

AN ORDINANCE 2013-05-30-0357

AUTHORIZING A PROPERTY EXCHANGE, WHEREBY THE CITY TRANSFERS TO SAN ANTONIO WATER SYSTEM A 0.2254 ACRE PARCEL IN EXCHANGE FOR A 0.2436 ACRE PARCEL NEEDED FOR THE REALIGNMENT OF MARKET STREET, BOTH PARCELS ARE LOCATED AT 900 EAST COMMERCE (WITHIN NCB 13813); AND, AUTHORIZING PAYMENT NOT-TO-EXCEED \$100 TO BEXAR COUNTY CLERK'S OFFICE FOR ASSOCIATED PROPERTY RECORDING FEES.

* * * * *

WHEREAS, the City needs a small parcel owned by the San Antonio Water System in connection with the realignment of Market Street near its intersection with Interstate 37; and

WHEREAS, the City incidentally owns another nearby parcel of comparable value to the one owned by San Antonio Water System that the San Antonio Water System is willing to accept in exchange for the parcel needed by the City.

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

SECTION 1. The two properties subject to the Ordinance are depicted on **Attachment I**. The parcel presently owned by the City is labeled "COSA Property." The parcel currently owned by the San Antonio Water System is labeled "SAWS Property."

SECTION 2. The SAWS Property is more particularly described on **Attachment II**. The COSA Property is more particularly described on **Attachment III**.

SECTION 3. The City Manager and her designee, severally, are authorized and directed to take all actions necessary or convenient to effectuate the exchange of the SAWS Property for the COSA Property and otherwise to execute and deliver all necessary or convenient instruments and agreements.

SECTION 4. All attachments to this Ordinance are incorporated into it for all purposes as if fully set forth.

SECTION 5. The sale of property owned by the City of San Antonio must be coordinated through the city's Finance Department to assure the removal of these assets from the City's financial records and to record the proper accounting transactions.

SECTION 6. A Payment not to exceed \$100 in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00300, Downtown Streets

Reconstruction, is authorized to be encumbered and made payable to the selected title company for the exchange of 0.2436 acres of SAWS owned real property located at 900 East Market Street for 0.2254 acres of City owned real property located with NCB 13813 at 900 East Market Street, to accommodate the realignment of Market Street in Council District 1 in Bexar County, Texas.

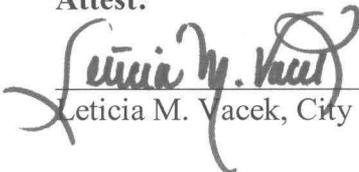
SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 8. 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 30th day of May 2013.

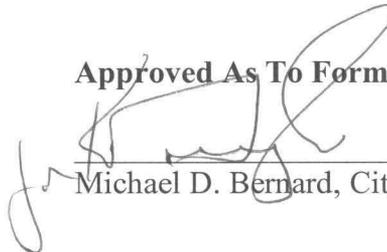

M A Y O R
Julián Castro

Attest:

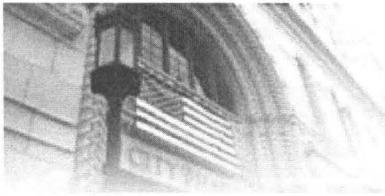


Leticia M. Vacek, City Clerk

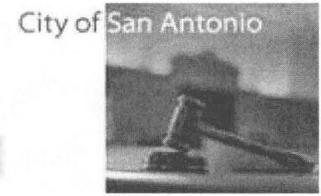
Approved As To Form:



Michael D. Bernard, City Attorney



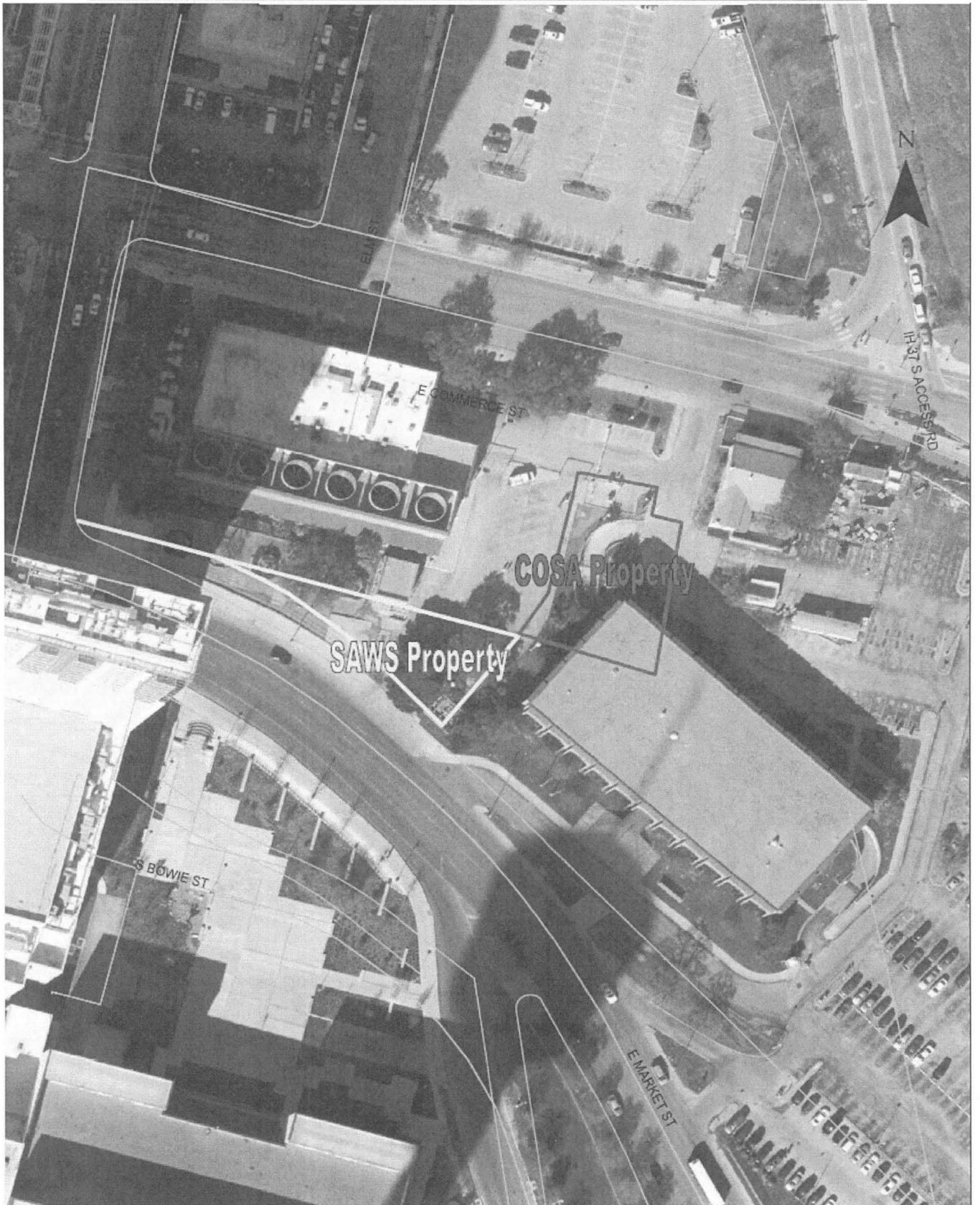
Request for
**COUNCIL
ACTION**



Agenda Voting Results - 9B

Name:	6, 7, 8, 9A, 9B, 11, 12, 13, 14, 15A, 15B, 16A, 16B, 16C, 17, 18, 20A, 20B, 20C, 21, 22, 25, 26, 27, 28, 29A, 29B, 30A, 30B						
Date:	05/30/2013						
Time:	10:49:32 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing a property exchange, whereby the City transfers to San Antonio Water System a 0.2254 acre parcel in exchange for a 0.2436 acre parcel needed for the realignment of Market Street, both parcels are located at 900 East Commerce (within NCB 13813); and, authorizing payment in an amount not-to-exceed \$100.00 to Bexar County Clerk's Office for associated property recording fees.						
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				
Leticia Ozuna	District 3		x				
Rey Saldaña	District 4		x				x
David Medina Jr.	District 5		x				
Ray Lopez	District 6		x				
Cris Medina	District 7		x				
W. Reed Williams	District 8		x			x	
Elisa Chan	District 9		x				
Carlton Soules	District 10	x					

Attachment I



Attachment II

Being a tract or parcel containing 0.2436 acre (10,612 square feet) of land situated in the City of San Antonio, Bexar County, Texas and being a portion of a called 1.940 acre tract conveyed from The Urban Renewal Agency of the City of San Antonio to the City of San Antonio by deed dated December 28, 1996, recorded in Volume 5685, Page 644, Deed Records of Bexar County, Texas. Said 0.2436 acre tract being more particularly described as follows (All bearings and coordinates are based on the Texas Coordinate System of 1983, South Central Zone, NAD 83, 93 Adjustment. All distances and coordinates shown are surface and may be converted to grid by multiplying by a combined adjustment factor of 0.999830029):

COMMENCING at a 1/2 inch iron rod with cap found in the existing northeasterly right-of-way line of Market Street (width varies), in the southwesterly line of a called 3.948 acre tract conveyed from the City of San Antonio, acting by and through its San Antonio Water System to the City of San Antonio by deed dated May 23, 2005, recorded under Clerks File Number 20050113214, Official Public Records of Real Property of Bexar County;

THENCE, North 48°27'14" West, along the existing northeasterly right-of-way line of said Market Street, a distance of 172.09 feet to a point, from which a found PK Nail bears North 08°03' West a distance of 1.15 feet;

THENCE, North 48° 12' 38" West, along the existing northeasterly right-of-way line of said Market Street, at a distance of 34.21 feet pass a cotton spindle set in concrete, continuing for a total distance of 49.28 feet to a cross in concrete set marking the point of curvature of a tangent curve to the left;

THENCE, in a northwesterly direction, along the northeasterly right-of-way line of said Market Street and along said tangent curve to the left having a radius of 754.09 feet, a central angle of 00°15'43" and a chord which bears North 47°50'07" West, 3.45 feet, an arc distance of 3.45 feet to a cross in concrete set marking the POINT OF BEGINNING the southerly corner of said 1.940 acre tract, and the herein described tract;

THENCE, in a northwesterly direction, along the northeasterly right-of-way line of said Market Street and along said tangent curve to the left having a radius of 754.09 feet, a central angle of 20°42'14" and a chord which bears North 58°19'06" West, 271.01 feet, an arc distance of 272.49 feet to a cross in concrete set marking a point of reverse curvature, and marking the southerly end of an existing rounding for the intersection of the northeasterly right-of-way line of said Market Street with the easterly right-of-way line of Bowie Street (width varies);

THENCE, in a northwesterly direction, along said intersection rounding and a tangent curve to the right having a radius of 25.00 feet, a central angle of $71^{\circ} 15' 49''$ and a chord which bears North $33^{\circ} 02' 18''$ West, 29.13 feet, an arc distance of 31.10 feet to a 5/8 inch iron rod with cap stamped "Cobb Fendley & Asso" set marking the northerly end of said intersection rounding and marking a point of compound curvature;

THENCE, in a northerly direction, along a tangent curve to the right having a radius of 1,145.00 feet, a central angle of $00^{\circ} 09' 47''$ and a chord which bears North $02^{\circ} 37' 07''$ East, 3.26 feet, an arc distance of 3.26 feet to a 5/8 inch iron rod with cap stamped "Cobb Fendley & Asso" set marking the point of curvature of a non-tangent curve to the left and marking the northwesterly corner of the herein described tract;

THENCE, in a southerly direction, along said non-tangent curve to the left having a radius of 25.00 feet, a central angle of $76^{\circ} 44' 48''$ and a chord which bears South $37^{\circ} 26' 10''$ East, 31.04 feet, an arc distance of 33.49 feet to a cross cut in concrete set marking a point tangency;

THENCE, South $75^{\circ} 01' 18''$ East, a distance of 298.61 feet to a 5/8 inch iron rod with cap stamped "Cobb Fendley & Asso" set marking the northeasterly corner of the herein described tract;

THENCE, South $41^{\circ} 48' 06''$ West, a distance of 91.47 feet to the POINT OF BEGINNING and containing 0.2436 acre (10,612 square feet) of land.

Attachment III

A 0.2254 acre (9816.6 sq. ft.) easement, situated in Lot 2, Block 2, N.C.B. 13813 of the Civic Center, Project No. 5 Tex. R-83 Urban Renewal Agency, City of San Antonio Subdivision as shown on a plat recorded in Volume 9518, Page 124, also being a portion of the remainder of that certain 3.948 acre tract of land conveyed to the City of San Antonio in Volume 11409, Page 1724 of the Official Public Records of Real Property of Bexar County, Texas; being more particularly described as follows:

BEGINNING: at a chiseled "X" on concrete ($N = 13,703,716.454$, $E = 2,133,701.638$) found for a corner of the remainder of the said 3.948 acre tract, a corner of the remainder of that certain 4.092 acre tract conveyed to the City of San Antonio recorded in Volume 6205, Page 544 of the Deed Records of Bexar County, Texas, for the Northwestern corner of this easement;

THENCE: S 76°55'31" E – 56.57 feet along a line of the remainder of the said 3.948 acre tract, a line of the remainder of the said 4.092 acre tract, a line of that certain 0.052 acre Joint Use Agreement in Volume 11409, Page 1731 of the Official Public Records of Real Property of Bexar County, Texas to a chiseled "X" set on concrete for a corner of this easement, from which a chiseled "X" on concrete ($N = 13,703,698.001$, $E = 2,133,781.094$) found for the Southeastern corner of the said 0.052 acre tract, a corner of the said 3.948 acre tract bears S 76°55'31" E – 25.00 feet;

THENCE: S 14°18'24" W – 25.00 feet across the remainder of the said 3.948 acre tract to a chiseled "X" on concrete set for a corner of this easement;

THENCE: S 76°55'31" E – 25.00 feet across the remainder of the said 3.948 acre tract to a cotton spindle set for a corner of this tract;

THENCE: S 14°18'24" W – 102.70 feet continuing across the remainder of the said 3.948 acre tract to a ½ inch iron rod with yellow plastic cap ($N = 13,703,574.262$, $E = 2,133,749.538$) marked "Ford Eng Inc" set on the Northern line of Proposed Market Street (90' R.O.W.) as shown on a survey prepared by "Cobb Fendley" dated August 28, 2012, from which a 5/8 inch iron rod with cap marked "Cobb Fendley" ($N = 13,703,511.386$, $E = 2,133,984.966$) found for a corner of said Proposed Market Street bears S 75°02'49" E – 243.68 feet;

THENCE: N 75°02'49" W – 94.25 feet along the Northern line of said Proposed Market Street to a ½ inch iron rod with yellow plastic cap marked "Ford Eng Inc" set on at the intersection of the Western line of the said 3.948 acre tract and the Northern line of Proposed Market Street, for the Southwestern corner of this easement, from which a chiseled "X" on concrete ($N = 13,703,675.548$, $E = 2,133,370.286$) found for a corner of said Proposed Market Street bears N 75°02'49" W – 298.29 feet;

THENCE: N 41°52'40" E – 28.23 feet along a Western line of the remainder of the said 3.948 acre tract, a line of the remainder of the said 4.902 acre tract and across that certain 1.940 acre tract conveyed to the City of San Antonio in Volume 5685, Page 644 of the Deed Records of Bexar County, Texas to a ½ inch iron rod with yellow plastic cap marked "Ford Eng Inc" set for a corner of this easement, a corner of the remainder of the said 4.902 acre tract;

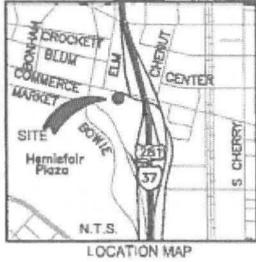
THENCE: N 14°05'40" E – 99.86 feet along the Western line of the remainder of the said 3.948 acre tract, a line of remainder of the said 4.902 acre tract to the **POINT OF BEGINNING** and containing 0.2254 acres (9,816.6 sq. ft.) of land, *according to a survey made on the ground under my supervision;*

Corresponding plat prepared.
1800.3241 esmt.docx

***BEARINGS AND COORDINATES ARE BASED ON LAMBERT GRID, TEXAS
STATE PLANE COORDINATES, SOUTH CENTRAL ZONE NAD 83/93;
COORDINATES SHOWN HEREON HAVE AN APPLIED SURFACE SCALE
FACTOR OF 1.00017.***




Rex L. Hackett
Registered Professional Land Surveyor
License Number 5573



EAST COMMERCE STREET
(80' R.O.W.)

1" = 60'



A METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS SURVEY PLAT.

TO: SAN ANTONIO WATER SYSTEM,
THE CITY OF SAN ANTONIO

THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND COMPLIES THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 1B, CONDITION 1 SURVEY. EXCEPT AS SHOWN, THERE ARE NO IMPROVEMENTS, EASEMENTS OR ENCRoACHMENTS AFFECTING THIS PROPERTY.

BEARING SOURCE: LAMBERT GRID, TEXAS STATE PLANE COORDINATES, SOUTH CENTRAL ZONE NAD 83/93. COORDINATES SHOWN HEREON HAVE AN APPLIED SURFACE SCALE FACTOR OF 1.00017

LINE	BEARING	DISTANCE
L1	S 14°18'24" W	25.00'
L2	S 76°55'31" E	25.00'
L3	N 41°52'40" E	28.23'
L4	S 76°55'31" E	25.00'

[Signature]
 REX L. HACKETT
 REGISTERED PROFESSIONAL LAND SURVEYOR
 LICENSE NO. 5573
 DATE: 01-16-2013
 PROJECT NO. 1800.3241



PLAT SHOWING
 0.2254 ACRE
 (9816.6 Sq. Ft.) EASEMENT
 BEING A PORTION OF A 3.948 ACRE TRACT OF LAND CONVEYED TO THE CITY OF SAN ANTONIO IN VOLUME 11409, PAGE 1724 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS



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