SG/cla
05/01/2014
Z-18

CASE NO. Z2014117

AN ORDINANCE 2014-05-01-0310

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 0.65 of an acre out of Tract 12, Block A, NCB 8695 from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District.

SECTION 2. A description 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
for **Julián Castro**

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For Robert F. Greenblum, City Attorney

Agenda Item:	**Z-18 (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 #Z2014117 (District 10): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "RM-6 AHOD" Residential Mixed Airport Hazard Overlay District on 0.65 of an acre out of Tract 12, Block A, NCB 8695 located at 301 Rainbow Drive. Staff and Zoning Commission recommend approval.
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	

Z2014117

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF 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.

CHICAGO TITLE GF# 431200695 6 AF (3)

WARRANTY DEED

Date: December 14, 2012

Grantor: Ovid J. Gearman, Trustee of the Trust created under the Will of Merle E. Gearman, Deceased

Grantor's Mailing Address (including county):

815 Cobble Drive, San Antonio, TX 78216

Grantee: Rodolfo A. Reyes and Rosa Maria P. Reyes

Grantee's Mailing Address (including County):

507 Bluff Trail, San Antonio, TX 78209

Consideration: TEN AND NO/100 DOLLARS and other good and valuable consideration.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

Reservations From and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, conditions, and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned County and State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property. Ad valorem taxes on said property for the current year, having been prorated, the payment thereof is assumed by Grantee.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that the Contract provides for any such limitations or other agreed matters to survive the closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

Attachment A

Grantor, for the consideration, receipt of which is acknowledged, and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

Ovid J. Gearman, Trustee of the Trust created under the Will of Merle E. Gearman, Deceased

ACKNOWLEDGMENT

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on this the 14th day of December, 2012, by Ovid J. Gearman, Trustee of the Trust created under the Will of Merle E. Gearman, Deceased.

MARY BOXWELL
Notary Public
STATE OF TEXAS
My Comm. Exp. 04-07-2015

Notary Public, State of Texas

PREPARED IN THE OFFICE OF:
Law Office of Kenneth R. Cooper
14607 San Pedro, Suite 130
San Antonio, TX 78232-4356

AFTER RECORDING RETURN TO:
Rodolfo A. Reyes and Rosa Maria P. Reyes
507 Bluff Trail
San Antonio, TX 78209

Z2014117

Exhibit "A"

METES & BOUNDS DESCRIPTION

OF A 0.65 ACRE TRACT OF LAND OUT OF THE GONIFACIA RODRIGUEZ SURVEY NO. 131, ABSTRACT NO. 621, COUNTY BLOCK 5078-A, BEXAR COUNTY, TEXAS, BEING A PORTION OF TRACT 12, BLOCK A, NEW CITY BLOCK 8695, GEORGE PAPE UNRECORDED SUBDIVISION, BEING THE SAME TRACT OF LAND AS DESCRIBED IN EXECUTOR'S DEED RECORDED IN VOLUME 5132, PAGE 407, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found 1/2" iron rod in the westerly R.O.W. line of Rainbow Road (A/K/A Rainbow Drive, a 60' Public R.O.W.) for the southeast corner of the herein described tract, the northeast corner of a tract of land described as the remaining portion of Tract 11, Block A, said Northwind Estates, conveyed from James Joseph Woodson and Marcella K. Woodson to Richard Erholtz in Vol. 9659, Pg. 522, Real Property Records of Bexar County, Texas;

THENCE leaving said R.O.W., generally along a fence, along and with the northerly boundary line of said Erholtz Tract, West, a distance of 269.15 feet (called West, a distance of 269.80 feet) to a found 1/2" iron rod for the southwest corner of the herein described tract, the southeast corner of a called 2.136 acre tract conveyed to Robert J. Osborne and Joan Q. Osborne in Vol. 10934, Pg. 1677, Real Property Records of Bexar County, Texas;

THENCE along and with the easterly boundary line of said Osborne Tract, generally along a fence, North 00°05'15" West, a distance of 99.85 feet (called North, a distance of 100.00 feet) to a found 1/2" iron rod for the northwest corner of the herein described tract, the southwest corner of a tract of land described as the remaining portion of Tract 12, as conveyed to Billie M. Decesare in Vol. 4933, Pg. 60, Real Property Records of Bexar County, Texas;

THENCE along and with the southerly boundary line of said Decesare Tract, generally along a fence, North 89°57'31" East, a distance of 298.99 feet (called East, a distance of 299.74 feet) to a point of reference from which a found nail bears North 89°57'31" East, a distance of 0.60 feet for the northeast corner of the herein described tract, the southeast corner of said Decesare Tract, a point in the westerly R.O.W. line of said Rainbow Road;

THENCE along and with said R.O.W., South 16°31'36" West, a distance of 104.38 feet (called South 16°40'00" West, a distance of 104.38 feet) to the **POINT OF BEGINNING** and containing 0.65 acres, more or less.

Z2014117

Doc# 20120244061
Pages 4
12/14/2012 1:33PM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees $24.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
12/14/2012 1:33PM
COUNTY CLERK, BEXAR COUNTY TEXAS