PLASTIC CAP "BMB"
	CALCULATED POINT
	PROPOSED R.O.W. LINE
	EXISTING R.O.W. LINE
Z	PROPERTY LINE/SAME OWNER
PL	PROPERTY LINE
HV	HIGH VOLTAGE TRANSMISSION LINE
OHE	OVERHEAD ELECTRIC
	CHAINLINK FENCE
MB	MAILBOX
PP	POWER POLE
	HIGH VOLTAGE TRANSMISSION POLE
	SIGN
LP	LIGHT POST
FH	FIRE HYDRANT
WM	WATER METER
WV	WATER VALVE
	WASTEWATER MANHOLE
GV	GAS VALVE

O.P.R.B.C.T.=OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
D.P.R.B.C.T.=DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS
D.R.B.C.T.=DEED RECORDS OF BEXAR COUNTY, TEXAS

STATE OF TEXAS
GUADALUPE COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 21 DAY OF JANUARY, 2014 A.D.

VICTOR MENDEZ, JR. RPLS# 6056

PLAT SHOWING:

BEING 0.0488 OF AN ACRE (2,125 SQ. FT.) OF LAND, OUT OF THE REMAINING PORTION OF LOT 10, BLOCK 22, NEW CITY BLOCK 3685, EDGEWOOD ADDITION (NO PLAT FOUND) CONVEYED AND DESCRIBED IN VOLUME 6148, PAGE 471 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS

PREPARED BY:
BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223
TBPE Registration No. F-1712
TBPLS Registration No. 10020900

DRAWN BY: RDA	**CoSA-CUPPLES ROAD** MERIDA TO CASTROVILLE	PAGE: 3 OF 3
JOB No.: C-1349	**PLAT OF PARCEL 19171**	SURVEY DATE: 01-21-2014
PROJECT: CUPPLES RD.		
PROJECT No: 40-00295		
DOC. TYPE:		
OWNER: JAMES MICHAEL DIAZ, SR.		

Parcel name: PARCEL 19171

```
   North: 13700858.9469       East : 2113098.6744
Line  Course: N 84-00-39 W  Length: 37.50
        North: 13700862.8597         East : 2113061.3791
Line  Course: N 05-52-21 E  Length: 110.00
        North: 13700972.2824         East : 2113072.6338
Line  Course: S 84-00-39 E  Length: 17.50
        North: 13700970.4564         East : 2113090.0383
Line  Course: S 05-52-21 W  Length: 90.00
        North: 13700880.9288         East : 2113080.8299
Line  Course: S 39-04-09 E  Length: 28.31
        North: 13700858.9493         East : 2113098.6725

   Perimeter: 283.31   Area: 2,125 sq. ft. 0.0488 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0031               Course: N 39-04-09 W
  Error North: 0.00237               East : -0.00192
Precision  1: 91,390.32
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THE STATE OF TEXAS:
COUNTY OF BEXAR:

Project Name: Cupples Road
Project Number: 40-00295
Owner Name: Alderwoods, L.P.

Parcel No: 19172

BEING 0.0835 OF AN ACRE (3,637 SQ. FT.) OF LAND, OUT OF A 2.88 ACRE TRACT CONVEYED IN DEED WITHOUT WARRANTIES TO ALDERWOODS, L.P. RECORDED IN VOLUME 9208, PAGE 2198 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS AND BEING OUT OF LOT 47, BLOCK 22, NCB 3686 EDGEWOOD ADDITION AS SHOWN ON AMENDING PLAT RECORDED IN VOLUME 9541, PAGE 90 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND OUT OF THE REMAINING PORTION OF LOT 1, BLOCK 22 OF EDGEWOOD ADDITION (PLAT NOT FOUND) MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", (N: 13,700,970.46; E: 2,113,090.04), at the intersection of the proposed east Right of Way line of Cupples Road and the South line of said 2.88 acre tract, and said Lot 47 and the north line of the remaining portion of Lot 10 as shown on said amending plat of Edgewood addition, for the southeast corner of the herein described parcel, from said point the calculated southeast corner of said Lot 47, bears S. 84°00'39" E., 224.83 feet;

THENCE, N. 84°00'39" W., 7.50 feet, leaving the proposed east Right of Way line of Cupples Road, with the south line of said 2.88 acre tract, said Lot 47 and the north line of said remaining portion of Lot 10, to a point, in the existing east Right of Way line of Cupples Road (50'Right of Way) recorded in Volume 190, Page 393 Deed Records Bexar County, Texas, and in Volume 9541, Page 90 of the Deed and Plat Records of Bexar County, Texas, for the southwest corner of the said Lot 47 and the southwest corner of the herein described parcel;

THENCE, N. 05°52'21" E., 165.00 feet, with the west line of said 2.88 acre tract, and said Lot 47 and the existing east Right of Way line of Cupples Road, to a point, in the south line of said remaining portion of Lot 1, Block 22, for the northwest corner of said Lot 47 and an angle point of the herein described parcel;

THENCE, N. 84°00'39" W., 10.00 feet, with the existing east Right of Way line of Cupples Road, and the south line of said remaining portion of Lot 1, Block 22, to a point, for the southwest corner of the said remaining portion of Lot 1, Block 22 and an angle point of the herein described parcel;

THENCE, N. 05°52'21" E., 137.12 feet, with the west line of said 2.88 acre tract, and said remaining portion of Lot 1, Block 22 and the existing east Right of Way line of Cupples Road, to a point, for the northwest corner of said 2.88 acre tract and of said remaining portion of Lot 1, Block 22, and for the southwest corner of Lot 1A as described in volume 8650, page 1977 of the Official Public Records of Bexar County, Texas and the northwest corner of the herein described parcel;

EXHIBIT "F"

THENCE, S. 84°07'39" E., 17.50 feet, with the north line of said remaining portion of Lot 1, Block 22 and the south line of said Lot 1A, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the proposed east Right of Way line of Cupples Road, for the northeast corner of the herein described parcel;

THENCE, S. 05°52'21" W., 302.16 feet, leaving the south line of said Lot 1A, with the proposed east Right of Way line of Cupples Road, crossing said remaining portion of Lot 1 and Lot 47, to the Point of Beginning and containing 0.0835 of an acre (3,637 sq. ft.) of land more or less.

Tract	Acreage
Parent Tract	2.88 Acres (Deed)
Parcel 19172	0.0835 Acres
Remainder	2.7965 Acres

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 12th, day of May, 2014.
Plat Prepared by Bain Medina Bain, Inc.

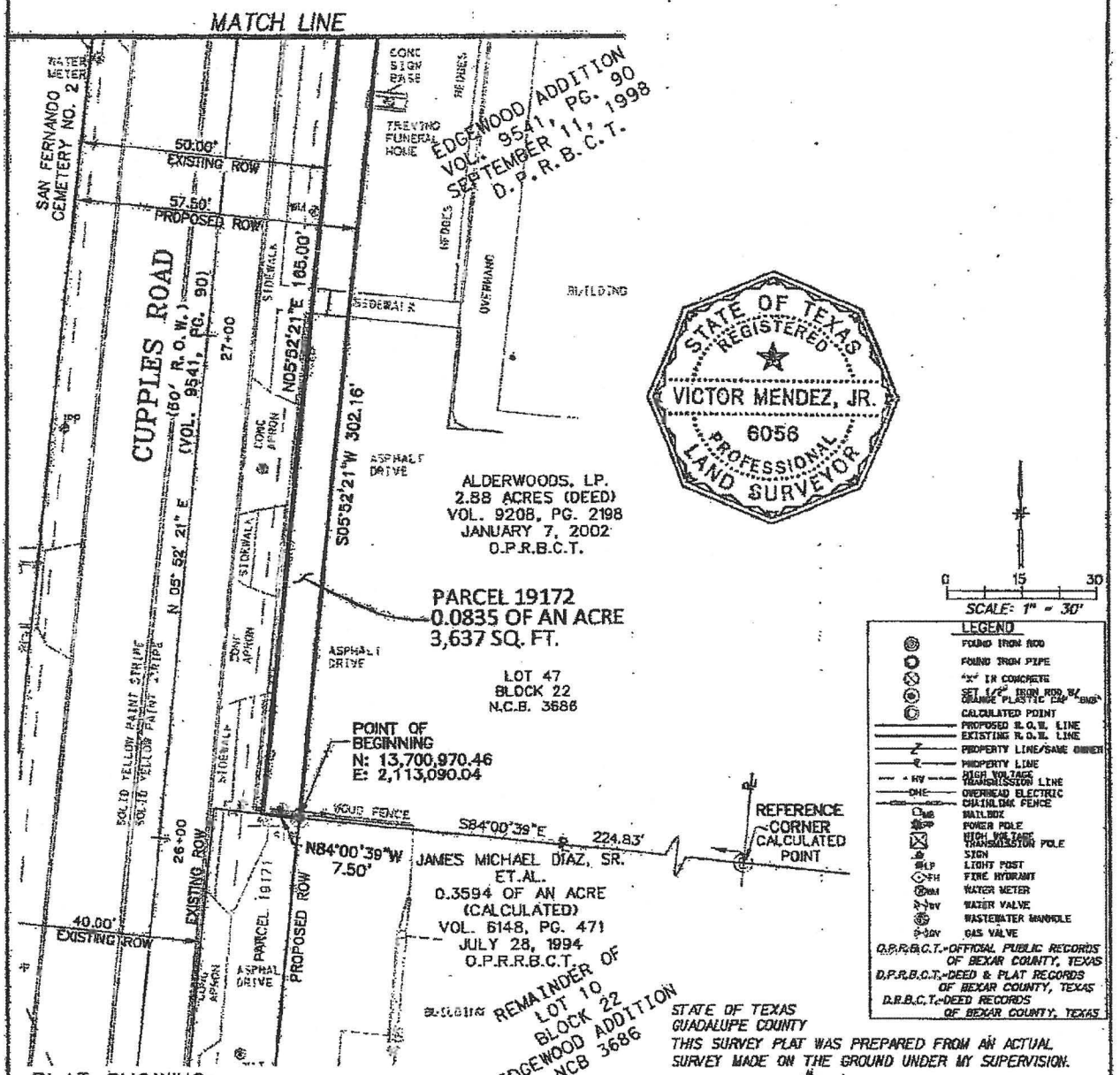
Victor Mendez Jr. R.P.L.S. 6056

STATE OF TEXAS
REGISTERED
VICTOR MENDEZ, JR.
6056
PROFESSIONAL
LAND SURVEYOR

REMAINDER TABLE		
EXISTING	TAKING	REMAINDER
2.88 AC.	0.0835 AC.	2.7965 AC.
(DEED)	-	(DEED)

BEARING SOURCE:
NAD 83/93 SOUTH CENTRAL ZONE
SURFACE COORDINATES
SCALE FACTOR: 1.00017

NOTES:
A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.



STATE OF TEXAS
GUADALUPE COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 12TH DAY OF MAY 2014 A.D.

VICTOR MENDEZ, JR. RPLS# 6056

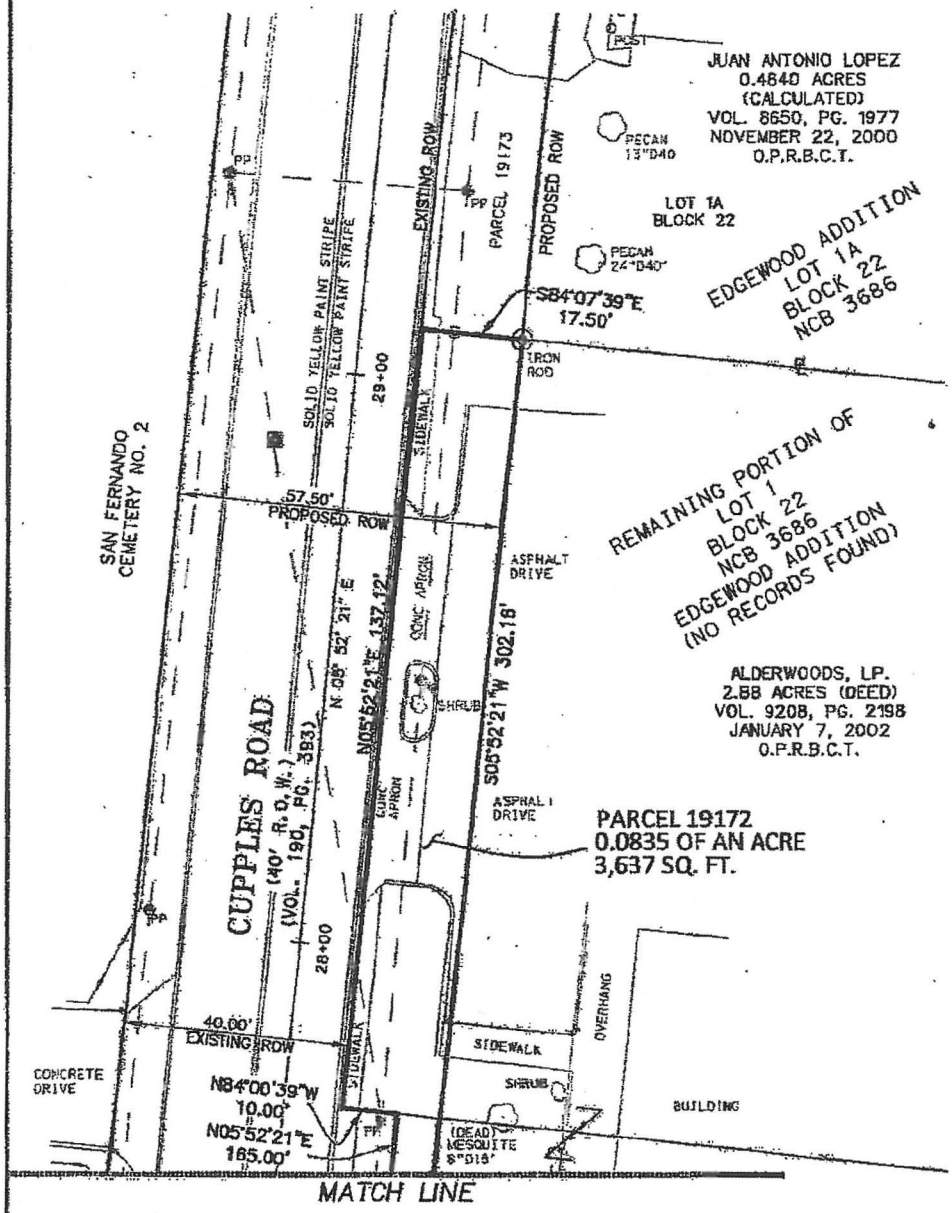
PLAT SHOWING:
BEING 0.0835 OF AN ACRE (3,637 SQ. FT.) OF LAND, OUT OF A 2.88 ACRE TRACT CONVEYED IN DEED WITHOUT WARRANTIES TO ALDERWOODS, L.P. RECORDED IN VOLUME 9208, PAGE 2198 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS AND BEING OUT OF LOT 47, BLOCK 22, NCB 3686 EDGEWOOD ADDITION AS SHOWN ON AMENDING PLAT RECORDED IN VOLUME 9541, PAGE 90 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND OUT OF THE REMAINING PORTION OF LOT 1, BLOCK 22 OF EDGEWOOD ADDITION (PLAT NOT FOUND).

PREPARED BY:
BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223
TBPE Registration No. F-1712
TBPLS Registration No. 10020900

DRAWN BY: DV	CoSA-CUPPLES ROAD MERIDA TO CASTROVILLE	PAGE: 3 OF 4
JOB No.: C-1349	PLAT OF PARCEL 19172	SURVEY DATE: 05-12-2014
PROJECT: CUPPLES RD.		
PROJECT No: 40-00295		
DOC. TYPE:		
OWNER: ALDERWOODS, LP.		

BEARING SOURCE:
NAD 83/93 SOUTH CENTRAL ZONE
SURFACE COORDINATES
SCALE FACTOR: 1.00017

NOTES:
A METES AND BOUNDS DESCRIPTION OF EVEN DATE HEREWITH ACCOMPANIES THIS SURVEY PLAT.



0 15 30
SCALE: 1" = 30'

LEGEND

- FOUND IRON ROD
- FOUND IRON PIPE
- "X" IN CONCRETE
- SET 1/2" IRON ROD W/ ORANGE PLASTIC CAP "BMB"
- CALCULATED POINT
- PROPOSED R.O.W. LINE
- EXISTING R.O.W. LINE
- PROPERTY LINE/SAME OWNER
- PROPERTY LINE
- HV HIGH VOLTAGE TRANSMISSION LINE
- OHE OVERHEAD ELECTRIC
- CHAINLINK FENCE
- MB MAILBOX
- PP POWER POLE
- HIGH VOLTAGE TRANSMISSION POLE
- SIGN
- LP LIGHT POST
- FH FIRE HYDRANT
- WM WATER METER
- WV WATER VALVE
- WASTEWATER MANHOLE
- GV GAS VALVE

O.P.R.B.C.T.=OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
D.P.R.B.C.T.=DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS
D.R.B.C.T.=DEED RECORDS OF BEXAR COUNTY, TEXAS

DRAWN BY: DV	CoSA-CUPPLES ROAD MERIDA TO CASTROVILLE	PAGE: 4 OF 4
JOB No.: C-1349	PLAT OF PARCEL 19172	SURVEY DATE: 05-12-2014
PROJECT: CUPPLES RD.		
PROJECT No: 40-00295		
DOC. TYPE:		
OWNER: ALDERWOODS, LP.		

PREPARED BY:
BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Avenue
San Antonio, Texas 78216
210/494-7223
TBPE Registration No. F-1712
TBPLS Registration No. 10020900

Parcel name: PARCEL 19172

```
   North: 13700970.4567        East : 2113090.0384
Line  Course: N 84-00-39 W  Length: 7.50
        North: 13700971.2392          East : 2113082.5794
Line  Course: N 05-52-21 E  Length: 165.00
        North: 13701135.3733          East : 2113099.4614
Line  Course: N 84-00-39 W  Length: 10.00
        North: 13701136.4167          East : 2113089.5160
Line  Course: N 05-52-21 E  Length: 137.12
        North: 13701272.8171          East : 2113103.5454
Line  Course: S 84-07-39 E  Length: 17.50
        North: 13701271.0266          East : 2113120.9536
Line  Course: S 05-52-21 W  Length: 302.16
        North: 13700970.4523          East : 2113090.0380

   Perimeter: 639.28   Area: 3,637 sq. ft. 0.0835 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0044                Course: S 05-23-47 W
  Error North: -0.00435               East : -0.00041
Precision  1: 145,290.91
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