SG/cla
05/01/2014
Z-8

CASE NO. Z2014049

AN ORDINANCE 2014-05-01-0297

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Track 5A, NCB 10914 save and except that portion conveyed to the City of San Antonio in Volume 10326, Page 356 of the Deed Records of Bexar County, Texas from "R-4 MC-2 AHOD" Residential Single-Family South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 MC-2 AHOD" Commercial South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District.

SECTION 2. A description of the save and except portion of the property is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective May 11, 2014.

PASSED AND APPROVED this 1st day of May 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Robert F. Greenblum, City Attorney

Agenda Item:	**Z-8 (in consent vote: Z-1, Z-2, Z-3, Z-4, Z-7, Z-8, Z-9, P-1, Z-10, P-2, Z-14, P-4, Z-17, Z-18)**
Date:	05/01/2014
Time:	02:19:05 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2014049 (District 3): An Ordinance amending the Zoning District Boundary from "R-4 MC-2 AHOD" Residential Single-Family South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District to "C-2 MC-2 AHOD" Commercial South Presa Metropolitan Corridor Overlay Airport Hazard Overlay District on Track 5A, NCB 10914, save and except that portion conveyed to the City of San Antonio in Volume 10326, Page 356 of the Deed Records of Bexar County, Texas located on a portion of the 100 Block of San Juan Road. Staff and Zoning Commission recommend approval. (Continued from April 17, 2014)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor	x					
Diego Bernal	District 1		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			x	

Z2014049

$20.00
#03-20004189

Doc# 20030248751

rd6/16/03:ord # 97910/8/7/03

Parcel No.: 16893(E)
Project: Old Brookside Drainage

EASEMENT
(Permanent)

FILED BY ALAMO TITLE

STATE OF TEXAS }
}
COUNTY OF BEXAR }

KNOW ALL MEN BY THESE PRESENTS:

THAT, ARTURO LEAL, hereinafter referred to as **"GRANTOR"**, for and in consideration of the sum of **SIX THOUSAND SIX HUNDRED FIFTY AND 00/100 ($6,650.00) DOLLARS** to it in hand paid by the **CITY OF SAN ANTONIO,** a municipal corporation, Bexar County, Texas, whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, hereinafter referred to as **"GRANTEE"**, the receipt and sufficiency of which is hereby acknowledged and confessed, has **GRANTED, SOLD and CONVEYED,** and by these presents does **GRANT, SELL and CONVEY** unto the **CITY OF SAN ANTONIO,** Bexar County, Texas, an easement for drainage purposes including all necessary appurtenances thereto, over, across, under and upon the following described lands located in City of San Antonio, Bexar County, Texas, to-wit:

> **Being a 6, 991.89 square feet (0.160 Acres) Drainage Easement, out of a Tract 5A, a 1.000 acre tract described by deed recorded in Volume 4459, page 275, Bexar County Real Property Records, out of the Leander Wells Survey No. 99, Abstract 795, New City Block 10914 in the City of San Antonio, Bexar County Texas; said drainage easement being more particularly described by attached Exhibit "A" hereto and made a part hereof.**

Together with the right of ingress and egress over said right-of-way for the purpose of constructing, reconstructing, relocating, improving, expanding, inspecting, patrolling, maintaining and removing said drainage improvements and appurtenances; the right to relocate the improvements within the easement; the right to remove from the property all trees and parts thereof, or other obstructions, which may interfere with the exercise of the rights granted hereunder; the right to excavate, deposit or to fill material thereon; leveling and/or grading as necessary, and the right of exercising all other rights hereby granted, and **GRANTORS** expressly covenant and agree for themselves, their heirs, executors and administrators, that no building of any kind will be placed on said easement and right-of-way herein granted.

TO HAVE AND TO HOLD the above described easement and rights unto the said **GRANTEE,** its successors and assigns, until the use of said right-of-way shall be abandoned.

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Attachment A

And **GRANTORS** do hereby bind themselves, their heirs, executors and administrators to **WARRANT AND FOREVER DEFEND** all and singular the above described easement and rights unto the said **GRANTEE,** its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this 30th day of June, A.D., 2003.

Arturo Leal
ARTURO LEAL

STATE OF TEXAS }
}
COUNTY OF }

This instrument was acknowledged before me on this the 30th day of June, A.D., 2003 by **ARTURO LEAL**

MARY ESTHER GAITAN
NOTARY PUBLIC
STATE OF TEXAS
My Comm. Exp. 03-13-04

Mary Esther Gaitan
NOTARY PUBLIC SIGNATURE

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EXHIBIT "A"

Parcel 16893
DRAINAGE EASEMENT

Field notes for a drainage easement containing approximately 6,991.89 square feet (0.160 Acres) out of Tract 5A, N.C.B. 10914 as recorded in Volume 4459, Page 275-276 of the Deed and Plat Records of Bexar County, Texas and being more particularly described by metes and bounds, as surveyed as follows:

BEGINNING: at a point along the south right-of-way line of San Juan Road, said point being along the north boundary line of Tract 5A, N.C.B. 10914 for the POINT OF BEGINNING of this drainage easement and said point also being Due East - 155.04 feet from a found iron pin at the point of intersection of the south right-of-way line of San Juan Road with a cutback line for the east right-of-way line of Siluria Street;

THENCE: Due East with the south right-of-way line of San Juan Road and the north boundary line of Tract 5A, N.C.B. 10914 a distance of 58.29 feet to the northeast corner of this drainage easement;

THENCE: S 46°40'32" W a distance of 187.83 feet to a point of intersection with the north right-of-way line of U.S. Highway 181 (New Corpus Christi Highway) for a corner of this drainage easement;

THENCE: N 71°22'00" W with the north right-of-way line of U.S. Highway 181 (New Corpus Christi Highway) and the southwest boundary line of Tract 5A, N.C.B. 10914 a distance of 34.96 feet to the point of intersection with a cutback line for Siluria Street for a corner of this drainage easement;

THENCE: N 20°50'00" W with the cutback line for Siluria Street and the southwest boundary line of Tract 5A, N.C.B. 10914 a distance of 9.88 feet to a point for a corner of this drainage easement;

THENCE: N 46°40'32" E a distance of 158.08 feet to the POINT OF BEGINNING for this drainage easement containing 6,991.89 square feet (0.160 Acres), more or less.

7/29/02

STATE OF TEXAS
REGISTERED
RAZI S. HOSSEINI
5174
PROFESSIONAL
LICENSED
SURVEYOR

Razi Hosseini

H-2112

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

SEP 2 6 2003

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20030248751
Pages 4
09/25/2003 04:29:42 PM
Filed & Recorded in
Official Records of
BEXAR COUNTY
GERRY RICKHOFF
COUNTY CLERK
Fees $20.00

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