

AN ORDINANCE 2011-06-23-0568

**AUTHORIZING DISPOSITION OF A 52-SQUARE-FOOT
PROPERTY TO UVN TEXAS, LP.**

* * * * *

WHEREAS, UVN Texas, LP (“UVN”) is trying to sell a tract it owns near the intersection of St. Mary’s and Durango.

WHEREAS, Alamo Title Company has informed UVN that the City of San Antonio owns 52 square feet in the middle of UVN’s property.

WHEREAS, the City has not previously believed that it owns the 52 square feet.

WHEREAS, despite diligent research in the deed records and conferring with the title company and a surveyor, the City has not been able to find the source of the 52-square-foot discrepancy, but it appears most likely that the 52 square feet arise from a surveyor’s mistake and therefore constitute a gore within the meaning of the strip and gore doctrine.

WHEREAS, if the 52 square feet are a gore, then the City does not own them but merely holds a cloud on UVN’s title.

WHEREAS, the City is willing to cooperate with UVN in removing the cloud.

NOW THEREFORE:

**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 deliver a deed without warranty to UVN Texas, LP for the 52 square feet identified on **Attachment I**. The City Manager and her designee should take all other actions reasonably necessary or convenient to effectuate transfer of title to the affected parcel, including executing and delivering all ancillary instruments and agreements conducive to effectuating the transaction.

SECTION 2. The disposition of surplus property must be coordinated through the city’s Finance Department to assure the removal of these assets into the City’s financial records and to record the proper accounting transactions.

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Chief Financial Officer (CFO), City of San Antonio. The CFO 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.

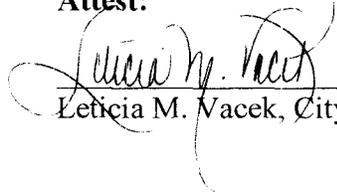
SECTION 4. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this 23rd day of June 2011.



M A Y O R
Julián Castro

Attest:



Leticia M. Vacek, City Clerk

Approved As To Form:



Michael D. Bernard, City Attorney



Request for
COUNCIL
ACTION

City of San Antonio



Agenda Voting Results - 31

Name:	6A, 6B, 6C, 7, 8, 9, 10, 11, 12, 13, 14A, 14B, 15, 18, 19, 20, 21, 22, 24, 25A, 25B, 25C, 25D, 25E, 25F, 25G, 27, 28, 29, 30A, 30B, 31, 32, 33A, 35, 36, 37, 38A, 38B, 38C, 38D, 38E, 38F, 38G, 38H, 38I, 38J, 38K, 38L, 38M, 38N, 38O, 38P, 38Q, 38R, 38S, 38T, 40, 41, 43, 44, 45, 46, 47, 49A, 49B, 49C, 49D, 50, 51, 52, 53A, 53B, 54, 55, 56A, 56B, 57						
Date:	06/23/2011						
Time:	09:57:52 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the disposition of a 52-square-foot property to UVN Texas, LP. [Pat DiGiovanni, Deputy City Manager / Interim Director, Center City Development]						
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				
Jennifer V. Ramos	District 3		x				
Rey Saldaña	District 4		x				
David Medina Jr.	District 5		x				x
Ray Lopez	District 6		x			x	
Cris Medina	District 7		x				
W. Reed Williams	District 8		x				
Elisa Chan	District 9		x				
Carlton Soules	District 10		x				

Attachment I

FIELD NOTES

FOR

A 0.001 acre, or 52 square feet more or less, tract of land, a portion of New City Block (N.C.B.) 928, Arbitrary Lot 19, City Engineers Block Map Number 21 of the City of San Antonio, Bexar County, Texas. Said 0.001 acre tract being more fully described as follows, with bearings based on the North American Datum of 1983 (CORS 1996), from the Texas Coordinate System established for the South Central Zone:

BEGINNING: At a point, on the north line of a 0.668 acre tract recorded in Volume 1194, Pages 921-925 of the Official Public Records of Real Property of Bexar County, Texas, the southwest corner of a 0.242 acre tract recorded in Volume 2504, Pages 2009-2012 of the Deed Records of Bexar County, Texas, from which a found "+" in concrete at the southeast corner of said 0.668 acre tract bears S 62°34'56" E, a distance of 182.72 feet;

THENCE: Along and with the north line of said 0.668 acre tract, the following calls and distances:

N 77°09'56" W, a distance of 10.77 feet to an angle point of said 0.668 acre tract;

N 42°31'32" W, a distance of 8.53 feet to a point, on the south line of a remaining portion of Lots 9, A-9 and part of Lot 8 recorded in Volume 7573, Pages 355-359 of the Deed Records of Bexar County, Texas, an angle point of said 0.668 acre tract, from which a found ½" iron rod at the southwest corner of said 0.668 acre tract bears S 42°06'40" W, a distance of 174.64 feet;

THENCE: S 71°09'48" E, along and with the south line of said remaining portion of Lots 9, A-9 and part of Lot 8, a distance of 17.18 feet to a point, on the west line of the aforementioned 0.242 acre tract, the southeast corner of said remaining portion of Lots 9, A-9 and part of Lot 8;

THENCE: S 00°11'38" E, along and with the west line of said 0.242 acre tract, a distance of 3.14 feet to the POINT OF BEGINNING, and containing 0.001 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and an exhibit prepared by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: May 4, 2011
JOB No.: 9112-11
DOC ID: N:\Survey\11-9100\9112-11\WORD\9112-11FN.doc

