

A RESOLUTION **2012-08-30-0034R**

TO REQUEST THE TEXAS TRANSPORTATION COMMISSION, THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, TO DECLARE AS SURPLUS 10.70 ACRES OF PUBLIC RIGHT-OF-WAY LOCATED NEAR THE IH-37 SOUTHBOUND EXIT RAMP TO CÉSAR CHAVEZ STREET, RELEASE IT FROM THE TEXAS HIGHWAY SYSTEM AND CONVEY IT TO CITY OF SAN ANTONIO, LOCATED IN COUNCIL DISTRICT 1.

* * * * *

WHEREAS, the Market Street Realignment Project originated in association with the proposed Convention Center Expansion and HemisFair Park Area Master Plan to include the realignment of Market Street and Bowie Street towards the east of the proposed Convention Center expansion; and

WHEREAS, during the preliminary roadway alignment planning and coordination with the Convention Center Expansion Project, it was determined that additional land was needed to accommodate the proposed eastern expansion of the Convention Center and to accommodate and provide the necessary land needed, it was determined that the southbound exit ramp from IH-37 to César Chavez Street must be realigned toward the east; and

WHEREAS, the land by the ramp realignment is currently owned by the State of Texas and managed by the Texas Department of Transportation (TxDOT) and in order to facilitate the Convention Center expansion, TxDOT is willing to release the affected right-of-way segment from the state highway system; and

WHEREAS, in order to accommodate the improvements to the Henry B. Gonzalez Convention Center, it will be necessary to acquire right of way from the State of Texas, reroute a portion of Market Street where it intersects IH 37 and make other modifications to IH 37; and

WHEREAS, the modifications of IH 37 and the conveyance of right of way to the City will require the participation and approval of the Texas Transportation Commission and Texas Department of Transportation; **NOW THEREFORE**,

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

SECTION 1. By these presents, the City of San Antonio requests that certain right of way for IH 37 be declared by the Texas Highway Commission as surplus and that said right of way, as further described in metes and bounds and shown on the plat attached hereto as **Attachment I**, be considered surplus and conveyed by the State of Texas to the City of San Antonio pursuant to the provisions of Chapter 202 of the Texas Transportation Code.

SECTION 2. There is no financial impact with this Resolution.

SECTION 3. This Resolution shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED AND APPROVED this 30th day of August, 2012.



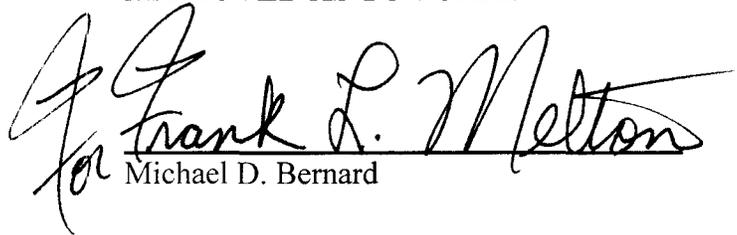
M A Y O R
Julián Castro

ATTEST:

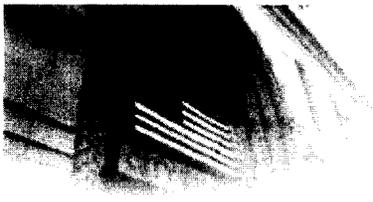


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

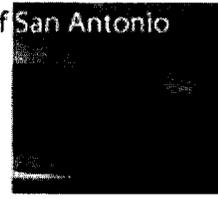


for Michael D. Bernard



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 8A

| Name: | 4, 6, 7, 8A, 8B, 8C, 9, 10, 13, 16, 19, 20A, 20B, 20C, 20D, 20E, 22, 23, 24, 26, 27, 28, 29 | | | | | | |
|---------------------|--|--------------------|------------|------------|----------------|---------------|---------------|
| Date: | 08/30/2012 | | | | | | |
| Time: | 09:27:22 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | A Resolution to request the Texas Transportation Commission, through the Texas Department of Transportation, to declare as surplus 10.70 acres of public Right-of-Way located near the IH-35 southbound exit ramp to César Chavez Street and release from the Texas Highway System to be conveyed to City of San Antonio . | | | | | | |
| 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 | | | | |
| Leticia Ozuna | District 3 | | x | | | | |
| Rey Saldaña | District 4 | | x | | | | |
| David Medina Jr. | District 5 | | x | | | | |
| Ray Lopez | District 6 | | x | | | | x |
| Cris Medina | District 7 | | x | | | x | |
| W. Reed Williams | District 8 | x | | | | | |
| Elisa Chan | District 9 | | x | | | | |
| Carlton Soules | District 10 | | x | | | | |

FIELD NOTES FOR CITY OF SAN ANTONIO PARCEL NUMBER 19003

Being 10.70 acres (466,074 square feet) of land situated in Bexar County, Texas and being a portion of the existing right-of-way of Interstate Highway 37 located south of East Commerce Street and north of Cesar Chavez Street in the City of San Antonio, Bexar County Texas. Said 10.70 acre tract being more particularly described by metes and bounds as follows (All bearings and coordinates are based on the Texas Coordinate System of 1983, South Central Zone, NAD 83, 93 Adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999830029.):

BEGINNING at a 1/2 inch iron rod found marking the southeasterly corner of a called 0.043 acre tract conveyed from the City of San Antonio to the State of Texas by deed dated July 26, 1994, recorded in Book D, Volume 6218, Page 1057, Official Public Records of Real Property of Bexar County, marking the northeasterly corner of a called 3.948 acre tract conveyed from the City of San Antonio, acting by and through its San Antonio Water System to the City of San Antonio by deed dated May 23, 2005, recorded under Clerks File Number 20050113214, Official Public Records of Real Property of Bexar County and marking the northwesterly corner of the herein described tract;

1. THENCE, South $68^{\circ} 25' 12''$ East, a distance of 32.18 feet to a point in the proposed westerly right-of-way line of said interstate Highway 37 and for the point of curvature of a non-tangent curve to the right and marking the northeasterly corner of the herein described tract;
2. THENCE, in a southerly direction, along the proposed westerly right-of-way line of said Interstate Highway 37 and along said non-tangent curve to the right having a radius of 1515.09 feet, a central angle of $10^{\circ} 10' 07''$ and a chord which bears South $17^{\circ} 00' 50''$ East, 268.54 feet, an arc distance of 268.89 feet to a point for the end of said curve and marking an angle point in the easterly line of the herein described tract;
3. THENCE, South $04^{\circ} 54' 55''$ East, along the proposed westerly right-of-way line of said Interstate Highway 37, a distance of 114.07 feet to the point of curvature of a non-tangent curve to the right and for an angle point in the easterly line of the herein described tract;
4. THENCE, in a southerly direction, along the proposed westerly right-of-way line of said Interstate Highway 37 and along said non-tangent curve to the right having a radius of 2855.00 feet, a central angle of $07^{\circ} 20' 18''$ and a chord which bears South $04^{\circ} 05' 54''$ East, 365.42 feet, an arc distance of 365.67 feet to a point of tangency in the easterly line of the herein described tract;

Attachment I

5. THENCE, South $00^{\circ} 25' 44''$ East, along the proposed westerly right-of-way line of said Interstate Highway 37, a distance of 196.10 feet to a point of curvature of a tangent curve to the right in the easterly line of the herein described tract;
6. THENCE, in a southerly direction, along the proposed westerly right-of-way line of said Interstate Highway 37 and along said tangent curve to the right having a radius of 1900.00 feet, a central angle of $09^{\circ} 19' 49''$ and a chord which bears South $04^{\circ} 14' 10''$ West, 309.06 feet, an arc distance of 309.40 feet to a point for the end of said curve and an angle point in the easterly line of the herein described tract;
7. THENCE, North $85^{\circ} 18' 16''$ West, along the proposed westerly right-of-way line of said Interstate Highway 37, a distance of 47.86 feet to the point of curvature of a non-tangent curve to the left and marking an angle point in the easterly line of the herein described tract;
8. THENCE, in a southerly direction, along the proposed westerly right-of-way line of said Interstate Highway 37 and along said non-tangent curve to the left having a radius of 3384.00 feet, a central angle of $01^{\circ} 40' 40''$ and a chord which bears South $03^{\circ} 51' 35''$ West, 99.09 feet, an arc distance of 99.10 feet to a point for the end of said curve, the point of curvature of a non-tangent curve to the left and marking an angle point in the easterly line of the herein described tract;
9. THENCE, in a southerly direction, along the proposed westerly right-of-way line of said Interstate Highway 37 and along said tangent curve to the left having a radius of 1894.00 feet, a central angle of $06^{\circ} 55' 32''$ and a chord which bears South $00^{\circ} 26' 31''$ East, 228.80 feet, an arc distance of 228.94 feet to a point for the end of said curve and an angle point in the easterly line of the herein described tract;
10. THENCE, South $03^{\circ} 54' 17''$ East, along the proposed westerly right-of-way line of said Interstate Highway 37, a distance of 251.06 feet to an angle point in the easterly line of the herein described tract;
11. THENCE, South $02^{\circ} 52' 41''$ East, along the proposed westerly right-of-way line of said Interstate Highway 37, a distance of 107.71 feet to a point for the southeasterly corner of the herein described tract;
12. THENCE, South $76^{\circ} 05' 30''$ West, a distance of 30.21 feet to a point in the existing westerly right-of-way line of said Interstate Highway 37 and in the easterly line of a called 6.544 acre tract conveyed from the City of San Antonio to the State of Texas by deed dated February 4, 1969 and recorded in Volume 6165, Page 473, Bexar County Deed Records, and for the southwesterly corner of the herein described tract;

13. THENCE, in a northerly direction, along the existing westerly right-of-way line of said Interstate Highway 37, the easterly line of said 6.544 acre tract, the easterly line of a called 6.524 acre tract conveyed from the City of San Antonio to the State of Texas by deed dated May 16, 1967 and recorded in Volume 5757, Page 451, Bexar County Deed Records, the easterly line of a called 18.422 acre tract conveyed from the Urban Renewal Agency of the City of San Antonio to the City of San Antonio by deed dated August 26, 1970 and recorded in Volume 6433, Page 177, Bexar County Deed Records and along said non-tangent curve to the left having a radius of 908.16 feet, a central angle of $34^{\circ} 53' 23''$ and a chord which bears North $27^{\circ} 08' 45''$ West, 544.51 feet, an arc distance of 553.01 feet to a 5/8-inch iron rod found for the point of tangency in the westerly line of the herein described tract;
14. THENCE, North $44^{\circ} 35' 26''$ West, along the existing westerly right-of-way line of said Interstate Highway 37, the easterly line of said 6.544 acre tract, a distance of 8.72 feet to a the point of curvature of a non-tangent curve to the right and for a 1/2-inch iron rod found in the westerly line of the herein described tract;
15. THENCE, in a northerly direction, along the existing westerly right-of-way line of said Interstate Highway 37, the easterly line of said 6.544 acre tract, and the easterly line of a called 0.0184 acre tract conveyed from the State of Texas to the City of San Antonio by deed dated November 20, 1987 and recorded in Volume 4198, Page 1947, Bexar County Deed Records and along said non-tangent curve to the right having a radius of 350.00 feet, a central angle of $57^{\circ} 30' 02''$ and a chord which bears North $15^{\circ} 50' 25''$ West, 336.69 feet, an arc distance of 351.25 feet to a point of tangency in the westerly line of the herein described tract;
16. THENCE, North $12^{\circ} 54' 34''$ East, along the existing westerly right-of-way line of said Interstate Highway 37 and the easterly line of said 0.0184 acre tract, a distance of 36.81 feet to a point in the former southeasterly right-of-way line of Indianola Street, for the northerly corner of said 0.0184 acre tract and for an angle point in the westerly line of the herein described tract;
17. THENCE, North $16^{\circ} 13' 24''$ West, along the existing westerly right-of-way line of said Interstate Highway 37 and crossing said Indianola Street, a distance of 64.81 feet to a point in the former southwesterly right-of-way line of Rose Alley, for the easterly corner of a called 0.0501 acre tract conveyed from the State of Texas to the City of San Antonio by deed dated November 20, 1987 and recorded in Volume 4198, Page 1947, Bexar County Deed Records and for an angle point in the westerly line of the herein described tract;

18. THENCE, North $42^{\circ} 51' 33''$ East, along the existing westerly right-of-way line of said Interstate Highway 37, crossing said Rose Alley and along the easterly line of a called 0.2778 acre tract conveyed from the State of Texas to the City of San Antonio by deed dated November 20, 1987 and recorded in Volume 4198, Page 1947, Bexar County Deed Records, a distance of 63.20 feet to an angle point in the westerly line of the herein described tract;
19. THENCE, North $12^{\circ} 53' 07''$ East, along the existing westerly right-of-way line of said Interstate Highway 37 and the easterly line of said 0.2778 acre tract, a distance of 7.82 feet to the point of curvature of a tangent curve to the left in the westerly line of the herein described tract;
20. THENCE, in a northerly direction, along the existing westerly right-of-way line of said Interstate Highway 37, the easterly line of said 0.2778 acre tract, crossing former North Street and along the easterly line of a called 0.0248 acre tract conveyed from the State of Texas to the City of San Antonio by deed dated November 20, 1987 and recorded in Volume 4198, Page 1947, Bexar County Deed Records, along the westerly line of Lot 2, Block 3 of N.C.B. 13814 on the Civic Center, Project No. 5, a subdivision plat recorded in Volume 9518, Page 122, Bexar County Plat Records and along said tangent curve to the left having a radius of 800.00 feet, a central angle of $42^{\circ} 01' 39''$ and a chord which bears North $08^{\circ} 06' 15''$ West, 573.75 feet, an arc distance of 586.81 feet to the end of said curve, for the westerly corner of said Lot 2, and for an angle point in the westerly line of the herein described tract, from which a found 1/2-inch iron rod bears South $43^{\circ} 21' 45''$ East, 2.37 feet;
21. THENCE, North $42^{\circ} 51' 33''$ East, along the existing westerly right-of-way line of said Interstate Highway 37 and along the northwesterly line of said Lot 2, a distance of 111.98 feet to a 1/2-inch iron rod found for the northerly corner of said Lot 2 and for an angle point in the westerly line of the herein described tract;
22. THENCE, South $45^{\circ} 48' 42''$ East, along the existing westerly right-of-way line of said Interstate Highway 37, along the southwesterly line of said 3.948 acre tract, along the northeasterly line of said Lot 2 and Lot 1, Block 3 of said Civic Center Project No. 5 Subdivision, a distance of 348.00 feet to a point for the easterly corner of said Lot 1 and the southeasterly corner of said 3.948 acre tract and for an angle point in the westerly line of the herein described tract, from which a found 1/2-inch iron rod bears South $29^{\circ} 49' 40''$ East, 0.85 feet;

23. THENCE, North $42^{\circ} 43' 14''$ East, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 80.75 feet to a 3-inch brass disk found for an angle point in the westerly line of the herein described tract;
24. THENCE, North $11^{\circ} 06' 48''$ East, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 20.77 feet to a 1/2-inch iron rod with cap stamped "CEC" found for an angle point in the westerly line of the herein described tract;
25. THENCE, North $01^{\circ} 34' 17''$ West, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 148.33 feet to a 1/2-inch iron rod with cap stamped "CEC" found for an angle point in the westerly line of the herein described tract;
26. THENCE, North $06^{\circ} 42' 08''$ West, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 59.40 feet to a 1/2-inch iron rod found for an angle point in the westerly line of the herein described tract;
27. THENCE, North $07^{\circ} 34' 21''$ West, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 150.57 feet to a 5/8-inch iron rod found for an angle point in the westerly line of the herein described tract;
28. THENCE, North $25^{\circ} 41' 14''$ West, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 86.85 feet to a 3-inch aluminum TxDot disk found for an angle point in the westerly line of the herein described tract;

29. THENCE, North 14° 04' 54" East, along the existing westerly right-of-way line of said Interstate Highway 37, along the easterly line of said 3.948 acre tract, a distance of 52.98 feet to the POINT OF BEGINNING and containing 10.70 acres (466,074 square feet) of land.

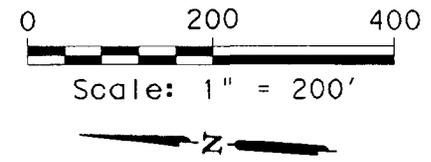
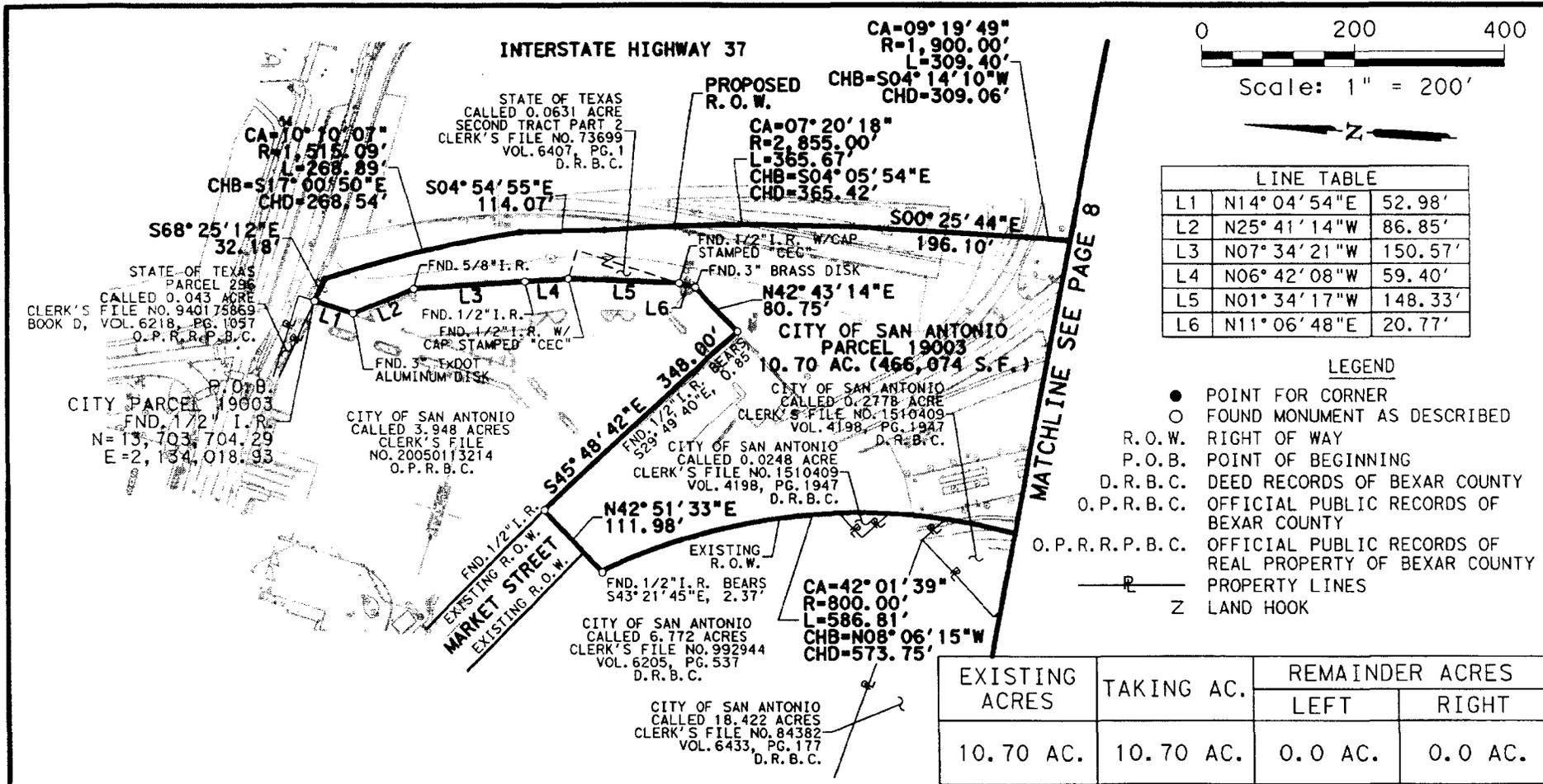
Note: This metes and bounds description is referenced to a survey drawing prepared by Cobb, Fendley & Associates, Inc. dated July, 2012 and titled "CITY OF SAN ANTONIO PARCEL NUMBER 19003".

I, William E. Merten, a Registered Professional Land Surveyor, hereby certify that this legal description hereon and the accompanying plat of even survey date represent an actual survey made on the ground under my supervision.



William E. Merten
Registered Professional Land Surveyor
Texas Registration No. 5046
Cobb, Fendley & Associates, Inc.
13430 Northwest Freeway, Suite 1100
Houston, Texas 77040
(713) 462-3242





| LINE TABLE | | |
|------------|-------------|---------|
| L1 | N14°04'54"E | 52.98' |
| L2 | N25°41'14"W | 86.85' |
| L3 | N07°34'21"W | 150.57' |
| L4 | N06°42'08"W | 59.40' |
| L5 | N01°34'17"W | 148.33' |
| L6 | N11°06'48"E | 20.77' |

MATCHLINE SEE PAGE 8

- LEGEND**
- POINT FOR CORNER
 - FOUND MONUMENT AS DESCRIBED
 - R.O.W. RIGHT OF WAY
 - P.O.B. POINT OF BEGINNING
 - D.R.B.C. DEED RECORDS OF BEXAR COUNTY
 - O.P.R.B.C. OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY
 - O.P.R.R.P.B.C. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY
 - P — PROPERTY LINES
 - Z LAND HOOK

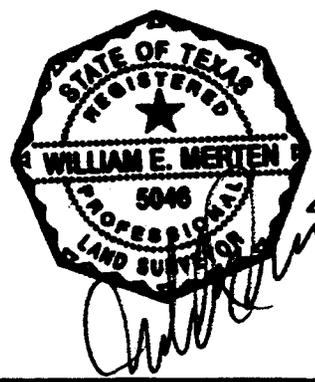
| EXISTING ACRES | TAKING AC. | REMAINDER ACRES | |
|----------------|------------|-----------------|---------|
| | | LEFT | RIGHT |
| 10.70 AC. | 10.70 AC. | 0.0 AC. | 0.0 AC. |

CobbFendley
 13430 Northwest Freeway, Suite 1100
 Houston, Texas 77040
 713.462.3242 | fax 713.462.3262 | www.cobbfendley.com

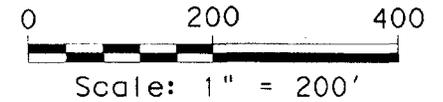
PARCEL PLAT
SHOWING

CITY OF SAN ANTONIO
PARCEL 19003

BEXAR COUNTY
DATED : JULY, 2012
PAGE 7 OF 8 SCALE: 1"=200'



- NOTES:**
1. ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, NAD83, 1993 ADJUSTMENT; ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED SCALE ADJUSTMENT FACTOR OF 0.999830029.
 2. A FIELD NOTE DESCRIPTION WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.

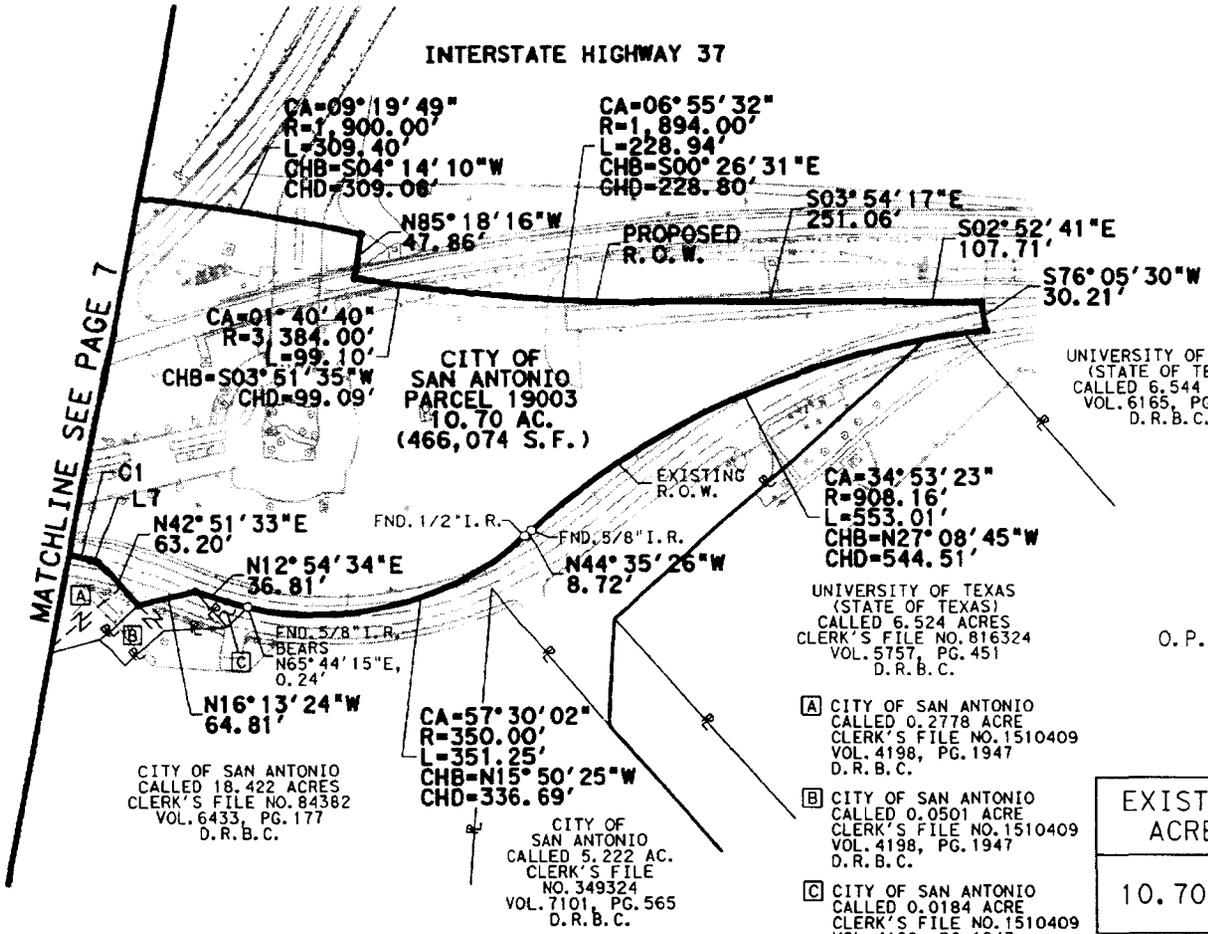


Scale: 1" = 200'



INTERSTATE HIGHWAY 37

MATCHLINE SEE PAGE 7



UNIVERSITY OF TEXAS
(STATE OF TEXAS)
CALLED 6,544 ACRES
VOL. 6165, PG. 473
D. R. B. C.

UNIVERSITY OF TEXAS
(STATE OF TEXAS)
CALLED 6,524 ACRES
CLERK'S FILE NO. 816324
VOL. 5757, PG. 451
D. R. B. C.

Ⓐ CITY OF SAN ANTONIO
CALLED 0.2778 ACRE
CLERK'S FILE NO. 1510409
VOL. 4198, PG. 1947
D. R. B. C.

Ⓑ CITY OF SAN ANTONIO
CALLED 0.0501 ACRE
CLERK'S FILE NO. 1510409
VOL. 4198, PG. 1947
D. R. B. C.

Ⓒ CITY OF SAN ANTONIO
CALLED 0.0184 ACRE
CLERK'S FILE NO. 1510409
VOL. 4198, PG. 1947
D. R. B. C.

LEGEND

- POINT FOR CORNER
- FOUND MONUMENT AS DESCRIBED
- R.O.W. RIGHT OF WAY
- P.O.B. POINT OF BEGINNING
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- O.P.R.R.P.B.C. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY
- P — PROPERTY LINES
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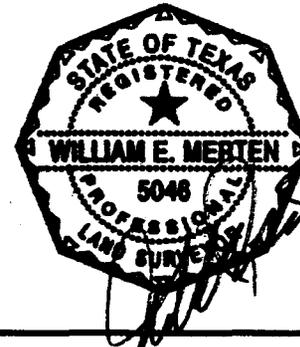
| EXISTING ACRES | TAKING AC. | REMAINDER ACRES | |
|----------------|------------|-----------------|---------|
| | | LEFT | RIGHT |
| 10.70 AC. | 10.70 AC. | 0.0 AC. | 0.0 AC. |

| | | |
|----|----------------|-------|
| L7 | N12° 53' 07" E | 7.82' |
|----|----------------|-------|

| | | | | | |
|----|----------------|-----------|-----------|--------------------|-------------|
| C1 | CA=42° 01' 39" | R=800.00' | L=586.81' | CHB=N08° 06' 15" W | CHD=573.75' |
|----|----------------|-----------|-----------|--------------------|-------------|

NOTES:

- ALL BEARINGS AND COORDINATES ARE BASED ON THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE, NAD83, 1993 ADJUSTMENT; ALL DISTANCES AND COORDINATES SHOWN ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING BY A COMBINED SCALE ADJUSTMENT FACTOR OF 0.999830029.
- A FIELD NOTE DESCRIPTION WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.



CobbFendley

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PARCEL PLAT
SHOWING

CITY OF SAN ANTONIO
PARCEL 19003

BEXAR COUNTY

DATED : JULY, 2012

PAGE 8 OF 8 SCALE: 1"=200'