

**AN ORDINANCE** 2006-01-05-12

**AUTHORIZING PAYMENT IN THE AMOUNT OF \$23,100.00 TO SERVICE TITLE COMPANY AS ESCROW AGENT FOR HECTOR C. QUESADA AND MARIANNE F. VISOSKY (\$20,000.00), AND QUESADA INVESTMENTS, L.L.C. (\$2,500.00), FOR FEE SIMPLE TITLE TO TWO PARCELS OF LAND, AND TITLE FEES (\$600.00); AUTHORIZING PAYMENT IN THE AMOUNT OF \$100.00 PAYABLE TO HECTOR C. QUESADA AND MARIANNE F. VISOSKY FOR A RIGHT OF ENTRY AGREEMENT, AND \$100.00 PAYABLE TO QUESADA INVESTMENTS, L.L.C. FOR A RIGHT OF ENTRY AGREEMENT, FOR A TOTAL AMOUNT OF \$23,300.00 IN CONNECTION WITH THE CLARK: FAIR TO SOUTHCROSS PROJECT, AN AUTHORIZED 1999 GENERAL OBLIGATION STREET IMPROVEMENT BOND PROJECT, LOCATED IN DISTRICT 3; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

\* \* \* \* \*

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

**SECTION 1.** The amount of \$23,100.00 is hereby authorized to be encumbered and made payable to Service Title Company, as Escrow Agent for Hector C. Quesada and Marianne F. Visosky, and Quesada Investments, L.L.C., for fee simple title to two parcels of land, and title fees. The amount of \$100.00 is hereby authorized to be encumbered and made payable to Hector C. Quesada and Marianne F. Visosky for a Right of Entry Agreement. The amount of \$100.00 is hereby authorized to be encumbered and made payable to Quesada Investments, L.L.C. for a Right of Entry Agreement. The parcels are described in Attachment I hereto incorporated for all purposes, in connection with the Clark: Fair to Southcross Project.

**SECTION 2.** The following financial adjustments are hereby approved:

- (a) The amount of \$17,610.36 is appropriated in fund 43051000, 2001 C/O 2001 Financial, WBS CO-00007-01-01-09, GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00858-90-04. The amount of \$17,610.36 is authorized to be transferred to fund 45099000.
- (b) The budget in fund 45099000, Project Definition 23-00858, Clark: Fair to Southcross Project, shall be revised by increasing WBS element 23-00858-90-04, entitled TRF FR WBS CO-00007-01-01-09, GL account 6101100 – Interfund Transfer In, by the amount of \$17,610.36.
- (c) The amount of \$5,689.60 is appropriated in fund 45979000, 1999 Street Improvement, WBS GO-00170-01-01-47, GL account 6102100 – Interfund Transfer out entitled Transfer to 23-00858-90-03. The amount of \$5,689.60 is authorized to be transferred to fund 45099000.

- (d) The budget in fund 45099000, Project Definition 23-00858, Clark: Fair to Southcross Project, shall be revised by increasing WBS element 23-00858-90-03, entitled TRF FR WBS GO-00170-01-01-47, GL account 6101100 – Interfund Transfer In, by the amount of \$5,689.60.
- (e) The budget in Fund 40002000, Street Improvements, 2003 Relocation Fence Contract, Project Definition 23-00229, shall be revised by reducing WBS element 23-00229-05-03, entitled Construction Contingency, GL Account 5201140 Construction Cost, in the amount of \$689.60.
- (f) The amount of \$ 22,500.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00858, Clark: Fair to Southcross Project, WBS element 23-00858-03-02-04 is authorized to be encumbered and made payable for Right of Way Acquisition.
- (g) The amount of \$ 600.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00858, Clark: Fair to Southcross Project, WBS element 23-00858-03-02-01 is authorized to be encumbered and made payable for Land Acquisition Costs (Title Fees).
- (h) The amount of \$ 200.00 is appropriated in Fund 45099000, General Obligation Capital Projects, Project Definition 23-00858, Clark: Fair to Southcross Project, WBS element 23-00858-03-02-01 is authorized to be encumbered and made payable for Land Acquisition Costs (Right of Entry).

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager's designee, correct allocation 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.** A copy of the respective conveyance instrument reflecting the foregoing shall be submitted to the City Attorney for approval under Section 54, Charter of the City of San Antonio. If the instrument(s) is/are approved by the City Attorney then the City of San Antonio accepts title to the respective parcel upon closing of this transaction.

**SECTION 5.** The Real Estate Manager of the Capital Programs Division of the Public Works Department is authorized to execute documents necessary to convey right of way to the City of San Antonio, and to perform any other administrative tasks necessary to accomplish said conveyance.

**SECTION 6.** This ordinance shall take effect on the 15<sup>th</sup> day of January, 2006.

**PASSED AND APPROVED** this the 5<sup>th</sup> day of January, 2006.



**M A Y O R**

**PHIL HARDBERGER**

**ATTEST:**

  
**CITY CLERK**

**APPROVED AS TO FORM:**

  
**City Attorney**

Job No.: E0207000  
November 3, 2004  
Parcel No. 17873



CIVIL ENGINEERING CONSULTANTS  
D O N D U R D E N . I N C .

11550 IH 10 West, Suite 395  
San Antonio, TX 78230-1037  
T: 210-641-9999 F: 210-641-6440

### DESCRIPTION OF A 0.004 OF ONE ACRE TRACT

Being a 0.004 of one acre tract of land in New City Block (N.C.B.) 3721, San Antonio, Bexar County, Texas, being out of Lots 1, 2, and the north 15.00 feet of Lot 3, Block 2, Mission View Addition, Volume 105, Pages 212-213, Deed and Plat Records, Bexar County, Texas, as conveyed in Volume 8668, Page 1929, Official Public Records of Real Property, Bexar County, Texas and more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2" rebar with a CEC plastic cap set on the proposed east right-of-way line of Clark Avenue and the common line of said Lot 1 and the south right-of-way of Glover Street (R.O.W. ~ 50'), the northeast corner of this tract;

**THENCE**, S. 00°32'44" E., departing said south right-of-way line, along said proposed right-of-way line of Clark Avenue, a distance of 75.00 feet to a 1/2" rebar with a CEC plastic cap set, on the common line of this tract and a tract of land conveyed in Volume 8981, Page 2494, Official Public records of Real Property, Bexar County, Texas, the southeast corner of this tract;

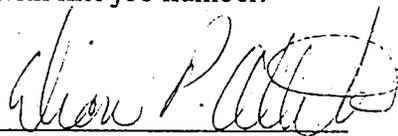
**THENCE**, S. 89°27'16" W., departing said proposed east right-of-way line, coincident with said common line, a distance of 2.43 feet to 1/2" rebar with a CEC plastic cap set on the existing east right-of-way line of Clark Avenue, (R.O.W. Varies ~ 55' Min.), the southwest corner of this tract, from which a 1/2" rebar found at the southwest corner of Lot 5, said Block 2 bears S. 00°32'44" E, a distance of 75.47 feet ;

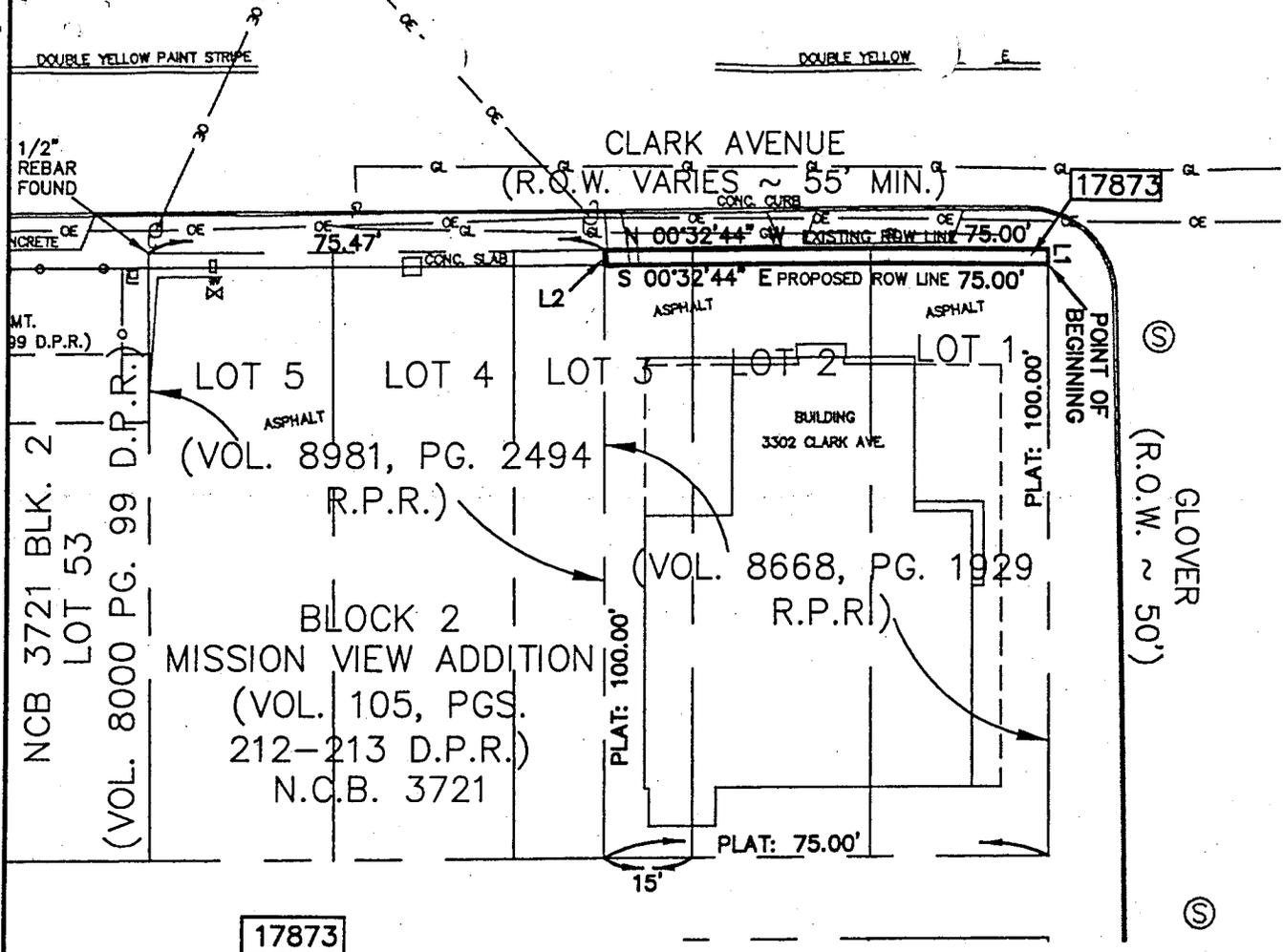
**THENCE**, N. 00°32'44" W., along said existing right-of-way line, a distance of 75.00 feet to 1/2" rebar with a CEC plastic cap set on the aforementioned south right-of-way line of Glover Street, at the northwest corner of the aforementioned Lot 1, the northwest corner of this tract;

Job No.: E0207000  
November 3, 2004  
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**THENCE**, N.  $89^{\circ}27'16''$  E., along said south right-of-way line, a distance of 2.43 feet to the **POINT OF BEGINNING** and containing 0.004 of one acre (182 square feet) of land, more or less.

The basis of bearing recited herein the Texas State Plane Coordinate System, South Central Zone, NAD '83. This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants. There is a plat of a survey with like job number.

  
Dion P. Albertson, RPLS #4963  
11/17/04

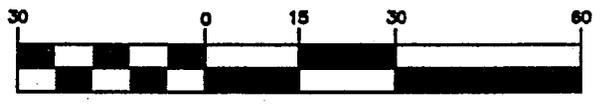


17873

0.172 OF ONE ACRE  
(7,500 sq. ft.)  
VOL. 8668, PG. 1929 R.P.R.  
ACQUISITION: 0.004 OF ONE ACRE  
(182 sq. ft.)  
REMAINDER: 0.168 OF ONE ACRE  
(7,318 sq. ft.)



GRAPHIC SCALE



( IN FEET )  
1 inch = 30 ft.

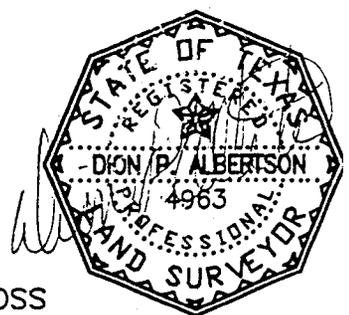
LEGEND:

- ⊙ SEWER MANHOLE
- ⊙ STORM DRAIN MANHOLE
- UT— UNDERGROUND TELEPHONE LINE
- OE— OVERHEAD ELECTRIC LINE
- GL— UNDERGROUND GAS LINE
- D.R. DEED RECORDS, BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS
- R.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS

NOTES:

1. A 1/2" REBAR WITH A CEG PLASTIC CAP WAS SET AT EACH PROPERTY CORNER UNLESS OTHERWISE NOTED.
2. BEARING REFERENCE SOURCE IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE NAD '83.
3. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HERewith ACCOMPANIES THIS PLAT.
4. THE SQUARE FOOTAGE RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND IS SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
5. THE ACREAGE OF THE PARENT TRACT WAS TAKEN FROM THE RECORDED INSTRUMENTS AND NOT BASED ON FIELD DIMENSIONS.
6. FIELD SURVEY COMPLETED \_\_\_/\_\_\_/04.
7. PARCEL LOCATED IN FLOOD ZONE 'X', MAP NO. 48029C0484 E.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°27'16" E	2.43'
L2	S 89°27'16" W	2.43'



PROJECT: CLARK: FAIR TO SOUTHCROSS



CIVIL ENGINEERING CONSULTANTS  
11550 LH 10 WEST, SUITE 395  
SAN ANTONIO, TEXAS (210) 641-9999

PLAT OF A SURVEY OF  
PARCEL NO. 17873  
  
FEE SIMPLE

DRAWN BY: BN
CHECKED BY: DPA
DATE: 11/11/04
JOB NO.: E0207000

Job No.: E0207000  
November 12, 2004  
PARCEL No. 17875



CIVIL ENGINEERING CONSULTANTS  
DON DURDEN, INC.  
11550 IH 10 West, Suite 395  
San Antonio, TX 78230-1037  
T: 210-641-9999 F: 210-641-6440

#### DESCRIPTION OF A 0.007 OF ONE ACRE TRACT

Being a 0.007 of one acre tract of land in New City Block (N.C.B.) 3721, San Antonio, Bexar County, Texas, being out of the south 3.00 feet of Lot 10, Lots 11, 12, and 13, Block 2, Mission View Addition, recorded in Volume 105, Pages 212, Deed and Plat Records, Bexar County, Texas, as conveyed in Volume 10493, Page 1725, Official Public Records of Real Property, Bexar County, Texas, and more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2" rebar with a CEC plastic cap set on the proposed easterly right-of-way line of Clark Avenue, on the common line of said Lot 13 and Lot 14, said Mission View Addition, the southeast corner of this tract;

**THENCE**, S. 89°27'16" W., coincident with said common line, a distance of 3.11 feet to a 1/2" rebar with a CEC plastic cap set on the existing east right-of-way line of Clark Avenue, (R.O.W. ~ Varies, 55' min) at the common corner of said Lot 13 and said Lot 14, the southwest corner of this tract;

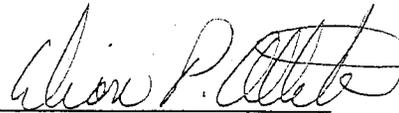
**THENCE**, N. 00°32'44" W., coincident with said existing right-of-way line, a distance of 93.00 feet to 1/2" rebar found at a corner of said existing right-of-way line, the northwest corner of this tract;

**THENCE**, N. 89°27'16" E., coincident with said right-of-way line, a distance of 3.11 feet to 1/2" rebar found on the aforementioned proposed east right-of-way line of Clark Avenue at the southwest corner of Lot 53, Block 2, Baird Subdivision, recorded in Volume 8000, Page 99, Deed and Plat Records, Bexar County, Texas, the northeast corner of this tract;

Job No.: E0207000  
November 12, 2004  
PARCEL No. 17875

**THENCE**, S.  $00^{\circ}32'44''$  E., coincident with said proposed east right-of-way line, a distance of 93.00 feet to the **POINT OF BEGINNING** and containing 0.007 of one acre (289 square feet) of land, more or less.

The basis of bearing recited herein is the Texas State Plane Coordinate System, South Central Zone, NAD '83. This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants. There is a plat of a survey with like job number.



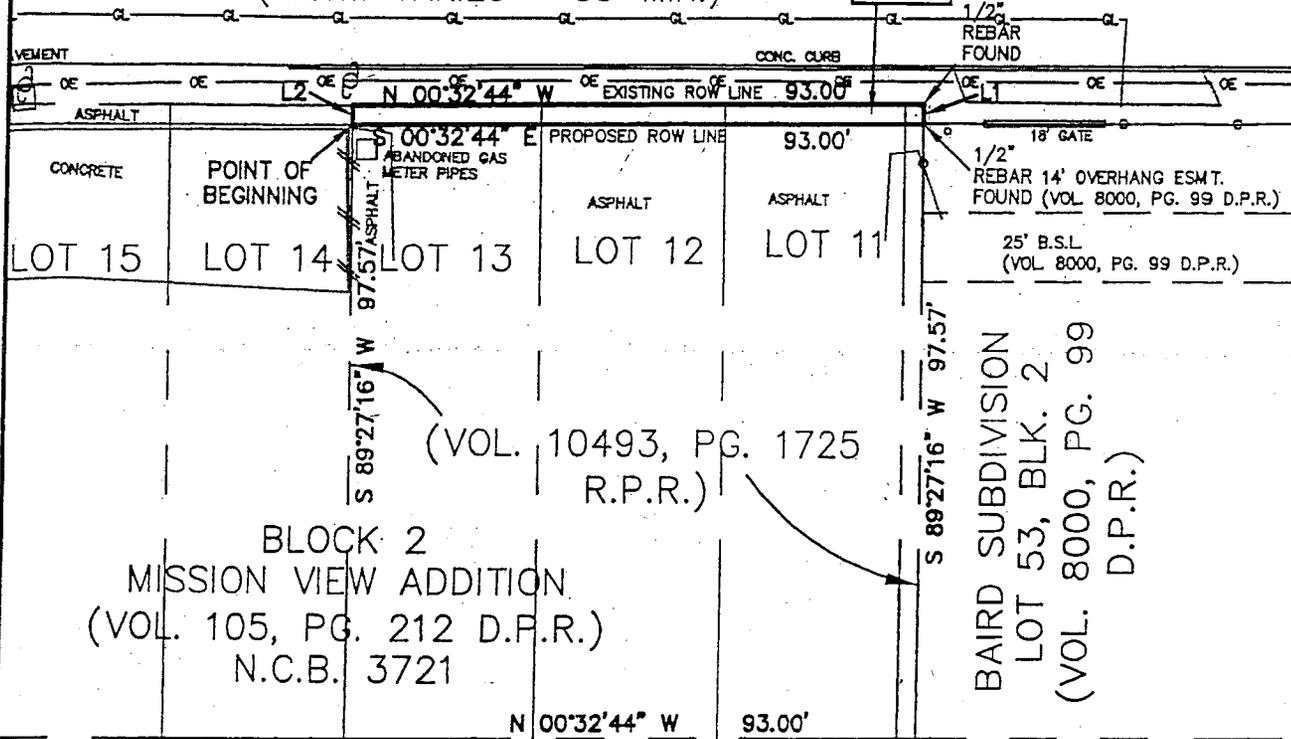
Dion P. Albertson, RPLS #4963

11/17/04

DOUBLE YELLOW PAINT STRIPE

CLARK AVENUE  
(R.O.W. VARIES ~ 55' MIN.)

17875

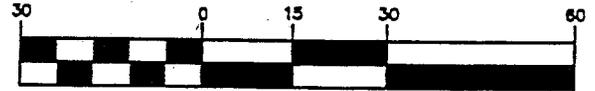


17875

0.213 OF ONE ACRE  
(9,300 sq. ft.)  
VOL. 10493, PG. 1725 R.P.R.  
ACQUISITION: 0.007 OF ONE ACRE  
(289 sq. ft.)  
REMAINDER: 0.206 OF ONE ACRE  
(9,011 sq. ft.)



GRAPHIC SCALE



( IN FEET )

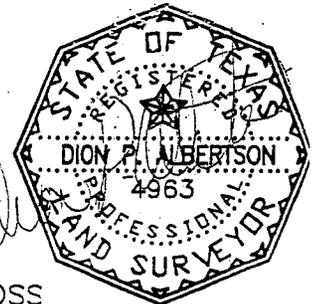
1 inch = 30 ft.

LEGEND:

- ⊙ SEWER MANHOLE
- ⊙ STORM DRAIN MANHOLE
- UT— UNDERGROUND TELEPHONE LINE
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- D.R. DEED RECORDS, BEXAR COUNTY, TEXAS
- D.P.R. DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS
- R.P.R. OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS
- B.S.L. BUILDING SETBACK LINE

NOTES:

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3. A LEGAL DESCRIPTION OF EVEN SURVEY DATE HEREWITH ACCOMPANIES THIS PLAT.
4. THE SQUARE FOOTAGE RECITED HEREIN IS BASED ON MATHEMATICAL CALCULATIONS AND IS SUBJECT TO THE RULES OF ROUNDING AND SIGNIFICANT NUMBERS.
5. THE ACREAGE OF THE PARENT TRACT WAS TAKEN FROM THE RECORDED INSTRUMENTS AND NOT BASED ON FIELD DIMENSIONS.
6. FIELD SURVEY COMPLETED \_\_\_/\_\_\_/04.
7. PARCEL LOCATED IN FLOOD ZONE "X", MAP NO. 48029C0464 E.



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°27'16" E	3.11'
L2	S 89°27'16" W	3.11'



**CIVIL ENGINEERING CONSULTANTS**  
11550 LH 10 WEST, SUITE 396  
SAN ANTONIO, TEXAS (210) 641-9999

PROJECT: CLARK: FAIR TO SOUTHCROSS

PLAT OF A SURVEY OF  
PARCEL NO. 17875

FEE SIMPLE

DRAWN BY: BN

CHECKED BY: DPA

DATE: 11/12/04

JOB NO.: E0207000