SG/cla
03/20/2014
Z-4

CASE NO. Z2014077

AN ORDINANCE 2014-03-20-0192

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 Lots 17, 18, 19 and 20, the remaining portions of Lots 6, 7, 8 and 9, Block 8, NCB 3140 and 0.255 of an acre out of the former Frank right-of-way from "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control-1 Airport Hazard Overlay District, "I-1 EP-1 AHOD" General Industrial Facility Parking/Traffic Control-1 Airport Hazard Overlay District and "I-2 EP-1 AHOD" Heavy Industrial Facility Parking/Traffic Control-1 Airport Hazard Overlay District to "C-3 EP-1 AHOD" General Commercial Facility Parking/Traffic Control-1 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 March 30, 2014.

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Z-4

CASE NO. Z2014077

PASSED AND APPROVED this 20th day of March 2014.

M A Y O R
Julián Castro

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Robert F. Greenblum, City Attorney

For

Agenda Item:	**Z-4 (in consent vote: Z-2, Z-3, Z-4, Z-5, Z-6, Z-8, Z-9, Z-11)**
Date:	03/20/2014
Time:	02:21:32 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE #Z2014077 (District 2): An Ordinance amending the Zoning District Boundary from "MF-33 EP-1 AHOD" Multi-Family Facility Parking/Traffic Control-1 Airport Hazard Overlay District, "I-1 EP-1 AHOD" General Industrial Facility Parking/Traffic Control-1 Airport Hazard Overlay District and "I-2 EP-1 AHOD" Heavy Industrial Facility Parking/Traffic Control-1 Airport Hazard Overlay District to "C-3 EP-1 AHOD" General Commercial Facility Parking/Traffic Control-1 Airport Hazard Overlay District on Lots 17, 18, 19 and 20, the remaining portions of Lots 6, 7, 8 and 9, Block 8, NCB 3140 and 0.255 of an acre out of the former Frank right-of-way located on 435 Seguin Street. 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				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	

Z2014077

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.

WARRANTY DEED

PI2-20130217959-5

Date: October 7, 2013

Grantor: CHARLES STEVEN HACKEBEIL and LORINE HACKEBEIL

Grantor's Mailing Address:

P.O. Box 491
Hondo, Texas 78861

Grantee: JAY KHADEM

Grantee's Mailing Address:

204 Voight
San Antonio, Texas 78238

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and the further consideration that the Grantee hereby assumes and promises to pay all principal and interest now remaining on that one certain promissory note in the original principal sum of FIVE HUNDRED FORTY-FIVE THOUSAND AND NO/100 DOLLARS ($545,000.00) and payable to the order of the Hondo National Bank, and secured by a vendor's lien retained in a deed of even date therewith, and additionally secured by a Deed of Trust of even date therewith to Tim Gilles, Trustee recorded under Clerk's File No. LT1-77-20080111385-1 of the Official Public Records of Bexar County, Texas and Grantee also assumes and promises to keep and perform all covenants and obligations of the Grantors named in said Deed of Trust.

Property (including any improvements):

TRACT I:
A portion of Lots 6 through 9, inclusive and all of Lots 17 through 20, inclusive, Block 8, New City Block 3140, in the City of San Antonio, Bexar County, Texas according to the plat recorded in Volume 105, Page 132 of the Bexar County Plat Records and more fully described in Exhibit "A"; and

ATTACHMENT A

TRACT II:
That certain 0.255 of an acre of land, more or less, being a portion of Frank Street located between the South right-of-way line of IH 35 and the North right-of-way line of Seguin Street, said 0.255 of an acre being more particularly described in Exhibit "A".

Reservations and Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2013, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the 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 way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

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

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

CHARLES STEVEN HACKEBEIL

LORINE HACKEBEIL

JAY KHADEM

STATE OF TEXAS §

COUNTY OF MEDINA §

This instrument was acknowledged before me on October 10, 2013, by CHARLES STEVEN HACKEBEIL and LORINE HACKEBEIL.

AUDREY M. GOMEZ NOTARY PUBLIC STATE OF TEXAS 6-20-2015

Notary Public, State of Texas
My commission expires:
6/20/15

STATE OF TEXAS §

COUNTY OF MEDINA §

This instrument was acknowledged before me on October 10, 2013, by JAY KHADEM.

AUDREY M. GOMEZ NOTARY PUBLIC STATE OF TEXAS 6-20-2015

Notary Public, State of Texas
My commission expires:
6/20/15

PREPARED IN THE OFFICE OF:

TAYLOR & RUHNKE, P.C.
3392 Hwy 16 South
Bandera, Texas 78003

22014077

EXHIBIT "A"

Tract 1:

A portion of Lots 6 through 9, inclusive, and all of Lots 17 through 20, inclusive, Block 8, New City Block 3140, in the City of San Antonio, Bexar County, Texas, according to the plat recorded in Volume 105, Page 132, of the Bexar County Plat Records and more fully described as follows:

BEGINNING at the intersection of the Northerly right-of-way line of Seguin Road and the West right-of-way line of Frank Street, being the Southeast corner of Lot 20 and of this tract;

THENCE S.76° 44' 30" W. along the South line of Lots 17 thru 20, a distance of 197.20 feet to an iron pin found at the Southwest corner of Lot 17 and of this tract;

THENCE N.0° 07' 30" W. along the West line of this tract, a distance of 237.60 feet to an iron pin set at the Northwest corner of this tract in the Southerly right-of-way line of Panam Highway North U.S. Hwy. 81 (I.H. 35);

THENCE N.81° 01' 20" E. along the Southerly right-of-way line of Panam Highway North, a distance of 194.4 feet to an iron pin set at the Northeast corner of this tract;

THENCE S. 0° 07' 30" E. along the East line of this tract and the West right-of-way line of Frank Street, a distance of 222.70 feet to the PLACE OF BEGINNING.

Tract 2:

That certain 0.255 of an acre of land, more or less, being a portion of Frank Street located between the South right-of-way line of IH 35 and the North right-of-way lie of Seguin Street, Said 0.255 of an acre being more particularly described as follows:

BEGINNING: At a set iron at the intersection of the South right-of-way line of IH 35 and the West right-of-way line of Frank Street;

THENCE: Along the South right-of-way line of IH 35, N.79° 32' 54" E, 50.82 feet to a set iron pin on the East right-of-way line of Frank Street;

THENCE: Along the East right-of-way of Frank Street and the West line of N.C.B. 1185, Block 10, S. 00° 07' 30" E, 221.27 feet to a set iron pin on the North right-of-way line of Seguin Street at the Southwest corner of said N.C.B. 1185;

THENCE: Along the North right-of-way line of Seguin Street, S. 77° 02' 16" W, 51.28 feet to a set iron pin at the Southeast corner of N.C.B. 3140, Block 8;

THENCE: Along the West line of Frank Street and the East line of said N.C.B. 3140, N.00° 07' 30" W, 223.55 feet to the POINT OF BEGINNING and containing 0.255 of an acre of land more or less.

NOTE: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "B" hereof.

22014077

AFTER RECORDING RETURN TO:
204 Voight
San Antonio, Texas 78238

Taylor & Ruhnke
901 19th Street
Hondo, Tx 78861

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

OCT 18 2013

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20130217959 Fees: $32.00
10/18/2013 1:26PM # Pages 5
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK