

AN ORDINANCE 2014 - 05 - 08 - 0319

DECLARING AS SURPLUS A COMBINED 145 SQUARE FEET OF CITY OWNED PROPERTY LOCATED AT 911 WEST COMMERCE IN COUNCIL DISTRICT 5 AND AUTHORIZING ITS CONVEYANCE TO AVANCE INC. FOR NO COST.

* * * * *

WHEREAS, Avance, Inc., currently owns the property surrounding this conveyance; and

WHEREAS, Avance, Inc., is a nonprofit agency providing services to the community; and

WHEREAS, the Urban Renewal Agency of the City of San Antonio Board approved conveyance on January 14, 2014; and

WHEREAS, these current narrow strips of land cannot be used independently; and

WHEREAS, acquisition of these minor land strips will allow Avance to clean up and obtain clear title to the property; **NOW THEREFORE**,

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

SECTION 1. The property subject to the Ordinance is depicted on **Attachment I**. All attachments to this Ordinance are incorporated into it for all purposes as if fully set forth.

SECTION 2. The city manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the city a deed to Avance, Inc. in substantially the form attached as **Attachment II**, and to consummate the gift transaction (no cost to the nonprofit organization) contemplated therein. The city manager and her designee, severally, should take all other actions necessary or convenient to effectuate the transaction, including agreeing to non-material changes to the approved form and executing all necessary or convenient ancillary instruments and agreements to effect the gift.

SECTION 3. Any fees, costs and purchase price for the conveyance are waived. There is no financial language associated with this ordinance in the Legistar system.

SECTION 4. The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

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 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 6. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under City Code of San Antonio § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this 8th day of May, 2014.


M A Y O R
Julián Castro

ATTEST:

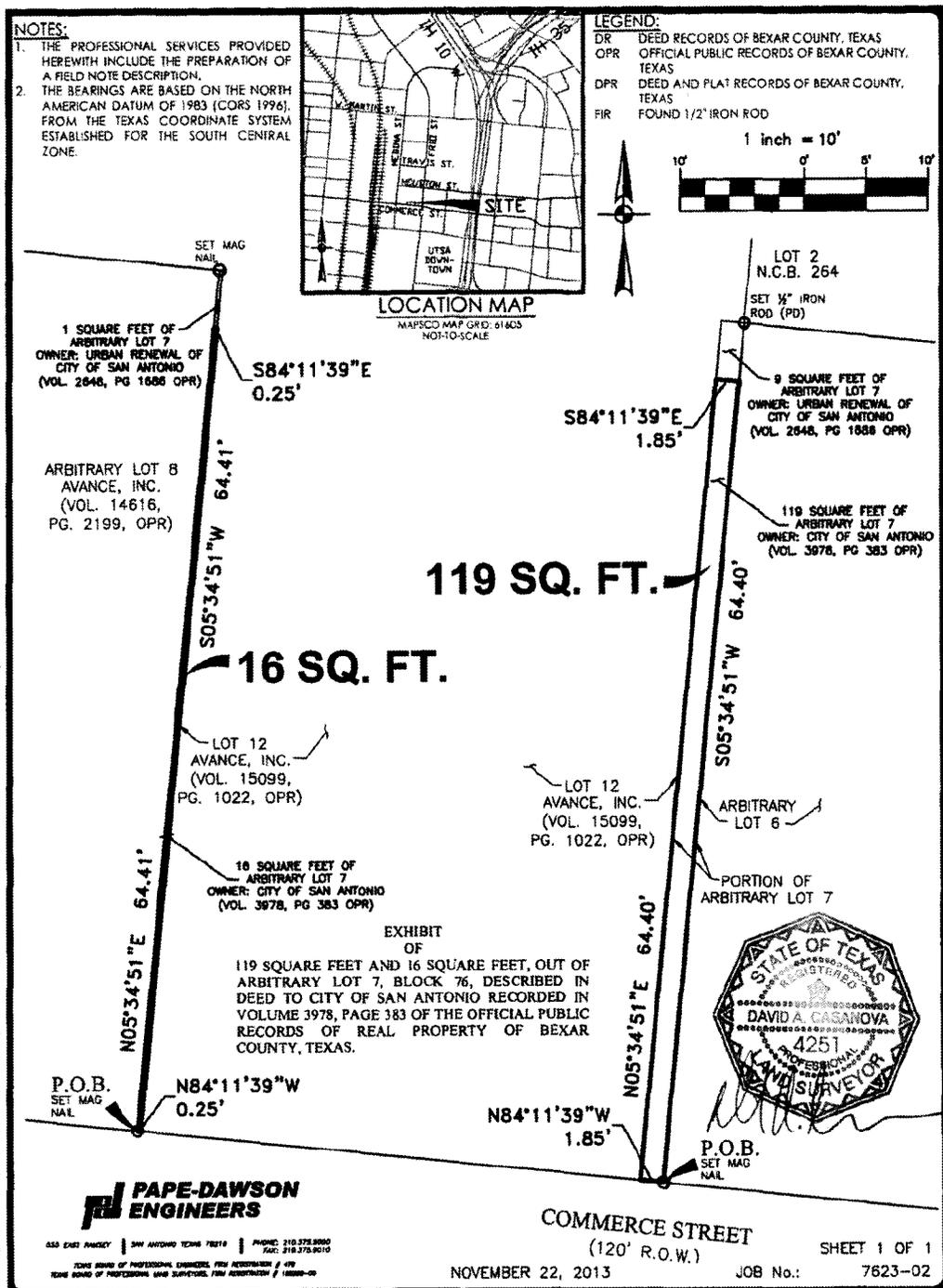

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Robert F. Greenblum, City Attorney

| Agenda Item: | 12 (in consent vote: 5, 6, 7, 9, 10, 11, 12, 14, 15, 16, 18, 20) | | | | | | |
|---------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|------------|------------|----------------|---------------|---------------|
| Date: | 05/08/2014 | | | | | | |
| Time: | 11:48:09 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance declaring as surplus a combined 145 square feet (0.00332 of an acre) of City owned property, located at 911 West Commerce Street in NCB 264, located in Council District 5; and authorizing its conveyance to Avance, Inc at no cost to the non-profit organization. [Peter Zanoni, Deputy City Manager; Mike Etienne, Officer, EastPoint & Real Estate Services Office] | | | | | | |
| 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 | | | | |
| Rebecca Viagran | District 3 | | x | | | | |
| Rey Saldaña | District 4 | | x | | | | |
| Shirley Gonzales | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | |
| Cris Medina | District 7 | | x | | | | |
| Ron Nirenberg | District 8 | | x | | | x | |
| Joe Krier | District 9 | | x | | | | |
| Michael Gallagher | District 10 | | x | | | | |

Attachment I





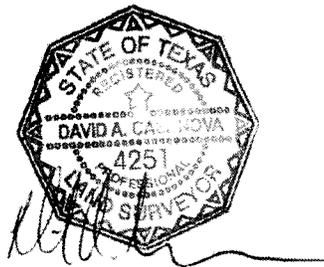
LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR

A 16 square foot more or less, tract of land out of Arbitrary of Lot 7, Block 76, described in deed to City of San Antonio recorded in Volume 3978, Page 383 both of the Official Public Records of Real Property of Bexar County, Texas. Said 16 square foot tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

- BEGINNING: At a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" on the north right-of-way line of Commerce Street, a 120-foot right-of-way, the southeast corner of Arbitrary Lot 8, the southwest corner of said Lot 7;
- THENCE: N 05°34'51" E, along and with the east line of said Lot 8, the west line of said Lot 7, a distance of 64.41 feet to a point;
- THENCE: S 84°11'39" E, over and across said Lot 7, a distance of 0.25 feet to a point on a west line of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;
- THENCE: S 05°34'51" W, along and with the west line of said Lot 12, a distance of 64.41 feet to a point on the north right-of-way line of said Commerce Street;
- THENCE: N 84°11'39" W, along and with the north right-of-way line of said Commerce Street, the south line of said Lot 7, a distance of 0.25 feet to the POINT OF BEGINNING, and containing 16 square feet in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 22, 2013
JOB NO. 7623-02
DOC. ID. N:\CIVIL\7623-02\WORD\7623-02 FN-16 SQFT.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



SAN ANTONIO / AUSTIN
HOUSTON / FORT WORTH

555 East Ramsey San Antonio, Texas 78216
P 210.375.9000 F 210.375.9010 www.pape-dawson.com



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
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BEGINNING: At a set Mag Nail on the north right-of-way line of Commerce Street, a 120-foot right-of-way, the southwest corner of Arbitrary Lot 6, Block 76, the southeast corner of said Lot 7;

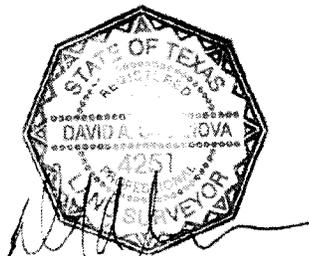
THENCE: N 84°11'39" W, along and with the north right-of-way line of said Commerce Street, the south line of said Lot 7, a distance of 1.85 feet to the southeast corner of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;

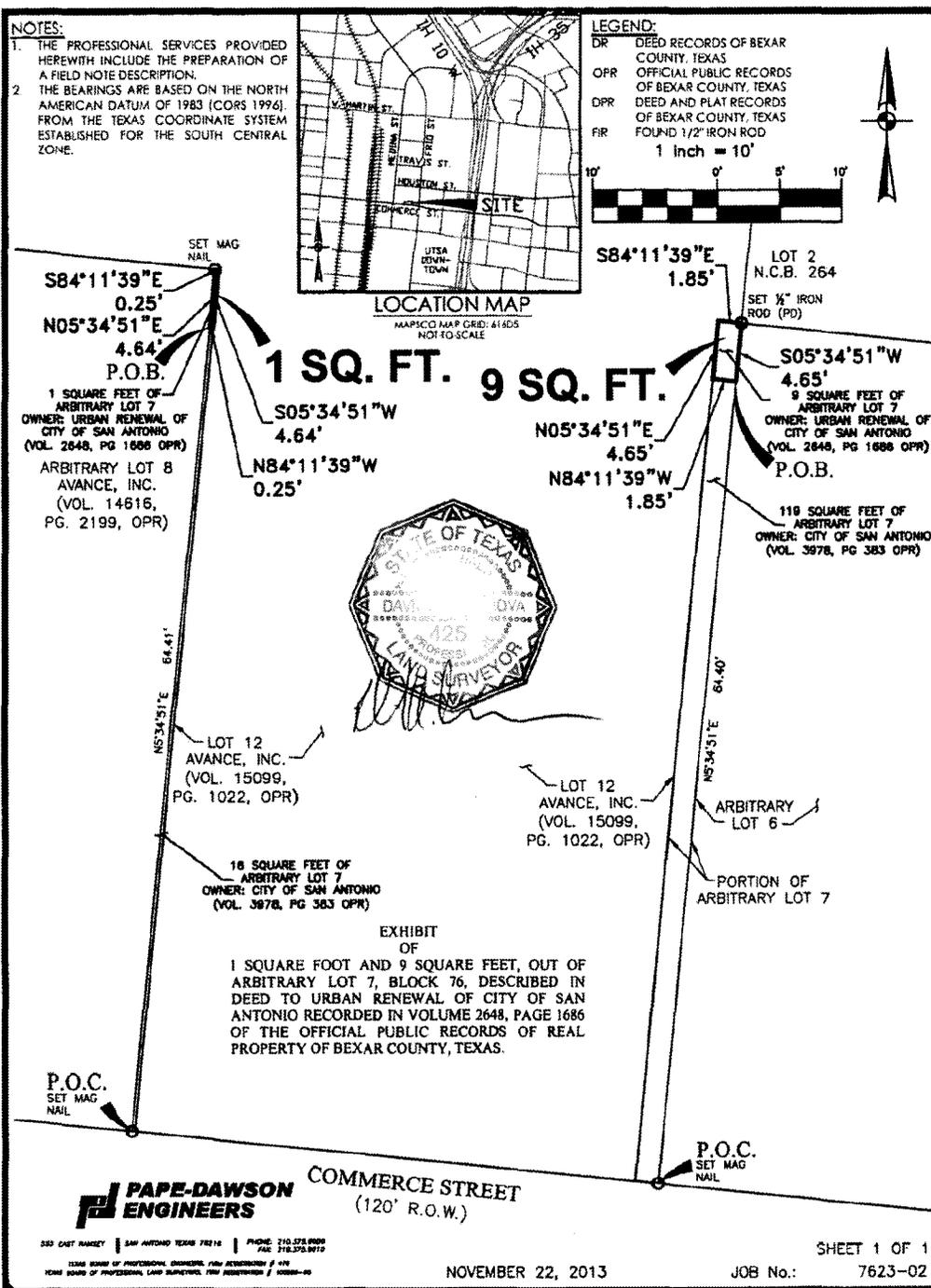
THENCE: N 05°34'51" E, departing the north right-of-way line of said Commerce Street, along and with the east line of said Lot 12, a distance of 64.40 feet to a point;

THENCE: S 84°11'39" E, over and across said Lot 7, a distance of 1.85 feet to a point, on the east line of said Lot 7, the west line of said Lot 6;

THENCE: S 05°34'51" W, along and with the west line of said Lot 6, the east line of said Lot 7, a distance of 64.40 feet to the POINT OF BEGINNING, and containing 119 square feet in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 22, 2013
JOB NO. 7623-02
DOC. ID. N:\CIVIL\7623-02\WORD\7623-02 FN-119 SQFT.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00







LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR

A 9 square foot more or less, tract of land out of Arbitrary Lot 7, Block 76, described in deed to Urban Renewal of City of San Antonio recorded in Volume 2648, Page 1686 of the Official Public Records of Real Property of Bexar County, Texas. Said 9 square foot tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

COMMENCING: At a set mag nail on the north right-of-way line of Commerce Street, a 120-foot right-of-way, the southwest corner of Arbitrary Lot 6, Block 76, the southeast corner of said Lot 7;

THENCE: N 05°34'51" E, departing the north right-of-way line of said Commerce Street, along and with the west line of said Lot 6, a distance of 64.40 feet to the POINT OF BEGINNING of the herein described tract;

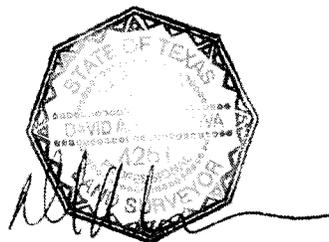
THENCE: N 84°11'39" W, over and across said Lot 7, a distance of 1.85 feet to a point on the east line of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 05°34'51" E, along and with the east line of said Lot 12, a distance of 4.65 feet to a point;

THENCE: S 84°11'39" E, along and with the north line of said Lot 7, a south line of said Lot 12, a distance of 1.85 feet to a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" for the northwest corner of said Lot 6, the northeast corner of said Lot 7;

THENCE: S 05°34'51" W, along and with the west line of said Lot 6, the east line of said Lot 7, a distance of 4.65 feet to the POINT OF BEGINNING, and containing 9 square feet in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 22, 2013
JOB NO. 7623-02
DOC. ID. N:\CIVIL\7623-02\WORD\7623-02 FN-9 SQFT.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00





LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR

A 1 square foot more or less, tract of land out of Arbitrary Lot 7, Block 76, described in deed to Urban Renewal of City of San Antonio recorded in Volume 2648, Page 1686 of the Official Public Records of Real Property of Bexar County, Texas. Said 1 square foot tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

COMMENCING: At a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" on the north right-of-way line of Commerce Street, a 120-foot right-of-way, the southeast corner of Arbitrary Lot 8, the southwest corner of said Lot 7;

THENCE: N 05°34'51" E, along and with the east line of said Lot 7, the west line of said Lot 8, a distance of 64.41 feet to the POINT OF BEGINNING of the herein described tract;

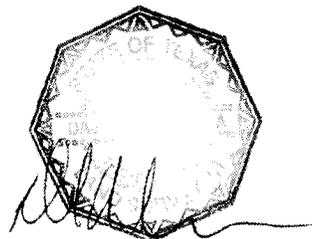
THENCE: N 05°34'51" E, continuing along and with the east line of said Lot 7, the west line of said Lot 8, a distance of 4.64 feet to a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" for the northeast corner of said Lot 8, the northwest corner of said Lot 7, on a south line of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;

THENCE: S 84°11'39" E, along and with the south line of said lot 12, the north line of said Lot 7, a distance of 0.25 feet to a point;

THENCE: S 05°34'51" W, along and with the west line of said Lot 12, a distance of 4.64 feet to a point;

THENCE: N 84°11'39" W, over and across said Lot 7, a distance of 0.25 feet to the POINT OF BEGINNING, and containing 1 square foot in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 22, 2013
JOB NO. 7623-02
DOC. ID. N:\CIVIL\7623-02\WORD\7623-02 FN-1 SQFT.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



Attachment II

Exhibit C: Form of Deed

Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before it Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.

State of Texas }
 }
County of Bexar }

Deed Without Warranty

Deed Without Warranty

Authorizing Ordinance:

Statutory Authority: Local Government Code Sec. 272.001

SP No./Parcel: 1796

Grantor: City of San Antonio

Grantor's Mailing Address: City Of San Antonio, P.O. Box 839966, San Antonio, Texas
78283-3966 (Attn: City Clerk)

Grantor's Street Address: City Hall, 100 Military Plaza, San Antonio, Texas 78205
(Bexar County)

Grantee: Avance, Inc., a Texas non-profit corporation

Grantee's Mailing Address: 118 N. Medina St., San Antonio, TX 78207

Consideration: \$10 in hand paid and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged.

Property: A 16 square foot more or less, tract of land out of Arbitrary of Lot 7, Block 76, described in deed to City of San Antonio recorded in Volume 3978, Page 383 both of the Official Public Records of Real Property of Bexar County, Texas, and A 119 square foot more or less, tract of land out of Arbitrary Lot 7,

Block 76, described in deed to City of San Antonio recorded in Volume 3978, Page 383 both of the Official Public Records of Real Property of Bexar County, Texas, both as more particularly described on **Exhibit "A,"** which is incorporated herein for all purposes as if fully set forth.

Grantor, for the Consideration, Grants, Bargains, and Conveys the Property to Grantee, together with all and singular the rights and appurtenances thereto in anywise belonging, To Have and To Hold unto Grantee, Grantee's successors and assigns forever, **Without Any Express Or Implied Warranty whatsoever, Including But Not Limited to Warranties of Title, Condition, or Character.**

The Property is conveyed together with any and all improvements, structures and fixtures located thereon, and with all rights, privileges, rights of way, and easements appurtenant thereto, unless reserved unto other parties herein.

Reservations, Restrictions, Exceptions, And Conditions To Conveyance:

- A. Reservations:** All reservations affecting the Property.
- B. Easements:** All recorded and unrecorded easements, whether or not open and obvious.
- C. Restrictions:** All covenants and restrictions affecting the Property.
- D. Exceptions:** All instruments affecting the Property, whether or not recorded.
- E. Conditions:** All conditions affecting the Property.

This conveyance does not relieve Grantee of any building, zoning, or other city-imposed requirements, or other land use restrictions applicable to the Property or the obligation to pay any real estate taxes that may otherwise be due.

Grantor expressly disclaims any and all warranties arising by common law, statute (including without limitation the implied warranties of § 5.023, Texas Property Code or any successor statute), or otherwise.

Setting Out The Specific Reservations And Disclaimers Does Not Imply That The Property Is Free Of Other Encumbrances Or Adverse Claims Or Conditions. Grantor Specifically Disclaims Any Such Implication.

In Witness Whereof, Grantor has caused its representative to set its hand:

City of San Antonio, a Texas municipal corporation

By: _____

Printed Name: _____

Title: _____

Date: _____

Attest:

By: _____

City Clerk

Approved As To Form:

By: _____

City Attorney

The State of Texas }

County of Bexar }

Before me, the undersigned authority, this instrument was this day acknowledged by _____, of and for the City of San Antonio, a Texas municipal corporation, on behalf of that entity in the capacity stated.

Date: _____

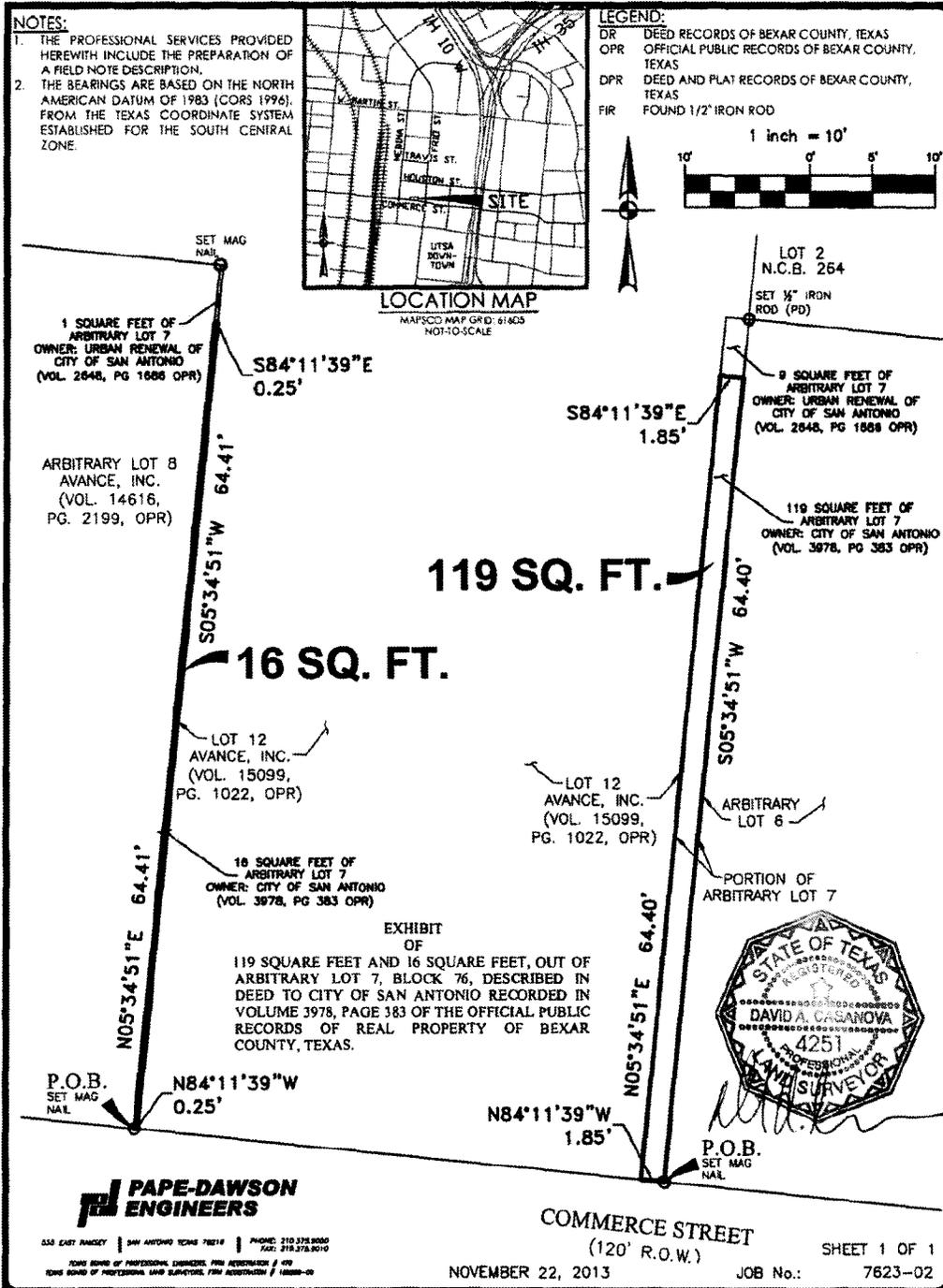
Notary Public, State of Texas

My Commission Expires: _____

After Recording, Return To:

Avance, Inc.
c/o Richard J. Noriega, President & Chief Executive Officer
118 N. Medina St.
San Antonio, TX 78207

EXHIBIT A





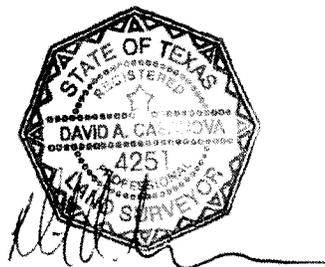
LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

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- BEGINNING: At a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" on the north right-of-way line of Commerce Street, a 120-foot right-of-way, the southeast corner of Arbitrary Lot 8, the southwest corner of said Lot 7;
- THENCE: N 05°34'51" E, along and with the east line of said Lot 8, the west line of said Lot 7, a distance of 64.41 feet to a point;
- THENCE: S 84°11'39" E, over and across said Lot 7, a distance of 0.25 feet to a point on a west line of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;
- THENCE: S 05°34'51" W, along and with the west line of said Lot 12, a distance of 64.41 feet to a point on the north right-of-way line of said Commerce Street;
- THENCE: N 84°11'39" W, along and with the north right-of-way line of said Commerce Street, the south line of said Lot 7, a distance of 0.25 feet to the POINT OF BEGINNING, and containing 16 square feet in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 22, 2013
JOB NO. 7623-02
DOC. ID. N:\CIVIL\7623-02\WORD\7623-02 FN-16 SQFT.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



SAN ANTONIO / AUSTIN
HOUSTON / FORT WORTH

555 East Ramsey San Antonio, Texas 78216
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LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

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THENCE: N 84°11'39" W, along and with the north right-of-way line of said Commerce Street, the south line of said Lot 7, a distance of 1.85 feet to the southeast corner of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;

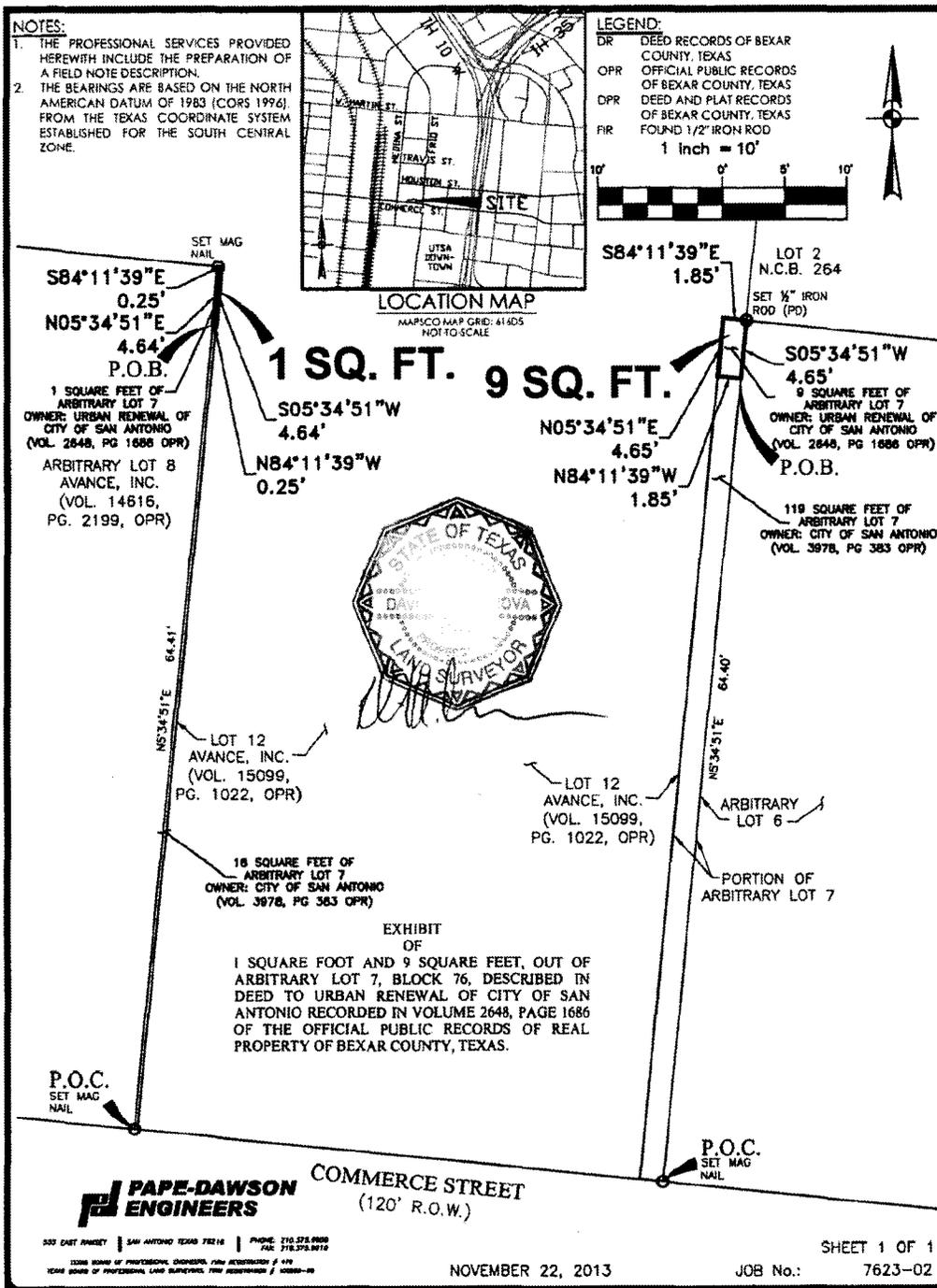
THENCE: N 05°34'51" E, departing the north right-of-way line of said Commerce Street, along and with the east line of said Lot 12, a distance of 64.40 feet to a point;

THENCE: S 84°11'39" E, over and across said Lot 7, a distance of 1.85 feet to a point, on the east line of said Lot 7, the west line of said Lot 6;

THENCE: S 05°34'51" W, along and with the west line of said Lot 6, the east line of said Lot 7, a distance of 64.40 feet to the POINT OF BEGINNING, and containing 119 square feet in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

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TBPE Firm Registration #470
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LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
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THENCE: N 05°34'51" E, departing the north right-of-way line of said Commerce Street, along and with the west line of said Lot 6, a distance of 64.40 feet to the POINT OF BEGINNING of the herein described tract;

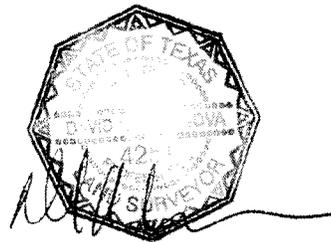
THENCE: N 84°11'39" W, over and across said Lot 7, a distance of 1.85 feet to a point on the east line of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 05°34'51" E, along and with the east line of said Lot 12, a distance of 4.65 feet to a point;

THENCE: S 84°11'39" E, along and with the north line of said Lot 7, a south line of said Lot 12, a distance of 1.85 feet to a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" for the northwest corner of said Lot 6, the northeast corner of said Lot 7;

THENCE: S 05°34'51" W, along and with the west line of said Lot 6, the east line of said Lot 7, a distance of 4.65 feet to the POINT OF BEGINNING, and containing 9 square feet in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

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LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
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A 1 square foot more or less, tract of land out of Arbitrary Lot 7, Block 76, described in deed to Urban Renewal of City of San Antonio recorded in Volume 2648, Page 1686 of the Official Public Records of Real Property of Bexar County, Texas. Said 1 square foot tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

COMMENCING: At a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" on the north right-of-way line of Commerce Street, a 120-foot right-of-way, the southeast corner of Arbitrary Lot 8, the southwest corner of said Lot 7;

THENCE: N 05°34'51" E, along and with the east line of said Lot 7, the west line of said Lot 8, a distance of 64.41 feet to the POINT OF BEGINNING of the herein described tract;

THENCE: N 05°34'51" E, continuing along and with the east line of said Lot 7, the west line of said Lot 8, a distance of 4.64 feet to a set 1/2" iron rod with yellow cap stamped "Pape-Dawson" for the northeast corner of said Lot 8, the northwest corner of said Lot 7, on a south line of Lot 12, Block 76 of the Vista Verde North Tex. R-109 Subdivision Unit 12 recorded in Volume 9504, Page 45 of the Deed and Plat Records of Bexar County, Texas;

THENCE: S 84°11'39" E, along and with the south line of said lot 12, the north line of said Lot 7, a distance of 0.25 feet to a point;

THENCE: S 05°34'51" W, along and with the west line of said Lot 12, a distance of 4.64 feet to a point;

THENCE: N 84°11'39" W, over and across said Lot 7, a distance of 0.25 feet to the POINT OF BEGINNING, and containing 1 square foot in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with an exhibit prepared under job number 7623-02 by Pape-Dawson Engineers, Inc.

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