AZJ
12/04/14
Item No. 18

AN ORDINANCE 2014-12-04-0957

DECLARING AS SURPLUS A 0.07 ACRE TRACT OF CITY OWNED PROPERTY LOCATED AT 7242 CARRIAGE MIST IN COUNCIL DISTRICT 8 AND AUTHORIZING ITS SALE TO RONALD HARRELL FOR $5,805.00.

* * * * *

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 sell to Ronald Harrell or his assignee the .07 acre tract, more or less, as shown in **Attachment I** for $5,805.00. The City Manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the city a deed without warranty, substantially in the form shown in **Attachment II**, conveying the above-described property to Ronald Harrell or his assignee. The City Manager and her designee, severally, are authorized to take all additional actions reasonably necessary or convenient to effectuate the transaction, including executing and delivering all instruments and agreements conducive to effectuating the transaction.

SECTION 2. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 256000000001 and General Ledger 4903101.

SECTION 3. The disposition of surplus property must be coordinated through the City's Finance Department to assure the removal of these assets out of the City's financial records and to record the proper accounting transactions.

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. 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 **4th** day of **December**, **2014**.

Ivy R. Taylor

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

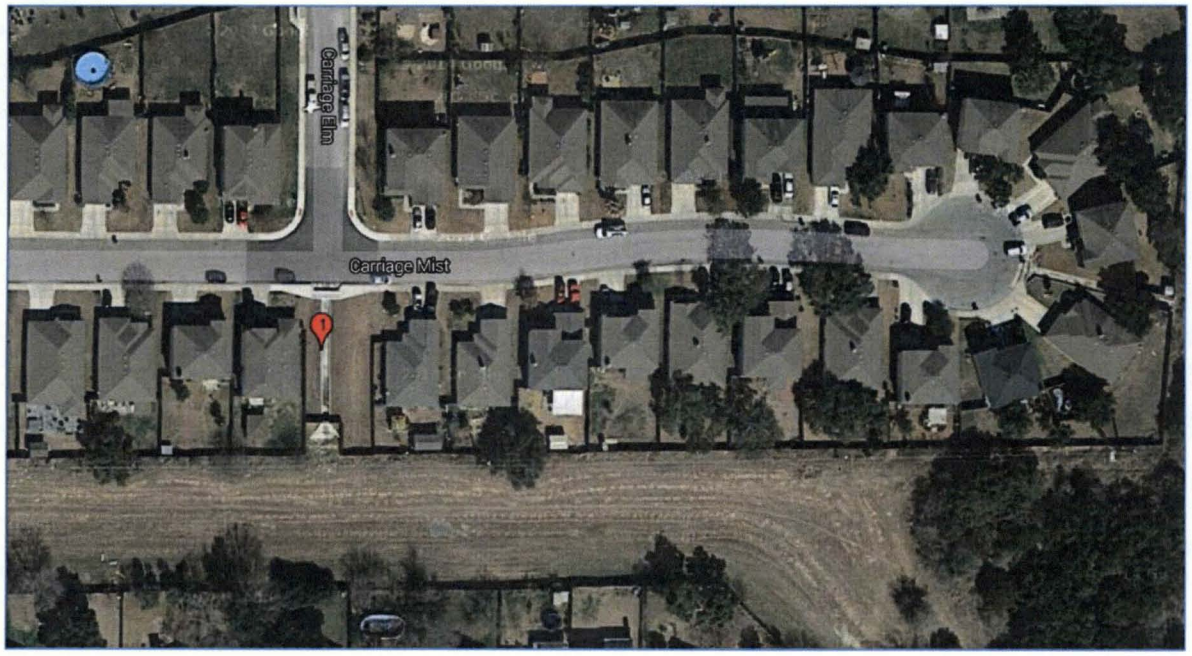
APPROVED AS TO FORM:

for **Martha G. Sepeda, Acting City Attorney**

Agenda Item:	**18 (in consent vote: 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 16D, 16E, 17, 18, 19, 20, 21, 22A, 22B, 23, 24, 26, 27, 28, 30, 31, 33, 34)**
Date:	12/04/2014
Time:	09:28:18 AM
Vote Type:	Motion to Approve
Description:	An Ordinance declaring surplus a 0.07 acre of vacant City-owned land located at 7242 Carriage Mist in Council District 8 and authorizing its sale to Ronald Harrell for a total of $5,805.00. [Peter Zanoni, Deputy City Manager; Mike Etienne, Director, EastPoint & Real Estate Services Office]
Result:	Passed

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

Attachment I



SUBJECT 0.07 PARCEL

METES AND BOUNDS
FOR A 0.07 OF AN ACRE (3124 SQ.FT.)
TRACT OF LAND

Being a 0.07 of an acre (3124 SQ. FT.) tract of land more or less out of LOT 88, BLOCK 25, N.C.B. 17293, known as CARRIAGE HILLS, PHASE IIIA, as recorded in Volume 9554, Page 148, Deeds and Plats Records of Bexar County, Texas; said 0.02 of an acre being more particularly described as follows;

NOTE: ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM OF 1983, 1993 ADJUSTMENT.

COMMENCING, at 1/2inch Iron Rod found at the Northeast corner of Lot 87, and the Northwest corner of Lot 88, Block 25, N.C.B. 17293, also being on the South right of way line of Carriage Mist (having a 50.0' R.O.W.); Thence, EAST, along the South right of way of said Carriage Mist, a distance of 20.53 feet to a ½ inch Iron Rod with cap set for the Northeast corner and POINT OF BEGINNING of the tract herein described;

Thence, EAST, along the South right of way of said Carriage Mist, a distance of 29.47 feet to a ½ inch Iron Rod with cap at the Northeast corner of Lot 88, and the Northwest corner of Lot 89, Block 25, of said N.C.B. 17293, for the Northwest corner of the tract herein described;

Thence, SOUTH, leaving the South right of way of said Carriage Mist, along the common line of Lot 88, and of Lot 89, Block 25, of said N.C.B. 17293, a distance of 110.24 feet to a ½ inch Iron Rod with cap set at the Southeast corner of Lot 88, and the Southwest corner of Lot 89, Block 25, of said N.C.B. 17293, for THE Southwest corner of the tract herein described;

Thence, S 89°04'12" W, along the South line of Lot 88, Block 25, of said N.C.B. 17293, a distance of 22.17 feet to a ½ inch Iron Rod with cap set for the Southwest corner of the tract herein described;

Thence, NORTH, a distance of 12.60 feet to a ½ inch Iron Rod with cap for an angle point of the tract herein described;

Thence, N 34°08'46" W, a distance of 13.01 feet to a ½ inch Iron Rod with cap set for an angle point of the tract herein described;

Thence, NORTH, a distance of 87.23 feet to the POINT OF BEGINNING, CONTAINING, an area of 3124 square feet, 0.07 of an acre of land more or less:

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

Oscar Hernandez, R.P.L.S. 5005
Registered Professional Land Surveyor
GONZALEZ DE LA GARZA

STATE OF TEXAS
REGISTERED
OSCAR HERNANDEZ
5005
PROFESSIONAL
LAND SURVEYOR

GONZALEZ DE LA GARZA

115 East Travis St. Suite 1120 | Milam Building | San Antonio, Tx 78205
Off#: 210-208-9400 | Fax#: 210-208-9401

NOTE:

1. BY GRAPHIC PLOTTING ONLY, THIS PROPERTY WAS SCALED TO BE IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 48029C0220G WHICH BEARS A REVISED DATE OF SEPTEMBER 29, 2010. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.

2. BASIS OF BEARINGS ON THIS SURVEY IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NAD 83 DATUM.

3. THIS SURVEY WAS DONE WITHOUT THE BENIFIT OF A TITLE COMMITMENT OR TITLE REPORT, THEREFORE NOT ALL EASEMENTS AFFECTING THE PROPERTY MAYBE SHOWN.

4.10.0 FEET EASEMENT, 5 FEET ON EACH SIDE OF PROPERTY LINE.

5. 12.0 FEET ELECTRICAL, GAS, TELEPHONE, AND CABLE TV EASEMENT.

6. 20.0 FEET REAR BUILDING SET BACK LINE

I, OSCAR HERNANDEZ, REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5005, HEREBY CERTIFY THAT THE SURVEY DESCRIBED HEREIN WAS MADE ON THE GROUND ON THE 15TH DAY OF APRIL, 2014. THAT THE ONLY VISIBLE IMPROVEMENTS ON THE GROUND ARE AS SHOWN; THAT THERE ARE NO VISIBLE INTRUSIONS OR PROTRUSIONS, VISIBLE OVERLAPPINGS, APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN. THIS SURVEY SUBSTANTIALLY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE AS APPROVED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

OSCAR HERNANDEZ, R.P.L.S. # 5005

5-13-20

THIS SURVEY PLAT IS NOT VALID WITHOUT THE ORIGINAL SEAL AND SIGNATURE.

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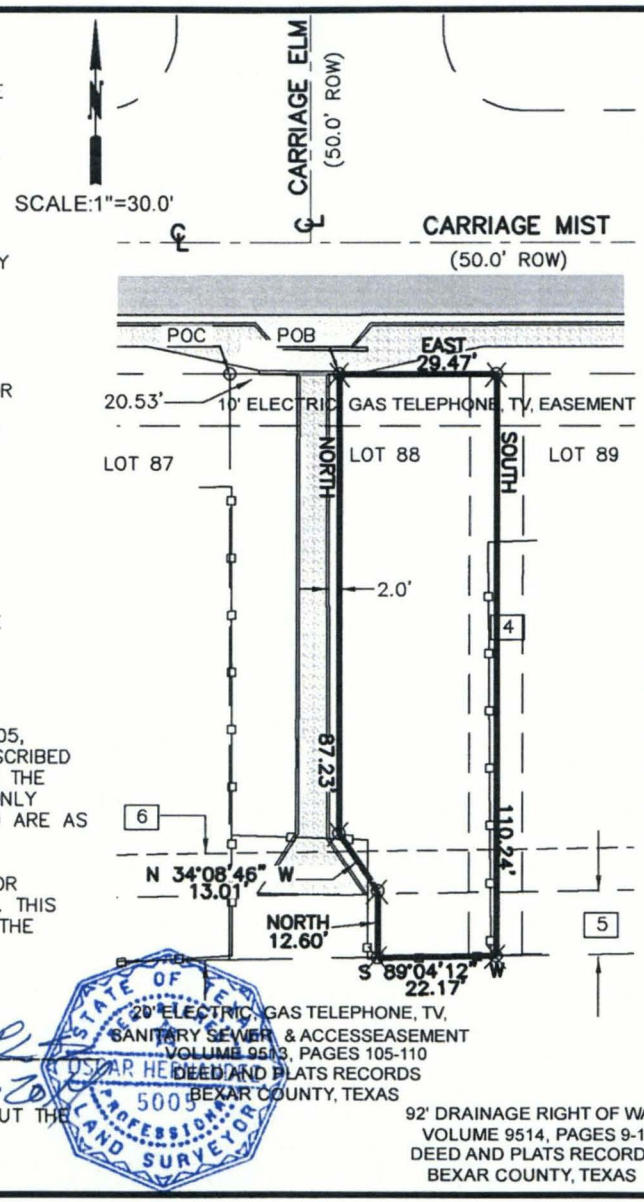

LEGEND

- 1/2" IRON PIN W/CAP SET
- CABLE BOX
- 0.5' TELEPHONE PEDISTAL
- 1/2" IRON PIN FOUND
- ELECTRICAL BOX
- 1.0' TELEPHONE PEDISTAL
- WOODEN FENCE
- CHAIN LINK FENCE
- RELATIVE TO NUMBER ON NOTES

MAP OF SURVEY

OF

Being a 0.07 of an acre (3124 SQ. FT.) tract of land more or less out of LOT 88, BLOCK 25, N.C.B. 17293, known as CARRIAGE HILLS, PHASE IIIA, as recorded in Volume 9554, Page 148, Deeds and Plats Records of Bexar County, Texas,

SURVEYED FOR: CAPITAL IMPROVEMENT MANAGEMENT SERVICES

ADDRESS: 7242 CARRIAGE MIST
SAN ANTONIO, TEXAS 78240

DATE: 4-15-2014

GONZALEZ DE LA GARZA
115 E. TRAVIS ST. SUITE 1120
SAN ANTONIO, TX 78205
p:210.208.9400 f:210.208.9401
TBPE FIRM# 10015
TBPS FIRM# 10193922

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

Authorizing Ordinance:	
Statutory Authority:	Local Government Code § 272.001(a)
SP No./Parcel:	
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:	
Grantee's Mailing Address:	
Consideration:	$10 in hand paid and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged.
Property:	All of the following real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, being described as follows: more particularly described by metes and bounds and shown by survey on **Exhibit "A"** attached hereto and incorporated herein verbatim for all purposes.

Grantor, for the Consideration, Grants, Bargains, and Conveys to Grantee, all of Grantor's right, title, interest, and estate, both at law and in equity, as of the date hereof, in and to the Property, 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: This conveyance is explicitly subject to the following:

A. Reservations: All recorded reservations.

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.

Draft. This is only to show the agreed form of the final document. This draft deed is neither ready nor suitable to be signed.

In Witness Whereof, Gr d:

Grantor:

City of San Antonio, a T

By:_____

Printed
Name:_____

Title:_____

Date:_____

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:

_____

_____

_____