

**AN ORDINANCE**

**AUTHORIZING A MUNICIPAL BOUNDARY ADJUSTMENT TO RELEASE THREE (3) TRACTS OF LAND FROM THE CITY OF SAN ANTONIO MUNICIPAL BOUNDARIES TO THE CITY OF KIRBY (APPROXIMATELY 36.71 ACRES); AND ACCEPT TWO (2) TRACTS OF LAND FROM THE CITY OF KIRBY TO THE CITY OF SAN ANTONIO (APPROXIMATELY 1.10 ACRES) LOCATED IN COUNCIL DISTRICT 2.**

\* \* \* \* \*

**WHEREAS**, the Local Government Code, Section 43.031, authorizes adjacent cities to make a mutually agreeable boundary adjustment; and

**WHEREAS**, the City of Kirby has requested to add three separate (3) tracts of land, approximately 36.71 acres, to its municipal boundary from the City of San Antonio. In exchange, the City of Kirby has agreed to release two (2) tracts of land, approximately 1.10 acres, to the City of San Antonio; and

**WHEREAS**, these municipal boundary adjustments are fiscally neutral and will result in the clarification of service delivery between the two municipalities; and

**WHEREAS**, a public hearing was held on April 22, 2009 by the Planning Commission allowing all interested citizens to be heard; and

**WHEREAS**, the City Council has considered the effect of this boundary adjustment and finds that it is in the best interest of the City of San Antonio and its citizens; **NOW THEREFORE**,

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

**SECTION 1.** The adjustment of the boundary between the City of San Antonio and the City of Kirby is approved.

**SECTION 2.** Tract 1 (approximately 13.61 acres), Tract 2 (approximately 13.9 acres) and Tract 3 (approximately 9.2 acres) are hereby released by the City of San Antonio to the City of Kirby and the boundary between the City of San Antonio and the City of Kirby is hereby adjusted to remove the property from the City of San Antonio.

**SECTION 3.** Tract 4 (approximately 0.64 acres) and Tract 5 (approximately 0.46 acres) are hereby accepted by the City of San Antonio from the City of Kirby and the boundary

## EXHIBIT A

### DESCRIPTIONS of the Kirby land exchange tracts –

#### Land being transferred from the City of San Antonio, Texas to the City of Kirby, Texas

##### **Tract 1: from the Seguin Road Annexation**

Four contiguous parcels of land described in the Bexar Appraisal Records as being NCB 16611 Block\_ Lot P-58 (formerly P-3, reassigned), Lot P-59, Lot P-58 B; and that portion of Old Seguin Road, including its right of way line on the south, situated between the southeastern corner of NCB 16611 Block\_ Lot P-58 on the east to a point crossing said Old Seguin Road at a 19° angle in a southeasterly direction to the southern right of way line, and the southwestern corner of NCB 16611 Block\_ Lot P-58B on the west, and containing approximately 13.61 acres.

Saved and excepted from the above description is any portion of Summer Fest Road, described in the Bexar Appraisal Records as being NCB 16611 Block \_\_ Lots P-5 and P-58A (Property ID # 621576).

##### **Tract 2: from the Sunrise Annexation**

A parcel of land described in the Bexar Appraisal Records as being NCB 16612 Block \_\_ Lot P-13 situated along the northern right-of-way of Binz-Engleman Road, and containing approximately 13.9 acres.

##### **Tract 3:**

A parcel of land described in the Bexar Appraisal Records as being NCB 14896 Block 1 Lot 1, situated along the eastern right-of-way of Springfield Road, and containing approximately 9.2 acres.

#### Land being transferred from the City of Kirby, Texas to the City of San Antonio, Texas

##### **Tract 4: from the Springfield Manor Subdivision Unit 10-A (Plat recorded at Vol. 9500 Page 108, Deed and Plat Records of Bexar County, Texas)**

A strip of land approximately twenty-seven (27) feet in width situated along the easternmost portion of those parcels of land in CB 4018 described in the Bexar Appraisal Records as being NCB 16327 Block 34 Lots 27 through 42 inclusive, and extending in an easterly direction to the western right of way line of Buzz Aldrin Drive between Blue Spruce Drive on the north and Swann Lane on the south. This tract also includes a triangular-shaped parcel situated south of the eastern portion of said Lot 42 and extending across Swann Lane at a 57° angle in

a southwesterly direction to a point with the existing city limit line of the City of San Antonio, Texas, and contains approximately 0.64 acres.

**Tract 5:**

The easternmost portion of that parcel of land described in the Bexar Appraisal Records as being NCB 10596 Block 1 Lot E 292.67 feet of 5, situated east of a line beginning at a point on the Northwest corner of CB 4018B BLK 13 LOT 24, Spring Field Manor Subdivision proceeding in a northeasterly direction with the Eastern line of the City of San Antonio City limits and the Western city limit line of the City of Kirby at an angle of 59° to southern right of way line of FM 78; thence along said right of way line of FM 78 proceeding northeasterly to the western right-of-way line of Buzz Aldrin Drive; thence southerly along said right of way line of Buzz Aldrin Drive to the northern property line of of CB 4018B BLK 13 LOT 24; thence southwesterly along said property line to the point of beginning, and containing approximately 0.46 acres.

City of San Antonio

**Tract 1**  
13.61 Acres

FM 78

NCB 16611, Blk Lot P-58  
(Formerly P-3 reassigned)

Summer Fest Dr.

NCB 16611, Blk Lot P-59  
"Seguin Road Annexation"

NCB 16611, Blk Lot P-58B  
"Seguin Road Annexation"

Old Seguin Road

City of Kirby



**Tract 2**  
13.9 Acres

City of Kirby

**NQB 16612, Blk, lot P-13  
"Sunrise" Annexation**

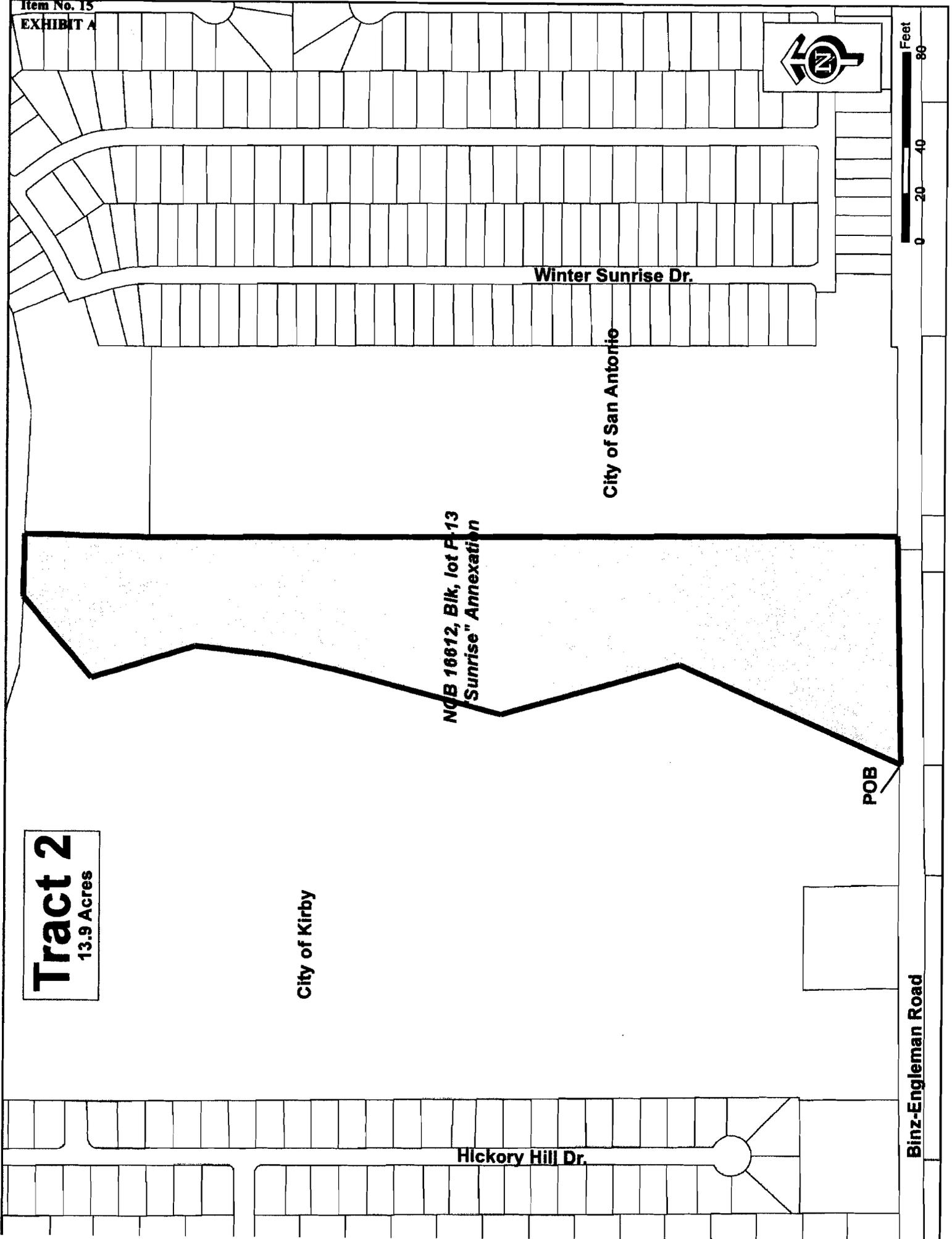
City of San Antonio

Winter Sunrise Dr.

Hickory Hill Dr.

POB

Binz-Engleman Road



Item No. 15  
EXHIBIT A

Swann Lane

**Tract 3**

9.2 Acres

City of Kirby

NCB - 14896, BLK1, Lot 1

Springfield Road

City of San Antonio



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SG: 06-18-09  
Item No. 15  
EXHIBIT A

**Tract 4**  
.64 Acres

Aspen Wood Dr.

Cobb Valley Dr.

City of Kirby

Corian Oak Dr.

Buzz Aldrin Dr.

Swann Lane

Corian Glen

City of San Antonio

Springfield Road



SG: 06-18-09  
Item No. 15  
EXHIBIT A

**Tract 5**  
.46 Acres

FM 78

Buzz Aldrin Dr.

Explorer Dr.

NCB 10596, BIK 1  
Lot E 292.67 Ft. of 5

City of Kirby

City of San Antonio

CB 4018B, BIK 13, Lot 24

NCB 10596, BIK  
Lot N Pt of TR 1 ARB P 100



between the City of San Antonio and the City of Kirby is hereby adjusted to add the property to the City of San Antonio.

**SECTION 4.** The City Manager or her designee is authorized and directed to execute any documents necessary to effectuate this Ordinance. The property consisting of three (3) tracts of land from the City of San Antonio municipal boundaries to the City of Kirby (approximately 36.71 acres) and two (2) tracts of land from the City of Kirby to the City of San Antonio (approximately 1.10 acres) are more particularly described in **Exhibit A**, attached hereto and incorporated herein for all purposes.

**SECTION 5.** The approval contained in this Ordinance and the authority granted herein are expressly conditional upon the approval of the boundary adjustment by the City of Kirby on or before the 180<sup>th</sup> day after the adoption of this Ordinance.

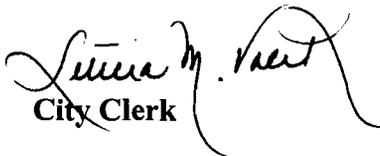
**SECTION 6.** Further, the approval contained in this Ordinance and the authority granted herein for Tract 1 (approximately 13.61 acres) adjacent to and including Old Seguin Road are expressly conditional upon the reimbursement to the City of San Antonio by the City of Kirby for the cost of the current maintenance of Old Seguin Road.

**SECTION 7.** This ordinance shall take effect June 28, 2009

**PASSED AND APPROVED on this 18<sup>th</sup> day of June, 2009.**



M A Y O R

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney  
For