

**AN ORDINANCE 2016-03-03-0160**

**DECLARING AN UNIMPROVED 0.062 ACRE TRACT OF CITY OWNED REAL PROPERTY LOCATED AT 501 SOUTH MAIN STREET IN COUNCIL DISTRICT 1 AS SURPLUS AND AUTHORIZING ITS SALE TO 501 SOUTH MAIN STREET LTD FOR \$33,050.00.**

\* \* \* \* \*

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

**SECTION 1.** The City Manager and her designee, severally, are authorized and directed to sell to 501 South Main Street Limited the 0.062 acre tract, more or less, currently addressed as 501 South Main Street and as shown and described in **Attachment I**, which is incorporated herein for all purposes as if fully stated, for \$33,050.00. The City Manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the city a deed without warranty, substantially in the form shown in **Attachment II**, conveying the above-described property. The City Manager and her designee, severally, are authorized to take all additional actions reasonably necessary or convenient to effectuate the transaction, including executing and delivering all instruments and agreements conducive to effectuating the transaction.

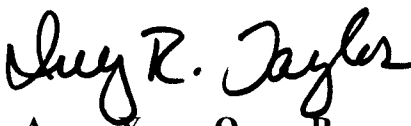
**SECTION 2.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

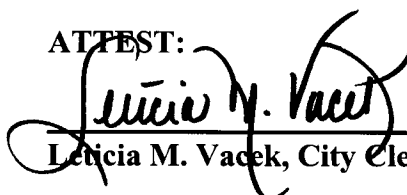
**SECTION 3.** The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

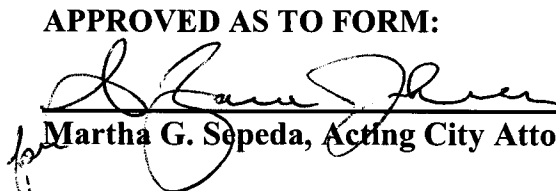
**SECTION 4.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 5.** 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 3rd day of March, 2016.

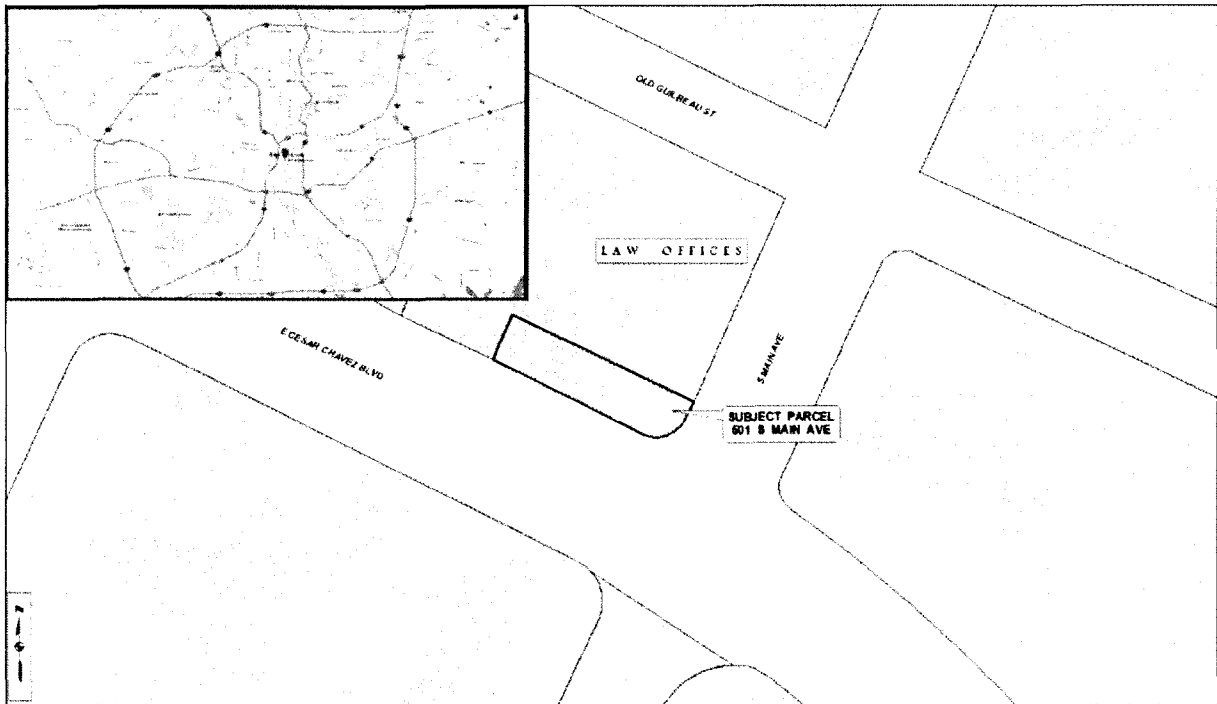
  
M A Y O R  
Ivy R. Taylor

ATTEST:  
  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:  
  
Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	<b>9 ( in consent vote: 5, 6, 7, 8, 9, 10, 11, 14, 16, 18, 19, 20, 21 )</b>						
<b>Date:</b>	03/03/2016						
<b>Time:</b>	09:34:57 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	An Ordinance declaring as surplus an unimproved parcel of land located at 501 South Main Avenue in Council District 1 and authorizing its sale to 501 S Main St Ltd for a total of \$33,050.00. [Peter Zanoni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				
Alan Warrick	District 2		x				
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Ray Lopez	District 6		x				x
Cris Medina	District 7		x			x	
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

**Attachment I**



S. P. No. 1791

**Exhibit A**

Petitioner: 501 S Main St Ltd



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SOLUTIONS TODAY WITH  
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**METES AND BOUNDS**

**FOR**

A 0.062 of an acre, or 2,699 square foot tract of land out of a portion of Lot B-3 of the Subdivision of Lots B and C, recorded in Volume 980, Page 124 of the Deed and Plat Records of Bexar County, conveyed to the City of San Antonio by instrument recorded in Volume 5759, Pages 605-607 of the Official Public Records of Bexar County, Texas, in New City Block (N.C.B.) 927 of the City of San Antonio, Bexar County Texas. Said 0.062 of an acre tract being more fully described as follows with bearings based on the North American Datum of 1983 (CORS 1996) from the Texas State Plane Coordinate System, Texas South Central Zone:

**BEGINNING:** At a found nail on the northwest right-of-way line of Main Street, a 60-foot public right-of-way, the southeast line of said Lot B-3, a south corner of a called 0.532 acre tract recorded in Volume 8435, Pages 191-196 of the Official Public Records of Bexar County, Texas;

**THENCE:** S 25°13'31" W, along and with northwest right-of-way of said Main Street, the southeast line of said Lot B-3, a distance of 11.41 feet to a set mag nail at the northeast return of the intersection of the northwest right-of-way line of said Main Street and the northeast right-of-way line of Cesar Chavez Boulevard (Durango), a variable width public right-of-way, at a curve to the right;

**THENCE:** Along said return, with a curve to the right having a radial bearing of N 64°46'29" W, a radius of 15.00 feet, a delta angle of 91°07'36", a chord bearing of S 70°47'19" W, a chord length of 21.42 feet, and an arc length of 23.86 feet to a set mag nail at the southwest end of said return;

**THENCE:** N 63°38'53" W, along and with the northeast of said Cesar Chavez Boulevard, a distance of 90.71 feet to a set mag nail on the northwest line of said Lot B-3, a south corner of said called 0.532 acre tract, the west corner of the herein described tract;

**THENCE:** N 23°31'44" E, departing the northeast right-of-way line of said Cesar Chavez Boulevard, along and with the northwest line of said Lot B-3, a southeast line of said called 0.532 acre tract, a distance of 25.02 feet to a set mag nail, a reentrant corner of said called 0.532 acre tract, the north corner of the herein described tract;

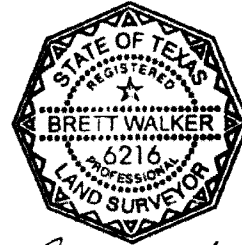


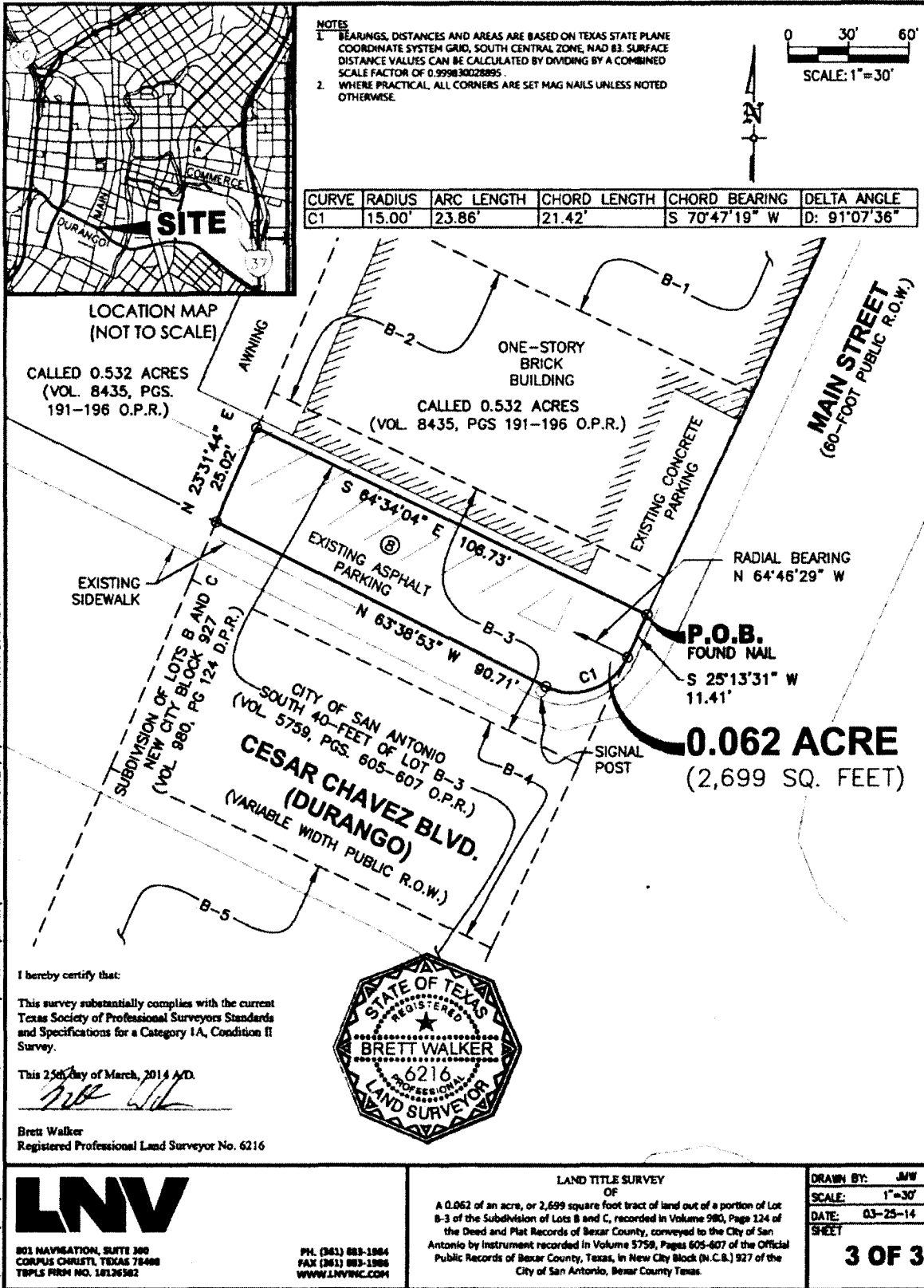
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THENCE: S 64°34'04" E, along and with a southwest line of said called 0.532 acre tract, over and across said Lot B-3, a distance of 106.73 feet to the POINT OF BEGINNING and containing 0.062 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey map prepared by LNV, Inc.

Prepared by: LNV Inc.  
Job No.: 110187.340  
File: S:\Projects\COSA\110187-On Call Svc- Civil Eng CIMS04003\340  
Survey\Survey\MB110187.340.docx  
Date: March 25, 2014  
TBPLS Firm No.: 10126502





S:\PROJECTS\0084\10187-04 CALL SEC- CIV. ENG. CAD\003\LAND SURVEY\SURVEY\10187.340.DWG PLOT DATE: 3/26/2014 8:48 AM PLOT BY: BWALKER

## Attachment II: Form of Deed

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**Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All 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.**

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State of Texas        }  
                                  }  
County of Bexar     }

## Deed Without Warranty

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**Authorizing Ordinance:**

**Statutory Authority:** Local Government Code § 272.001

**SP No./Parcel:** 1791

**Grantor:** City of San Antonio

**Grantor's Mailing Address:** City Of San Antonio,  
P.O. Box 839966  
San Antonio, Texas 78283-3966  
(Attn: TCI)

**Grantor's Street Address:** City Hall  
100 Military Plaza  
San Antonio, Texas 78205 (Bexar County)

**Grantee:** 501 South Main Ave, Ltd

**Grantee's Mailing Address:** 509 South Main Avenue  
San Antonio, Texas 78204  
(Attn: Glenn Deadman)

**Consideration:** \$33,050.00

**Property:** Being 0.062 of an acre, or 2,699 square feet of land out of a portion of Lot B-3 of the Subdivision of Lots B and C, as recorded in Volume 980, Page 124, of the Deed and Plat Records of Bexar County, Texas, and more fully described in Exhibit A ("Land") and more particularly described by metes and bounds and shown by survey on **Deed Exhibit "A"** attached hereto and incorporated herein verbatim for all purposes.

Grantor, for the Consideration, Grants, Bargains, and Conveys to Grantee, all of Grantor's right, title, interest, and estate, both at law and in equity, as of the date hereof, in and to the Property, together with all and singular the rights and appurtenances thereto in anywise belonging, To Have and To Hold unto Grantee, Grantee's successors and assigns forever, **Without Any Express Or Implied Warranty whatsoever, Including But Not Limited to Warranties of Title, Condition, or Character.**

The Property is conveyed together with any and all improvements, structures and fixtures located thereon, and with all rights, privileges, rights of way, and easements appurtenant thereto, unless reserved unto other parties herein.

**Reservations, Restrictions, Exceptions, And Conditions To Conveyance:** This conveyance is explicitly subject to the following:

- A. Reservations and Easements:** All instruments affecting the Property, whether or not recorded.
- B. Restrictions:** All covenants and restrictions affecting the Property.
- C. Exceptions:** All instruments affecting the Property, whether or not recorded.
- D. Conditions:** All conditions affecting the Property.

This conveyance does not relieve Grantee of any building, zoning, or other city-imposed requirements, or other land use restrictions applicable to the Property or the obligation to pay any real estate taxes that may otherwise be due.

**Grantor expressly disclaims any and all warranties arising by common law, statute (including without limitation the implied warranties of § 5.023, Texas Property Code or any successor statute), or otherwise.**

**[REST OF PAGE INTENTIONALLY LEFT BLANK]**



**Setting Out The Specific Reservations And Disclaimers Does Not Imply That The Property Is Free Of Other Encumbrances Or Adverse Claims Or Conditions. Grantor Specifically Disclaims Any Such Implication.**

In Witness Whereof, Grantor has caused its representative to set its hand:

**Grantor:**

**City of San Antonio**, a Texas municipal corporation

By: \_\_\_\_\_

Printed  
Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Approved As To Form:**

By: \_\_\_\_\_  
City Attorney

The State of Texas    }  
County of Bexar       }

Before me, the undersigned authority, this instrument was this day acknowledged by \_\_\_\_\_, of and for the City of San Antonio, a Texas municipal corporation, on behalf of that entity in the capacity stated.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

**After Recording, Return To:**  
501 South Main Ave, Ltd  
509 South Main Avenue  
San Antonio, Texas 78204

## DEED EXHIBIT A



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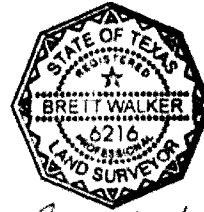


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Job No.: 110187.340  
File: S:\Projects\COSA\110187-On Call Svc- Civil Eng CIMS04003\340  
Survey\Survey\MB110187.340.docx  
Date: March 25, 2014  
TBPLS Firm No.: 10126502



*Brett Walker*

