

AN ORDINANCE 2015-09-17-0830

AMENDING THE LAND USE PLAN CONTAINED IN THE OAKLAND ESTATES NEIGHBORHOOD PLAN, A COMPONENT OF THE COMPREHENSIVE MASTER PLAN OF THE CITY, BY CHANGING THE USE OF LOT 11, BLOCK 1, NCB 14701, LOCATED 5949 BABCOCK ROAD, FROM NEIGHBORHOOD COMMERCIAL TO COMMUNITY COMMERCIAL.

* * * * *

WHEREAS, the Oakland Estates Neighborhood Plan was adopted on August 31, 2000 and updated April 19, 2007 by City Council as a component of the City's Comprehensive Master Plan adopted May 29, 1997; and

WHEREAS, the Unified Development Code requires consistency between zoning and the Comprehensive Master Plan and Section 213.003 of the TEXAS LOCAL GOVERNMENT CODE allows amendment of the Comprehensive Master Plan following a public hearing and review by the Planning Commission; and

WHEREAS, a public hearing was held on August 12, 2015 by the Planning Commission allowing all interested citizens to be heard; and

WHEREAS, the San Antonio City Council has considered the effect of this amendment to the Comprehensive Master Plan of the City and has determined that it conforms to the approval criteria set forth in the Unified Development Code §35-420, Comprehensive, Neighborhood, Community, and Perimeter Plans; **NOW THEREFORE**;

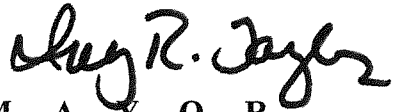
BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The Oakland Estates Neighborhood Plan, a component of the Comprehensive Master Plan of the City, is hereby amended by changing the use of Lot 11, Block 1, NCB 14701 save & except 0.026 acres conveyed to Bexar County, located at 5949 Babcock Road, from Neighborhood Commercial to Community Commercial. All portions of land mentioned are depicted in **Attachments "I" and "II"**, attached hereto and incorporated herein for all purposes.

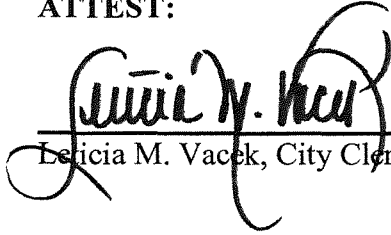
SECTION 2. A description of the property recorded in Volume 4147, Page 519 of the Bexar County Real Property Records, which is saved and excepted in Section 1 above, is attached as **Attachment "III"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. This ordinance shall take effect September 27, 2015.

PASSED AND APPROVED this 17th day of September 2015.


M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



For Martha G. Sepeda, Acting City Attorney

Agenda Item:	P-3 (in consent vote: P-3, Z-12)						
Date:	09/17/2015						
Time:	02:46:11 PM						
Vote Type:	Motion to Appr w Cond						
Description:	PLAN AMENDMENT # 15061 (Council District 8): An Ordinance amending the future land use plan contained in the Oakland Estates Neighborhood Plan, a component of the Comprehensive Master Plan of the City, by changing the future land use of Lot 11, Block 1, NCB 14701 located at 5949 Babcock Road from "Neighborhood Commercial" to "Community Commercial." Staff and Planning Commission recommend Approval. (Associated Zoning Case Z2015234)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		x				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				
Cris Medina	District 7		x				
Ron Nirenberg	District 8		x			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				

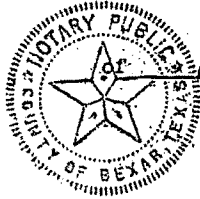
ATTACHMENT I Land Use Plan as Adopted:



ATTACHMENT II Proposed Amendment:



nowledged to me that he executed the same for the purposes and consideration therein expressed.



GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 2 day Dec, 1957.

J. J. Kinnick

Notary Public, in and for Bexar County, Texas.

Vol 4147 pg 519

Filed for record May 26, 1958, at 3:05 o'clock P.M.

Recorded May 29, 1958, at 4:04 o'clock P.M.

FRED HUNTRESS, County Clerk, Bexar County, Texas.

By Andrew Coy Jr. Deputy.

WARRANTY DEED--WITH SINGLE AND WIVES SEPARATE ACKNOWLEDGMENTS--CLASS 5. TEXAS STANDARD FORM.

The State of Texas,
County of BEXAR

Know all Men by these Presents

That I, Everett Lehman, owning and occupying other property as homestead,

of the County of BEXAR, State of TEXAS, for and in

consideration of the sum of ONE AND NO/100 -----
--(\$1.00) DONATED -----Dollars.

to me paid by County of Bexar, State of Texas, the receipt
of which is hereby acknowledged,

And for the further consideration Bexar County to set back and construct a standard four (4) barbed wire fence, furnishing new material where needed, and place one (1) 12' metal gate at point designated by owner.

Lien (s) Held By: NONE

Lease (s) Held By: NONE

Easement (s) Held By: NONE

have Granted, Sold and Conveyed, and by these presents do Grant, Sell and Convey unto the said

County of BEXAR, State of TEXAS, all

That certain 0.026 acre strip of land along the Northeasterly side of Babcock Road; being out of the Everett Lehman 1.32 acre tract, being Lot 11, Block 1, Oakland Estates, C.B. 5676, according to plat recorded in Volume 980, page 281, out of the Jose Alameda Survey No. 81, Abstract 26, Bexar County, Texas; and being more particularly described as follows:

BEGINNING at a point in a fence line on the Northeast side of Babcock Road, said point marking the most southwesterly corner of the Everett Lehman 1.32 acre tract, and bearing N. 65° 59' E. 31.92 feet from the centerline of Babcock Road at Engineers' Survey Station 20+43.01;

#14

THENCE along the fence line and Northeast side of Babcock Road, N. 24° 01' W., 100.80 feet to an angle;

THENCE N. 35° 00' 15" W. 99.20 feet to a point for the most Northwestern corner of this tract;

THENCE N. 54° 59' 45" E. 8.04 feet, along the property line between the Everett Lehman tract and the Nelson tract, to a point;

THENCE in a Southeasterly direction along the new Northeast R.O.W. line of Babcock Road 200.78 feet, along a curve to the right having a radius of 1949.86 feet, and being 40.00 feet from and concentric with the centerline of Babcock Road, to a point;

THENCE S. 65° 59' W. 8.12 feet, along the property line between the Everett Lehman tract and the Jos. D. Wagner tract, to the point of beginning.

To have and to hold, the above described premises, together with all and singular in the rights, and appurtenances thereto, in anywise belonging unto the said

County of Bexar, State of Texas, its successors,

~~do~~ and assigns forever, and I do hereby bind myself, my heirs, executors and administrators to Warrant and Forever Defend, all and singular the said premises unto the said

County of Bexar, State of Texas, its successors,

~~do~~ and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Witness hand at Odessa, Texas, this 15th day of May 1958

x Everett Lehman

Witnesses at Request of Grantor:

The State of Texas,
County of

ECTOR

ECTOR

Before me,

a Notary Public

County, Texas, on this day, personally appeared

Everett Lehman

known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

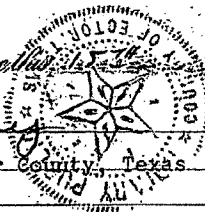
day of May

1958

Given under my hand and seal of office this 15th day of May 1958

George J. Lawley

Notary Public in and for Ector County, Texas



4147 T 521

Filed for record May 26, 1958, at 3:05 o'clock P.M.

Recorded May 29, 1958, at 4:06 o'clock P.M.

FRED HUNTRESS, County Clerk, Bexar County, Texas

By Andrew C. [Signature] Deputy

162493 95-5-21-58

WARRANTY DEED - WITH SINGLE AND WIFE'S SEPARATE ACKNOWLEDGMENTS - CLASS 5. The County of Bexar, Texas. TEXAS STANDARD FORM.

The State of Texas,

County of

BEXAR

That

I, Mary R. Herrera, a feme sole,

of the County of

BEXAR,

State of

TEXAS,

for and in

consideration of the sum of

Eighty and 00/100

(\$80.00)

Dollars.

to me paid by County of Bexar, State of Texas, the receipt of which is hereby acknowledged,

TOTAL CONSIDERATION - 80.00

FOR LAND - 80.00

And for further consideration Bexar County to set back and construct a standard 4 barbed wire fence, furnishing new material where needed, and place 1-12 foot metal gate at points designated by owner.

Lien (s) Held By: NONE

Lease (s) Held By: NONE

Easement (s) Held By: NONE

Have Granted Sold and Conveyed, and by these presents do Grant Sell and Convey unto the said

County of

BEXAR,

State of

TEXAS,

all

that certain 0.080 acre strip of land along the Northeastly side of Babcock Road, being out of the Mary R. Herrera 2.64 acre tract,