

2009-08-13-0633

AN ORDINANCE

CLOSING, VACATING AND ABANDONING IMPROVED PORTIONS OF DORIE; MORNING VIEW; YUCCA; G, H, AND I STREETS; FRANKS; BOOKERTEE, AND WHEATLEY AVENUE WITHIN THE WHEATLEY HEIGHTS SPORTS COMPLEX PROJECT BOUNDARIES, LOCATED IN COUNCIL DISTRICT 2

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

SECTION 1. Subject to the reservation below, the City finds the following right of way is no longer essential to the safe and efficient flow of traffic in the area in which the right of way is located. As an exercise of its discretion, the City Council closes, vacates, and abandons the right of way. A condition of the closure, vacation, and abandonment is City's receipt of the fee set out below in the funding section of this Ordinance. The affected right of way is identified below.

Those portions of Dorie; Morning View; Yucca; G, H, And I Streets; Franks; Bookertee, and Wheatley Avenue Within The Wheatley Heights Sports Complex Project Boundaries

SECTION 2. A picture of the subject right of way is set forth at **Attachment I**. The detailed description of the right-of-way subject to this ordinance is set forth on **Attachment II**. Both Attachments I and II are incorporated into this ordinance for all purposes as if they were fully set forth. Attachment II controls over any discrepancy between it and Attachment I.

SECTION 3. This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, electric transmission lines, gas lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract.

SECTION 4. The City Manager or her designee, severally, are authorized and directed to execute and deliver all documents and to do all other things conducive to reflect this closure, abandonment, and vacation.

SECTION 5. The affected rights of way exist by easement. The underlying fee ownership of the affected rights of way by the adjacent lot owners is now unburdened by the rights closed, vacated, and abandoned. For purposes of future conveyance and to better reflect their ownership generally, owners of the adjacent property should replat, but no such replat impairs the rights retained by City in the affected right of way.

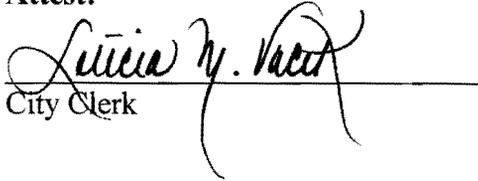
SECTION 6. This ordinance becomes effective 10 days after passage.

PASSED AND APPROVED this 13th day of August 2009.

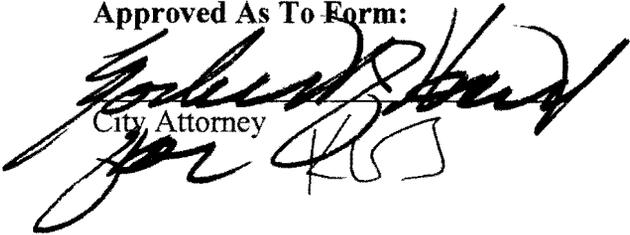


M A Y O R
JULIÁN CASTRO

Attest:


City Clerk

Approved As To Form:


City Attorney

Attachment I

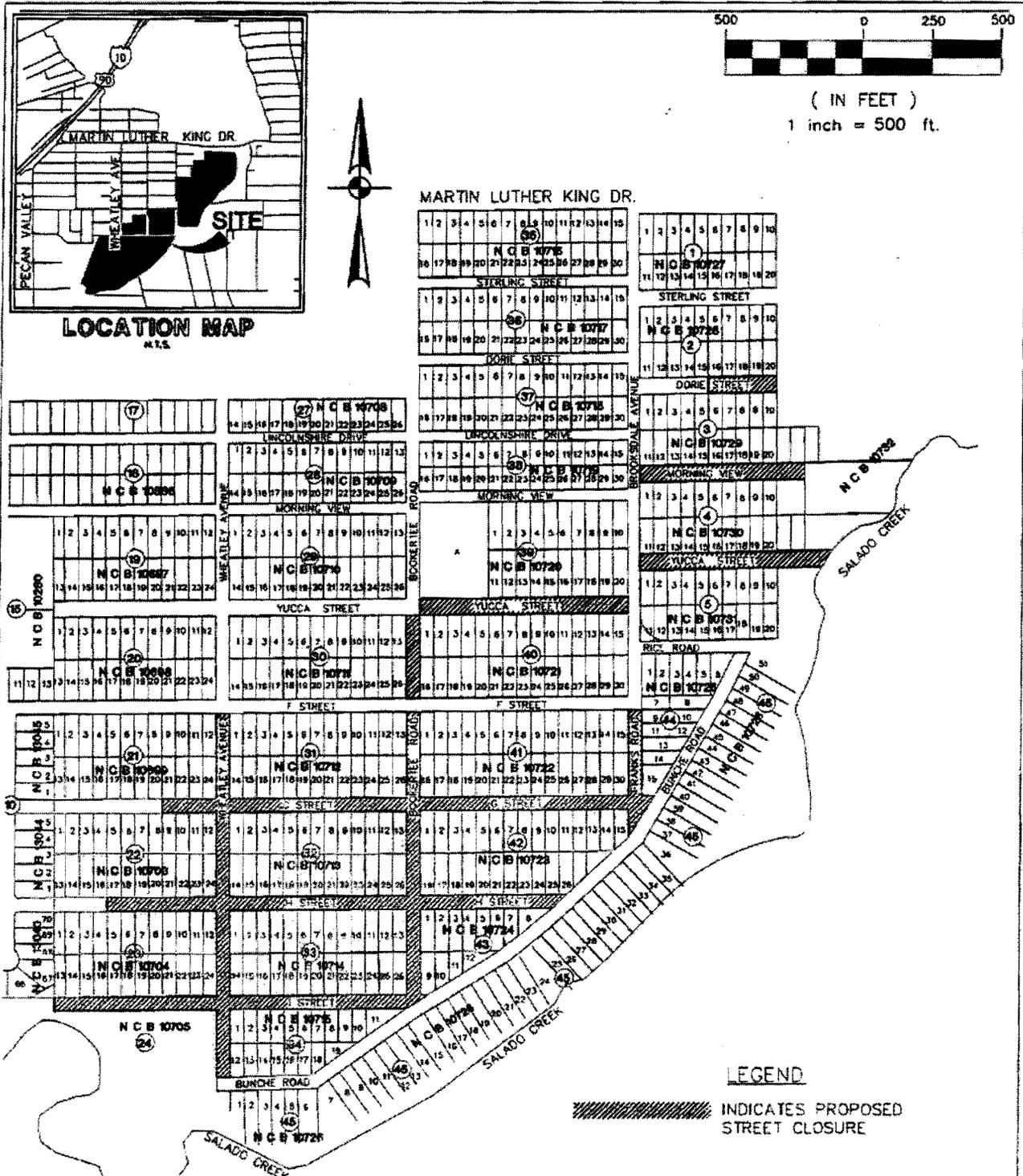


EXHIBIT OF WHEATLEY HEIGHTS PROPOSED STREET CLOSURES

**PAPE-DAWSON
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 TEXAS BOARD OF PROFESSIONAL ENGINEERS AND ARCHITECTS # 410
 TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS REGISTRATION # 100289-02

REVISED 7-16-2009
 REVISED 7-01-2009
 REVISED 5-15-2009
 JOB No.: 9045-09

Attachment II



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

Wheatley Heights

Street Closures

- Wheatley Avenue, from the south right-of-way line of F Street, south, between New City Blocks 10699 and 10712, 10703 and 10713, 10704 and 10714, 10705 and 10715, to the north right-of-way line of Bunche Road;
- G Street, from the projection south of the west line of Lot 21, New City Block 10699 and projection north of the west line of Lot 9, New City Block 10703, east, between New City Blocks 10699 and 10703, 10712 and 10713, 10722 and 10723, and along the south line of New City Block 10725 to the northwest right-of-way line of Bunche Road,
- H Street, from the projection south of the west line of Lot 17, New City Block 10703 and projection north of the west line of Lot 5, New City Block 10704, east, between New City Blocks 10703 and 10704, 10713 and 10714, 10723 and 10724 to the northwest right-of-way line of Bunche Road;
- I Street, from the east line of New City Blocks 13040, east, between New City Blocks 10704 and 10705, 10714 and 10715, and along the south line of New City Block 10724 to the northwest right-of-way line of Bunche Road;
- Bookertee Road from the south line of Yucca Street, south, between New City Blocks 10711 and 10721, to the north right-of-way line of F Street, and from the south right-of-way line of F Street, south, between New City Blocks 10712 and 10722, 10713 and 10723, 10714 and 10724, to the north right-of-way line of Bunche Road;
- Yucca Street from the east right-of-way line of Bookertee Road, east, between New City Blocks 10720 and 10721, to the current west right-of-way line of Rice Road, now known as Brooksdale Avenue, and from the east right-of-way line of said Brooksdale Avenue, Yucca Street named formerly Sidney Street for this portion, between New City Block 10730 and New City Block 10731, and that portion through New City Block 10732 to the Salado Creek;
- Franks Road, from the south line of F Street, south, between New City Block 10722 and 10725, to the northwest right-of-way of Bunche Road;
- Dorie Street, formerly Jemison Street, from the projection south of the west line of Lot 16, Block 2, New City Block 10728, the projection north of the west line of Lot 6, Block 3, New City Block 10729, east, between Lots 16 through 20 of New City Block 10728 and Lots 6 through 10 of New City Block 10729;
- Morning View, formerly Riley Street, from the east right-of-way line of Brooksdale Avenue, east, between New City Blocks 10730 and 10729, and through New City Block 10732;
- Revised 5-15-2009, 7-1-2009, 7-17-2009