SG/cla
05/07/2015
Z-2

CASE NO. Z2015138

AN ORDINANCE 2015-05-07-0381

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 the South 52 feet of Lot 19, Block 2 (also known as Block 6), NCB 311 save and except that portion recorded by deed in Volume 2593, Page 495; Lot 20, Block 3 (also known as Block 2), NCB 311; and the North 62.6 feet (sometimes described as the North 51.3 feet) of Lot 19, Block 2, NCB 311, save and except that portion recorded by deed in Volume 2475, Page 390 from "C-3NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District.

SECTION 2. A description of the property recorded in Volume 2474, Page 390 and in Volume 2539, Page 495 of the Bexar County Real Property Records, which is saved and excepted in Section 1 above, 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 17, 2015.

PASSED AND APPROVED this 7th day of May 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:

Susan Guin

For Martha G. Sepeda, Acting City Attorney

Agenda Item:	**Z-2 (in consent vote: Z-1, Z-2, Z-3, P-1, Z-5, Z-6, Z-7, Z-8, Z-10, Z-11, Z-12, Z-13, P-3, Z-14, Z-15, Z-20)**
Date:	05/07/2015
Time:	02:08:27 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015138 (District 1): An Ordinance amending the Zoning District Boundary from "C-3 NA AHOD" General Commercial Nonalcoholic Sales Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on a portion of Lots 19 & 20, Block 2, NCB 311 located at 206 El Paso, 801 and 805 South San Saba. Staff and Zoning Commission recommend Approval.
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			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				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

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STATE OF TEXAS } 525479 Z2015138

COUNTY OF BEXAR

KNOW ALL MEN BY THESE PRESENTS:

That I, CELESTINA GARCIA EHRLICH (also known as Celestina Garcia), a feme sole,

of Bexar County, Texas, , in consideration of the sum of

FOUR HUNDRED AND NO/100 - - - - - - - - - - - - - - - Dollars ($400.00)

to said grantor in hand paid by the grantee hereinafter named, the receipt of which is hereby acknowledged,

Said consideration being also in full accord and satisfaction of all damages to the grantor or to the property caused by the widening, straightening, opening or changing of the adjacent street; and to deliver possession to the City of San Antonio, free from all claims of any person; and

The consideration specified herein includes full accord, satisfaction and compensation for all demands and damages to the remaining property of the seller, if any; and, if the property conveyed is used as "Freeway", the owner of the remaining property shall not have the right of ingress or egress thereto;

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto CITY OF SAN ANTONIO, a Municipal Corporation,

of Bexar County, Texas, all that certain property situated in San Antonio, Bexar County, Texas, described as follows, to-wit:

BEING Part of the North 62.66 feet (sometimes described as the North 61.3 feet) of Lot Nineteen (19), Block Two (2), New City Block Three Hundred Eleven (311), more particularly described as follows:

BEGINNING at the point of intersection of the West line of San Saba Street and the division line between the North 61.3 feet of Lot 19 and the South 52.0 feet of Lot 19, said point being the Northeast corner of the South 52.0 feet of Lot 19 and the Southeast corner of the North 61.3 feet of Lot 19, Block 2, New City Block 311;
THENCE in a westerly direction along the division line between the North 61.3 feet of Lot 19, and the South 52.0 feet of Lot 19, a distance of 14.59 feet to a point;
THENCE in a northeasterly direction in a straight line across the Southeast corner of the North 61.3 feet of Lot 19, a distance of 51.35 feet, more or less, to a point in the West line of San Saba Street, said point being 49.23 feet, more or less, measured northward along the West line of San Saba Street from the division line between the South 52.0 feet of Lot 19 and the North 61.3 feet of Lot 19;
THENCE in a southerly direction along the West line of San Saba Street, a distance of 49.23 feet, more or less, to the point or place of BEGINNING;

Attachment A

TO HAVE AND TO HOLD the said premises, together with all rights, hereditaments and appurtenances thereto belonging, unto the said grantee above named, its successors / ~~heirs~~ and assigns forever. And I do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the title to said property unto the said grantee above named, its successors, ~~heirs~~ and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

Grantee herein assumes the full payment of all taxes for the current year on the property hereby conveyed.

EXECUTED this the 2nd day of December, 1947.

Celestina Garcia Ehrlich

Approved as to form:

Hugh R. McLeaston

Asst. City Attorney.

STATE OF TEXAS }
COUNTY OF BEXAR }

Before me, the undersigned authority, on this day personally appeared CELESTINA GARCIA EHRLICH (also known as Celestina Garcia), a feme sole, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 15th day of DECEMBER, 1947.

Joe Villarreal

Notary Public, BEXAR County, Texas.

JOE VILLARREAL
Notary Public, Bexar County, Texas

THE STATE OF TEXAS }
COUNTY OF BEXAR }

BEFORE ME, the undersigned authority, on this day personally appeared CELESTINA GARCIA EHRLICH, also known as Celestina Garcia, who being duly sworn by me, upon oath, deposes and says:

THAT she is the former wife of Joseph R. Ehrlich; THAT she and the said Joseph R. Ehrlich were divorced on the 21st day of August, 1935; THAT since said date she has continuously remained and is now an unmarried person.

Celestina Garcia Ehrlich

SUBSCRIBED and SWORN to before me this the 15 day of December, 1947.

Joe Villarreal

Notary Public, Bexar County, Texas.

JOE VILLARREAL
Notary Public, Bexar County, Texas

Filed for record Dec. 15, 1947, at 4:18 o'clock P.M.

Recorded Dec. 16, 1947, at 11:32 o'clock A.M.

FRED HUNTRESS, County Clerk, Bexar County, Texas

By W. C. Petry Deputy.

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STATE OF TEXAS
COUNTY OF BEXAR

569016

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KNOW ALL MEN BY THESE PRESENTS:

That I, CHARLES B. MEDOLA,

of Bexar County, Texas, in consideration of the sum of

THREE THOUSAND NINE HUNDRED FOUR AND NO/100 - - - - - Dollars ($3904.00)

to said grantor in hand paid by the grantee hereinafter named, the receipt of which is hereby acknowledged,

Said consideration being also in full accord and satisfaction of all damages to the grantor or to the property caused by the widening, straightening, opening or changing of the adjacent street; and to deliver possession to the City of San Antonio, free from all claims of any person; And,

The consideration specified herein includes full accord, satisfaction and compensation for all demands and damages to the remaining property of the seller, if any; and, if the property conveyed is used as "Freeway" the owner of the remaining property shall not have the right of ingress or egress thereto; And also,

The grantor binds himself, his heirs and their assigns, to remove forthwith at their expense, all buildings and obstructions from the tract here described and to deliver possession to the City of San Antonio, free from all claims of any person, not later than February 1, 1948;

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto CITY OF SAN ANTONIO, a Municipal Corporation,

of Bexar County, Texas, all that certain property situated in San Antonio, Bexar County, Texas, described as follows, to-wit:

Being part of the South fifty-two (52) feet of Lot Nineteen (19), Block Six (6), New City Block Three Hundred Eleven (311), described as follows:

BEGINNING at point of intersection of West line of San Saba Street and division line between Lot 18 on South and the South 52 feet of Lot 19 on the North, said point being the Northeast corner of Lot 18 and Southeast corner of the South 52 feet of Lot 19 in said block; Thence in a westerly direction along division line between Lot 18 on South and the South 52 feet of Lot 19 on North, a distance of 30.01 feet to point; Thence in a northeast direction in a straight line across South 52 feet of Lot 19, a distance of 54.23 feet, more or less, to a point on division line between South 52 feet of Lot 19 and North 61.3 feet of Lot 19, said point being 14.59 feet westward from West line of San Saba Street measured along division line between South 52 feet of Lot 19 and North 61.3 feet of Lot 19; Thence in a easterly direction along the division line between the North 61.3 feet of Lot 19 and South 52 feet of Lot 19 a distance of 14.59 feet to point in West line of San Saba Street; Thence in a southerly direction along West line of San Saba Street a distance of 52 feet, more or less, to point of beginning.

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TO HAVE AND TO HOLD the said premises, together with all rights, hereditaments and appurtenances thereto belonging, unto the said grantee above named, its successors and assigns forever. And I do hereby bind myself, my heirs, executors and administrators, to WARRANT AND FOREVER DEFEND the title to said property unto the said grantee above named, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof.

EXECUTED this the 1st day of September, 1948.

Charles B. Medola

Approved as to Form
Asst. City Attorney

STATE OF TEXAS
COUNTY OF BEXAR

Before me, the undersigned authority, on this day personally appeared

CHARLES B. MEDOLA

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 5th day of October, 1948.

HERBERT WILLIAMS

Herbert Williams
Notary Public, Bexar County, Texas.

Filed for record Oct. 6, 1948, at 3:50 o'clock P.M.
Recorded Oct. 7, 1948, at 1:14 o'clock P.M.
FRED HUNTRESS, County Clerk, Bexar County, Texas
By James Meyette Deputy