AZJ:gg
12/04/14
Item No. 24

AN ORDINANCE 2014-12-04-0964

CLOSING, VACATING, AND ABANDONING A 0.1915 ACRE IMPROVED PORTION OF IRA ALDRIDGE BETWEEN N. MITTMAN STREET AND HUDSON STREET AND A 0.1927 ACRE IMPROVED PORTION OF IRA ALDRIDGE BETWEEN N. GEVERS STREET AND N. MITTMAN STREET, IN COUNCIL DISTRICT 2, AS REQUESTED BY THE SAN ANTONIO HOUSING AUTHORITY; AND WAIVING ASSOCIATED FEES.

* * * * *

WHEREAS, the San Antonio Housing Authority applied and was awarded the Choice Neighborhoods grant through the United States Department of Housing and Urban Development; and

WHEREAS, the San Antonio Housing Authority's Wheatley Choice Transformation Plan was selected for designation as a Choice Neighborhood which provides access to resources and expertise to transform distressed neighborhoods; and

WHEREAS, as part of its redevelopment plan, the San Antonio Housing Authority submitted a request to for the City of San Antonio to close, vacate and abandon its interest in two improved portions of Ira Aldridge so the right-of-ways can be incorporated as part of the new development; and

WHEREAS, both of these closures are located in Council District 2 and are a necessary part of the master plan for the Wheatley Courts Transformation Plan; **NOW THEREFORE,**

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

SECTION 1. Subject to the reservation below, as an exercise of its discretion, the City Council closes, vacates, and abandons the right-of-way segments ("Right-of-Way Segments") identified in Section 2 of this Ordinance.

SECTION 2. The detailed description of the Right-of-Way Segments is set forth on **Attachment I**. Maps and pictures of the Right-of-Way Segments are set forth on **Attachment II**. Both Attachments I and II are incorporated into this Ordinance for all purposes as if they were fully set forth. Attachment I controls over any discrepancy between it and Attachment II.

SECTION 3. All presently existing water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this Ordinance and may continue to be used, repaired, enlarged, and maintained in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. Any person building on the Right-of-Way Segment without first reaching an agreement with a utility having lines or facilities in the segment does so at his own risk. After the date of this Ordinance, no utility may add additional utility lines or facilities in the Right-of-Way Segment based on a claim that the Right-of-Way Segment is public right of way. All existing drainage rights in the Right-of-Way Segments are

retained by the City. This closure does not give up any right arising other than from the plat or other instrument creating the public street right of way.

SECTION 4. The City Manager or her designee, severally, are authorized and directed to execute and deliver all documents and to do all other things conducive to reflect this closure, abandonment, and vacation.

SECTION 5. The Right-of-Way Segments exist by easement. The underlying fee ownership of the Right-of-Way Segments by the adjacent lot owners is now unburdened by the rights closed, vacated, and abandoned. For purposes of future conveyance and to better reflect their ownership generally, owners of the adjacent property should replat. No such replat impairs the rights retained by City above, unless in the course of replatting, the owner, at its own expense, otherwise provides for those rights according to platting rules of general applicability

SECTION 6. 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. All associated fees for these Right-of-Way Segments are waived.

SECTION 7. 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 8. 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**

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Martha G. Sepeda, Acting City Attorney

Agenda Item:	**24 (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 authorizing the closure, vacation and abandonment of a 0.1915 acre improved portion of Ira Aldridge between N. Mittman Street and Hudson Street and a 0.1927 acre improved portion of Ira Aldridge between N. Gevers Street and N. Mittman Street in Council District 2, as requested by the San Antonio Housing Authority and waiving associated fees in connection with the Wheatley Courts Rehabilitation project. [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

VICKREY & ASSOCIATES, Inc.
CONSULTING ENGINEERS

METES AND BOUNDS DESCRIPTION
0.1915-ACRE TRACT OUT OF NEW CITY BLOCK 1345
CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

Being a 0.1915-acre (8,342 square feet) tract of land out of New City Block (NCB) 1345, said 0.1915-acre tract being a portion of the Ira Aldridge right-of-way (ROW), a variable width ROW, situated between N. Mitmann Street (variable width ROW) and Hudson Street (55.6-foot ROW), said Ira Aldridge being that same tract of land conveyed from the Housing Authority of the City of San Antonio, Texas to the City of San Antonio by Deed recorded in Volume 4609, Page 177, Deed Records of Bexar County Texas (all records cited herein are recorded in Bexar County, Texas), said 0.1915-acre tract being more particularly described as follows, with all bearings being referenced to North American Datum of 1983, Texas State Plane Coordinate System, South Central Zone (4204):

COMMENCING at a found ½-inch iron rod at the northwest corner of Lot 26, NCB 1344, recorded in Volume 1625, Page 194, Deed and Plat Records (DPR), same point also lying on the east ROW line of said Hudson Street;

THENCE S89°39'43"W, into and across said Hudson Street, a distance of 55.60 feet, to a point on the east line of NCB 1345, same point also being on the west line of Hudson Street;

THENCE N00°20'17"W, along the common line of said NCB 1345 and Hudson Street, a distance of 55.22 feet to a point on the back of curb of the south curb line of said Ira Aldridge, for the **POINT OF BEGINNING** and southeast corner of the herein described tract;

THENCE into and across said NCB 1345 and generally along the back of curb of said south curb line, the following two (2) calls:

1. S89°36'50"W, a distance of 429.40 feet to a point on back of curb of said south curb line, said point being a tangent point of curvature of a curve to the left, for a corner of the herein described tract, and
2. along said curve to the left, a distance of 5.04 feet, with a radius of 17.40 feet, a central angle of 16°35'10", and a chord bearing and distance of S81°19'15"W, 5.02 feet to a point on back of curb of said south curb line, same point also being on the east ROW line of N. Mitmann Street, for the southwest corner of the herein described tract;

THENCE N00°11'29"W, along the east ROW line of said N. Mitmann Street, a distance of 20.77 feet to a non-tangent point of curvature of a curve to the left, said point being on the back of curb of the north curb line of said Ira Aldridge, for the northwest corner of the herein described tract;

THENCE departing said east line of N. Mittman Street, into and across said NCB 1345, and along the back of curb of the north curb line of said Ira Aldridge, the following two (2) calls:

1. along said curve to the left, a distance of 5.43 feet, with a radius of 17.40 feet, a central angle of 17°53'14", and a chord bearing and distance of S81°26'33"E, 5.41 feet to a point on back of curb of said north curb line, for a corner of the herein described tract, and
2. N89°36'50"E, a distance of 428.97 feet to a point on back of curb of said north curb line, returning to said common line of NCB 1345 and Hudson Street ROW, for the northeast corner of the herein described tract;

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Thence S00°20'17"E, along said common line, a distance of 19.20 feet returning to the **POINT OF BEGINNING** and containing 0.1915 acres (8,342 square feet) of land, more or less.

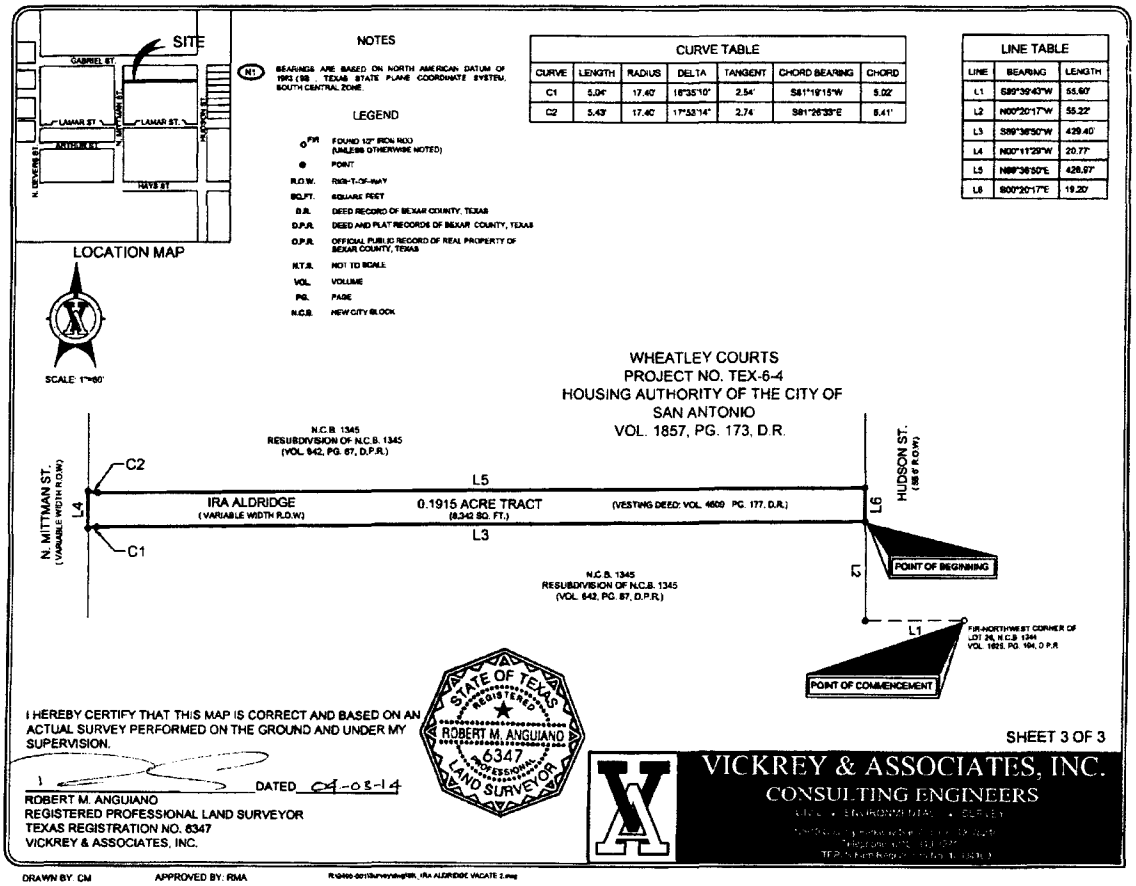
V&A Job No. 2495-001-140
April 3, 2014

Certified on the 3rd day of April, 2014

Robert M. Anguiano
Registered Professional Land Surveyor
Texas Certified Registration No. 6347
Vickrey & Associates, Inc.

STATE OF TEXAS
REGISTERED
ROBERT M. ANGUIANO
6347
PROFESSIONAL
LAND SURVEYOR

Attachment I - (0.1915 Acre)



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	5.04'	17.40'	16°35'10"	2.54'	S81°19'15"W	5.02'
C2	5.43'	17.40'	17°53'14"	2.74'	S81°26'33"E	5.41'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°39'43"W	55.60'
L2	N00°20'17"W	55.22'
L3	S89°38'50"W	429.40'
L4	N00°11'29"W	20.77'
L5	N89°38'50"E	428.97'
L6	S00°20'17"E	19.20'

I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND BASED ON AN ACTUAL SURVEY PERFORMED ON THE GROUND AND UNDER MY SUPERVISION.

DATED 04-08-14

ROBERT M. ANGUIANO
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6347
VICKREY & ASSOCIATES, INC.

Attachment I - (0.1915 Acre)

VICKREY & ASSOCIATES, Inc.
CONSULTING ENGINEERS

METES AND BOUNDS DESCRIPTION
0.1927-ACRE TRACT OUT OF NEW CITY BLOCK 1346
CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

Being a 0.1927-acre (8,396 square feet) tract of land out of New City Block (NCB) 1346, said 0.1927-acre tract being a portion of the Ira Aldridge right-of-way (ROW), a variable width ROW, situated between N. Mitmann Street (variable width ROW) and N. Gevers Street (27.8-foot ROW), said Ira Aldridge being that same tract of land conveyed from the Housing Authority of the City of San Antonio, Texas to the City of San Antonio by Deed recorded in Volume 4609, Page 177, Deed Records of Bexar County Texas (all records cited herein are recorded in Bexar County, Texas), said 0.1927-acre tract being more particularly described as follows, with all bearings being referenced to North American Datum of 1983, Texas State Plane Coordinate System, South Central Zone (4204):

COMMENCING at a found ½-inch iron rod at the northwest corner of Lot 26, NCB 1344, recorded in Volume 1625, Page 194, Deed and Plat Records (DPR), same point also lying on the east ROW line of said Hudson Street;

THENCE S89°39'43"W, into and across said Hudson Street, a distance of 55.60 feet to a point on the east line of NCB 1345, same point also being on the west line of Hudson Street;

THENCE N00°20'17"W, along the common line of said NCB 1345 and Hudson Street, a distance of 74.42 feet on the point on the back of curb of the north curb line of said Ira Aldridge;

THENCE S89°36'50"W, along the back of curb of said north curb line, a distance of 428.97 feet to a tangent point of curvature of a curve to the right;

THENCE along said curve to the right and along the back of curb of said north curb line, a distance of 5.43 feet, with a radius of 17.40 feet, a central angle of 17°53'14", and a chord bearing and distance of N81°26'33"W, 5.41 feet to a point on the east line of said N. Mittman Street;

THENCE S89°45'56"W, departing said east line of N. Mittman Street, into and across said N. Mittman Street, a distance of 51.42 feet to a point on the west line of N. Mittman Street, said point being on the back of curb of the north curb line of Ira Aldridge, for the northeast corner and **POINT OF BEGINNING** of the herein described tract;

THENCE S00°14'38"E, along the west line of said N. Mittman Street, a distance of 21.37 feet to a non-tangent point of curvature of a curve to the left, said point being on back of curb of the south curb line of Ira Aldridge, for the southeast corner of the herein described tract;

THENCE departing said west ROW line of N. Mittman Street, into and across said NCB 1346 and generally along the back of curb of said south curb line of said Ira Aldridge, the following three (3) calls:

1. along said curve to the left, a distance of 6.49 feet, with a radius of 17.40 feet, a central angle of 21°21'36", and a chord bearing and distance of N79°42'22"W, 6.45 feet to a point on back of curb of said south curb line, for a corner of the herein described tract,

2. S89°36'50"W, a distance of 418.07 feet to a point on back of curb of said south curb line, said point being a tangent point of curvature of a curve to the left, for a corner of the herein described tract, and

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Attachment I - (0.1927 acre)

3. along said curve to the left, a distance of 11.85 feet, with a radius of 17.40 feet, a central angle of 39°01'49", and a chord bearing and distance of S70°05'55"W, 11.63 feet to a point on back of curb of said south curb line, said point being on the east ROW line of N. Gevers Street, said point also being on the west line of said NCB, for the southwest corner of the herein described tract;

THENCE N00°20'17"W, along the common line of said NCB 1346 and said N. Gevers Street ROW, a distance of 28.00 feet to a point on the back of curb of the north curb line of said Ira Aldridge, at a non-tangent point of curvature of a curve to the left, for the northwest corner of the herein described tract;

THENCE departing said common line, into and across said NCB 1346, and along the back of curb of the north curb line of said Ira Aldridge, the following three (3) calls:

1. along said curve to the left, a distance of 13.42 feet, with a radius of 17.40 feet, a central angle of 44°10'42", and a chord bearing and distance of S68°17'47"E, 13.09 feet to a point on back of curb of said north curb line, for a corner of the herein described tract,
2. N89°36'50"E, a distance of 417.52 feet to a tangent point of curvature of a curve to the left, said point being on the back of curb of said north curb line, for a corner of the herein described tract,
3. along said curve to the left, a distance of 5.86 feet, with a radius of 17.40 feet, a central angle of 19°17'32", and a chord bearing and distance of N79°58'04"E, 5.83 feet returning to the **POINT OF BEGINNING** and containing 0.1927 acres (8,396 square feet) of land, more or less.

V&A Job No. 2495-001-140
April 3, 2014

Certified on the 3rd day of April, 2014

Robert M. Anguiano
Registered Professional Land Surveyor
Texas Certified Registration No. 6347
Vickrey & Associates, Inc.

STATE OF TEXAS
REGISTERED
ROBERT M. ANGUIANO
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PROFESSIONAL
LAND SURVEYOR

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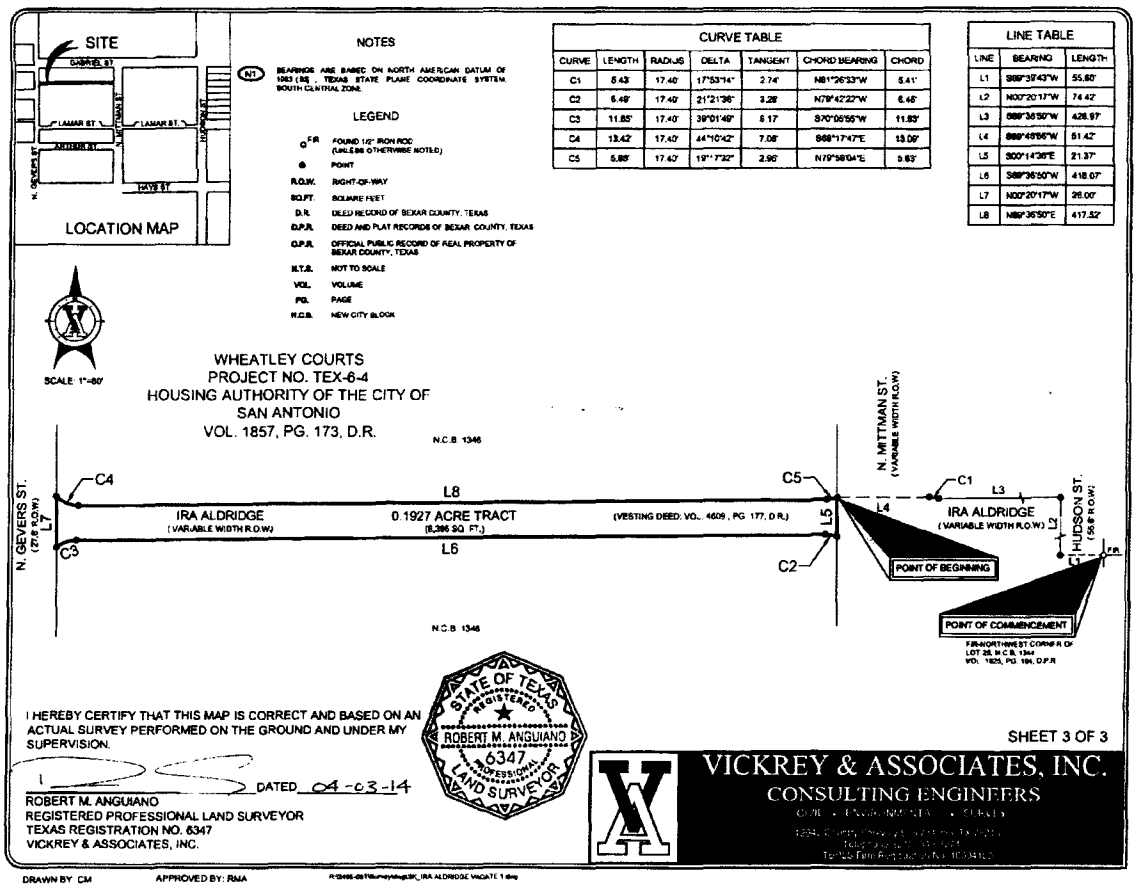
Attachment I - (0.1927 acre)



CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD BEARING	CHORD
C1	5.43'	17.40'	17°53'14"	2.74'	N81°26'33"W	5.41'
C2	6.49'	17.40'	21°21'36"	3.28'	N79°42'22"W	6.46'
C3	11.85'	17.40'	39°01'49"	6.17'	S70°05'55"W	11.83'
C4	13.42'	17.40'	44°10'42"	7.08'	S88°17'47"E	13.09'
C5	5.88'	17.40'	19°[illegible]7'32"	2.96'	N79°58'04"E	5.83'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S88°37'43"W	55.80'
L2	N00°20'17"W	74.42'
L3	S89°36'50"W	426.97'
L4	S89°49'56"W	51.42'
L5	S00°14'36"E	21.37'
L6	S89°36'50"W	418.07'
L7	N00°20'17"W	26.00'
L8	N89°36'50"E	417.52'

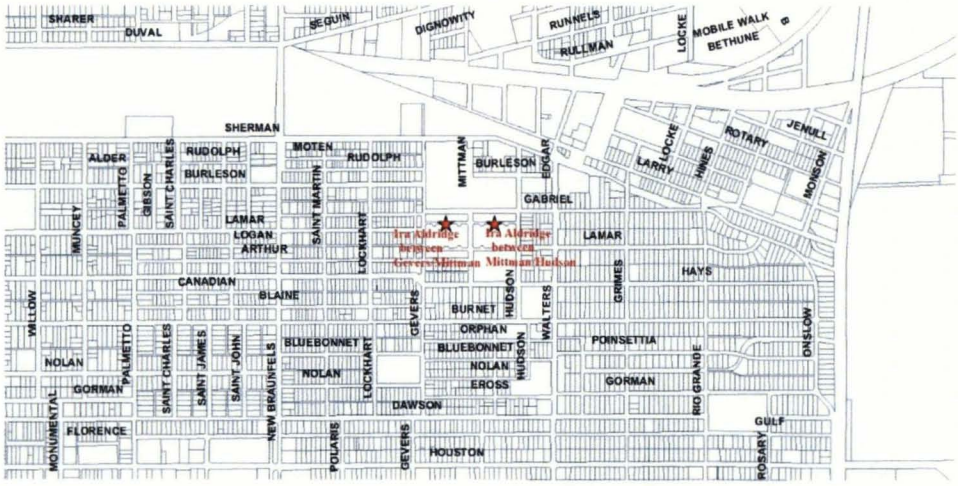
I HEREBY CERTIFY THAT THIS MAP IS CORRECT AND BASED ON AN ACTUAL SURVEY PERFORMED ON THE GROUND AND UNDER MY SUPERVISION.

DATED 04-03-14

ROBERT M. ANGUIANO
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 6347
VICKREY & ASSOCIATES, INC.

Attachment I - (0.1927 acre)

Attachment II



S.P. SAHA request to close, vacate and abandon portions of Ira Aldridge located between N. Gevers Street and N. Mittman (A), and between N. Mittman and Hudson Street (B)

Attachment II