

ORDINANCE 2019-12-12-1050

AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF .16 ACRE OF AN IMPROVED PORTION OF BURWOOD LANE PUBLIC RIGHT-OF-WAY AS REQUESTED BY SOMERSET ACADEMY FOR A FEE OF \$21,100.00 IN CITY COUNCIL DISTRICT 1.

* * * * *

WHEREAS, Petitioner Somerset Academy, Inc. (“Petitioner”) purchased the property adjacent to the improved portion of Burwood Lane requested for closure (“Subject Property”) as shown in **Exhibit “A”** in August 2018 and discovered the Subject Property was not part of the school property; and

WHEREAS, the Subject Property is currently striped and has been used for parking, all abutting property owners have consented to the closure, and the North Shearer Hills Neighborhood Association was canvassed and approved the request with no conditions; and

WHEREAS, if approved, Petitioner plans to replat its adjacent property with the Subject Property and continue to use it for parking; and

WHEREAS, the closure fee established for this request is \$21,100.00 which includes the fair market value of the public right-of-way in the amount of \$21,000.00 plus \$100.00 for administrative costs; and

WHEREAS, in compliance with Chapter 37, Section 2(g)(ii) of the City Code, fair market value of the proposed closure was based upon an independent State of Texas Certified Professional Appraisal Report prepared by Noble & Associates, Inc. on September 18, 2019; and

WHEREAS, the City of San Antonio’s Planning Commission recommended approval of this request at its regular meeting on November 13, 2019; **NOW THEREFORE**,

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

SECTION 1. The City Council hereby authorizes following for a Final Closure Fee of \$21,100.00 the closure, vacation, and abandonment of its Right of Way interests as to .16 acres consisting of an improved portion of Burwood Lane as shown in **Exhibit “A”** and more accurately described in **Exhibit “B”**.

SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit “B”** controls over any discrepancy between it and **Exhibit “A”**.

SECTION 3. Revenue generated from this sale will be deposited into the General Fund in accordance with the FY 2020 Adopted Budget.

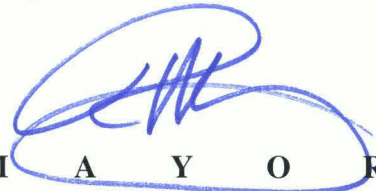
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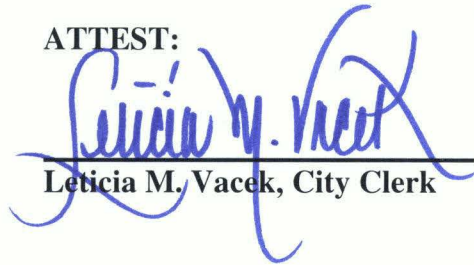
SECTION 4. The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.


SECTION 5. 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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. 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 12th day of December, 2019.


M A Y O R
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

Andrew Segovia, City Attorney

Agenda Item:	21 (in consent vote: 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18A, 18B, 18C, 18D, 18E, 19, 20, 21, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 41A, 41B, 42A, 42B, 42C, 42D, 43, Z-1)
Date:	12/12/2019
Time:	09:40:36 AM
Vote Type:	Motion to Approve
Description:	Ordinance approving the closure, vacation and abandonment of an improved portion of Burwood Lane Public-Right-of-Way, as requested by Somerset Academy, Inc. for a fee of \$21,100.00 to be deposited into the General Fund. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Interim Director, Transportation & Capital Improvements]
Result:	Passed

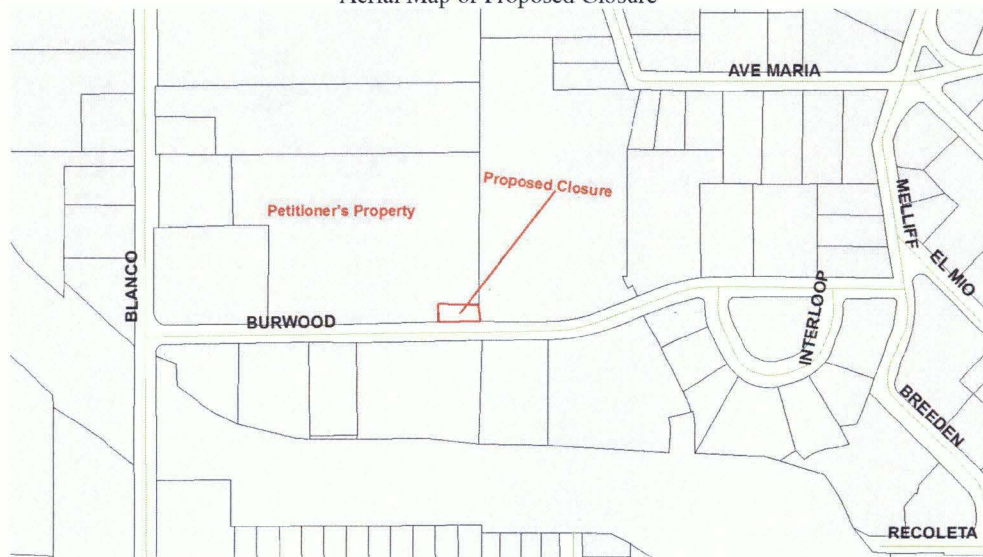
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
Jada Andrews-Sullivan	District 2		x			x	
Rebecca Viagran	District 3		x				
Adriana Rocha Garcia	District 4		x				
Shirley Gonzales	District 5		x				
Melissa Cabello Havrda	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

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Exhibit A



Aerial Map of Proposed Closure

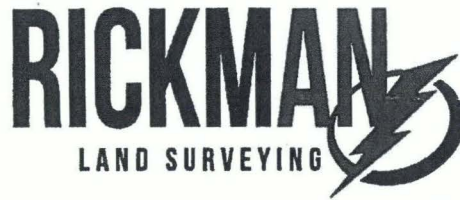


Map of Proposed Closure

Exhibit "A"

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Exhibit B



0.16 ACRE TRACT

SURVEY OF A 0.16 ACRE TRACT OF LAND OUT OF THE SAN ANTONIO TOWN TRACT SURVEY, ABSTRACT NO. 20, N.C.B. 11693, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AND BEING A PORTION OF BURWOOD LANE AS DEDICATED TO THE CITY OF SAN ANTONIO RECORDED IN VOLUME 5140, PAGE 268, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: NOTE: (BASIS OF BEARING IS TEXAS SOUTH CENTRAL ZONE, NAD83.)

BEGINNING: At a ½" iron rod with cap stamped "RICKMAN" set for a reentrant corner of Burwood Lane, the southern most southeast corner of a 5.514 Acre Tract described in deed to Somerset Academy, Inc. recorded in Document No. 20180175970, Official Public Records, Bexar County, Texas and the southwest corner of This Tract and the POINT OF BEGINNING, from which a 1" Iron Rod Found for the southern most southwest corner of the 5.514 Acre Tract bears S 88°50'42" W, 420.06 feet;

THENCE: N 01°08'07" W, 59.93 feet with the east line of the 5.514 Acre Tract, a west right of way line of Burwood Lane and This Tract to a PK-Nail set in concrete for a reentrant corner of the 5.514 Acre Tract, a northwest corner of Burwood Lane and This Tract;

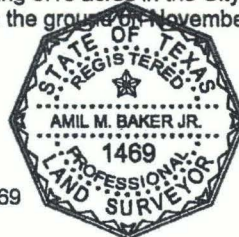
THENCE: N 88°51'53" E, 118.18 feet with a south line of the 5.514 Acre Tract, a north right of way line of Burwood Lane and This Tract to a ½" iron rod found in the west line of Lot 49, N.C.B. 10045, Shearer – Hill's Subdivision recorded in Volume 9686, Page 96, Deed and Plat Records, Bexar County, Texas for the eastern most southeast corner of the 5.514 Acre Tract, the northeast corner of Burwood Lane and This Tract, from which a ½" iron rod found for the northeast corner of the 5.514 Acre Tract bears N 00°01'08" E, 360.96 feet;

THENCE: S 00°01'08" W, 59.91 feet with the west line of Lot 49, the east right of way line of Burwood Lane and This Tract to a ½" iron rod found for the southwest corner of Lot 49, a reentrant corner of Burwood Lane and the southeast corner of This Tract;

THENCE: S 88°50'42" W, 116.97 feet across Burwood Lane, with the south line of This Tract to the POINT OF BEGINNING and containing 0.16 acres in the City of San Antonio, Bexar County, Texas, according to a survey on the ground on November 21, 2018, by Rickman Land Surveying.

A handwritten signature in black ink that reads "Amil M. Baker, Jr." in a cursive script.

Amil M. Baker, Jr.
Registered Professional Land Surveyor # 1469



419 Big Bend Canyon Lake, Texas 78133
www.rickmanlandsurveying.com

Phone (830) 935-2457
TBPLS Firm No. 101919-00

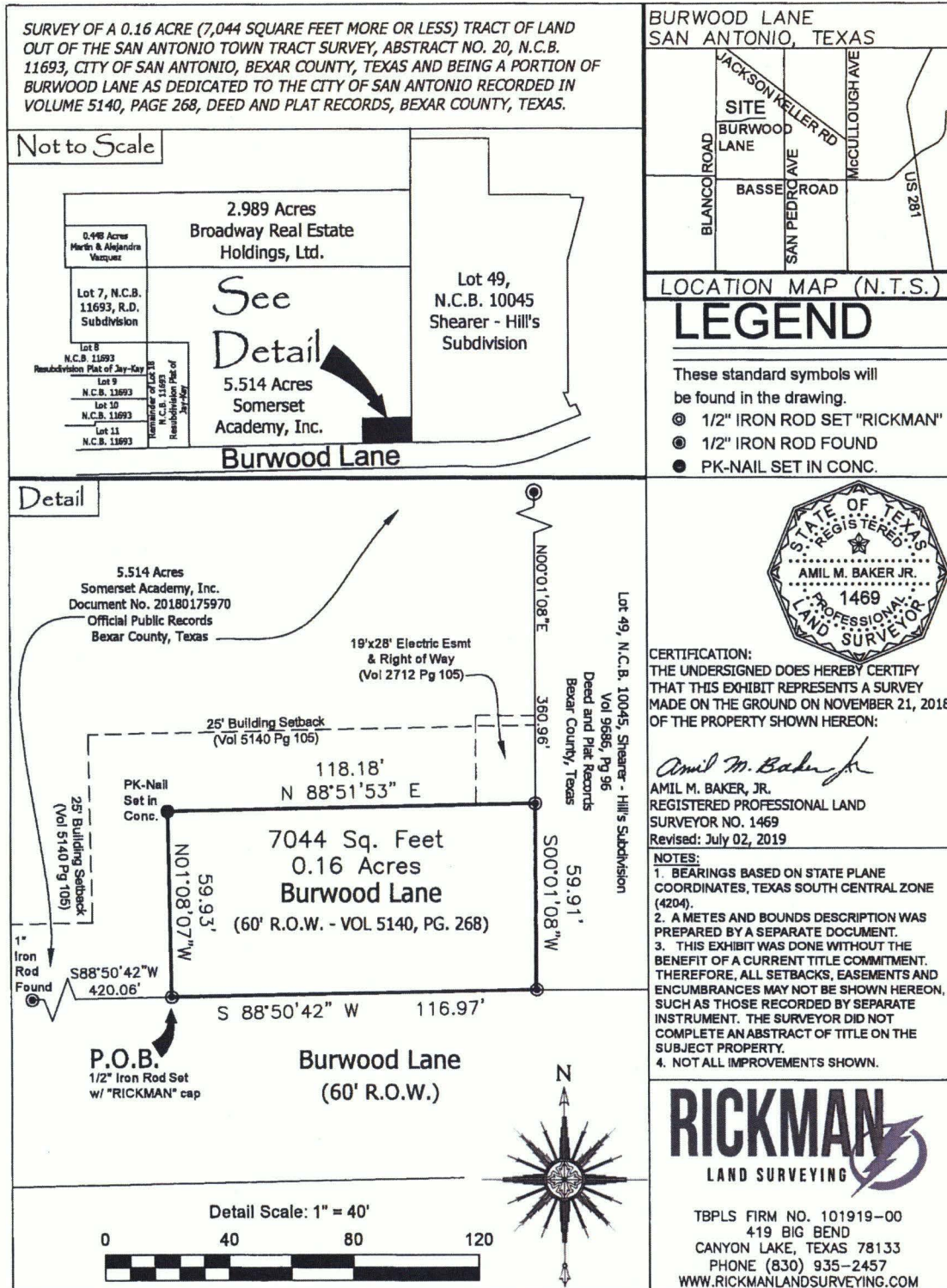


EXHIBIT "B"