

AN ORDINANCE 2013-11-21-0790

AUTHORIZING THE ACQUISITION THROUGH CONDEMNATION OF APPROXIMATELY 13.0 ACRES IN NCB 14747 AND APPROXIMATELY 4.0 ACRES OF LAND IN NCB 14854 LOCATED ALONG LEON CREEK IN COUNCIL DISTRICT 8 FOR THE LINEAR CREEKWAY DEVELOPMENT PROJECT, A 2010 PROPOSITION 2 SALES TAX INITIATIVE FUNDED PROJECT; PROPERTY BEING IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; DECLARING THE LINEAR CREEKWAY DEVELOPMENT PROJECT ON AFOREMENTIONED WATERWAY TO BE A PUBLIC PROJECT FOR PUBLIC USE; DECLARING PUBLIC NECESSITY FOR THE ACQUISITION OF PRIVATELY OWNED REAL PROPERTY; AND AUTHORIZING THE CITY ATTORNEY AND/OR DESIGNATED SPECIAL COUNSEL TO FILE EMINENT DOMAIN PROCEEDINGS.

* * * * *

WHEREAS, the City of San Antonio (“City”) desires to acquire fee simple title of privately owned real property in Council District 8 as part of the Linear Creekway Development Project; and

WHEREAS, this Project is in the best interest of the health, safety and welfare of the public; and

WHEREAS, it is necessary to obtain and acquire fee simple title of privately owned real property as part of the Project as further described in SECTION 2 below;

WHEREAS, Ordinance No. 2012-09-20-0731 previously authorized by City Council on September 20, 2012 for the acquisition through donation or good faith negotiations, have been unsuccessful to date, authority for condemnation is now being sought in order to proceed with the project; and

WHEREAS, this acquisition will be used for the preservation of floodplain property and riparian habitat along San Antonio’s creekways and will provide the land through which a system of linear parks (a.k.a. greenways) will be created;

WHEREAS, this acquisition will be used for the development of multi-use hike and bike trails, trailheads, signage and associated amenities for use by San Antonio residents and visitors; and

WHEREAS, funds for the property acquisitions have been appropriated through Proposition 2 Sales Tax funding in the FY 2014-2019 Adopted Annual Capital Budget in addition to the associated funding for design and construction of the hike and bike trail projects; **NOW THEREFORE**,

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

SECTION 1. A public use and necessity is hereby declared for the City of San Antonio to acquire fee simple title of privately owned real property in Council District 8, by condemnation, as part of the Linear Creekway Development Project. Said parcels of land are generally described as follows:

LEGAL DESCRIPTION
12.837 acres out of Lot 2, Block 6, New City Block 14747, Western Development Subdivision
2.862 acres out of Lot 5, New City Block 14854, La Cantera Restaurant Park – P.U.D.
0.853 acres out of the Charles W. Beckmann Survey No. 391-3/4, Abstract No. 880, New City Block 14854

The property for the Project is more particularly described by metes and bounds in **Exhibit A through C** and incorporated herein for all purposes. Collectively, the properties may be referred to as the “Property.”

SECTION 2. The City Manager, or her designee, is hereby authorized to direct the City Attorney to institute and prosecute to conclusion all necessary proceedings to condemn such properties if the City of San Antonio is unable to acquire through negotiation by reason of its inability to agree with the owners thereof as to the value of such property, or for any other reason, and to take any other legal action deemed necessary by the City Attorney to accomplish these purposes.

SECTION 3. The prior actions and efforts of City officials to negotiate the purchase of the necessary rights and the steps taken to initiate and prosecute condemnation of the property are hereby ratified and affirmed.

SECTION 4. Payment in the amount of the negotiated price or for condemnation of privately owned real property with an estimated total fair market value of \$170,000.00 in SAP Fund 40005000, Park Improvements, SAP Project Definition 26-00613, Leon Greenway To Salado Greenway Connect, is authorized to be encumbered and made payable for the acquisition of approximately 17.0 acres of privately owned real property located in NCB 14747 and NCB 14854 along Leon Creek in Council Districts 8 in Bexar County, Texas from previously appropriated funds. Payment is limited to the available amounts budgeted in the projects listed below. All expenditures will comply with the Capital Budget for current and future fiscal years.

SECTION 5. The acquisition of property must be coordinated through the city's Finance Department to assure the addition of these assets into the City's financial records and to record the proper accounting transactions.

SECTION 6. 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 7. The City staff is hereby directed to negotiate with the owner(s) of the respective parcels for the acquisition of the Property at fair market value, to execute sales agreements purchasing the property from the owners as the owners are identified by a Commitment for Issuance of Title Insurance issued by a title insurance company authorized to conduct such practice in the State of Texas and in Bexar County or by Order of a Court of competent jurisdiction and to finalize such purchases on behalf of the City of San Antonio. The City Council finds that it is in the best interest to obtain the Property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 8. In the event that the City negotiations fail and staff is unable to acquire one or more parcels from the property owner by negotiation or for any other reason, the City Manager, through the City Attorney and/or designated special counsel under the direction of the City Attorney, are hereby authorized and directed to institute and prosecute to conclusion all necessary proceedings to condemn the property. The City Attorney is hereby authorized to retain the services of any law firm selected by the City Attorney as special counsel, as may be needed from time to time, and to pay for the services rendered from the appropriations set aside herein or such other appropriations as may be made for the purpose.

SECTION 9. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.


PASSED and APPROVED this 21st day of November, 2017.³


M A Y O R
Julián Castro

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Michael D. Bernard, City Attorney

Agenda Item:	16A
Date:	11/21/2013
Time:	11:58:31 AM
Vote Type:	Motion to Approve
Description:	Consideration of the following Ordinances related to the Linear Creekway Development Project [Gloria Hurtado, Assistant City Manager; Xavier Urrutia, Director, Parks & Recreation] A. An Ordinance authorizing the acquisition through condemnation of approximately 13.0 acres in NCB 14747 and approximately 4.0 acres of land in NCB 14854 located along Leon Creek in Council District 8 for the Linear Creekway Development Project, a 2010 Proposition 2 Sales Tax Initiative funded project; property being in the City of San Antonio, Bexar County, Texas; declaring the Linear Creekway Development Project on aforementioned waterway to be a public project for public use; declaring public necessity for the acquisition of privately owned real property; and authorizing the City Attorney and/or designated special counsel to file eminent domain proceedings. B. An Ordinance authorizing the acquisition through donation and/or good faith negotiations of approximately 40.0 acres of land located in NCB 10845, 13485 and 13486 along Salado Creek in Council District 3 and NCB 18820 along Culebra Creek in Council District 6 for the Linear Creekway Development Project, a 2010 Proposition 2 Sales Tax Initiative funded project.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julián Castro	Mayor		x				
Diego Bernal	District 1		x				x
Ivy R. Taylor	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				
Carlton Soules	District 10		x				



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

SAN ANTONIO • LAREDO
TEXAS FIRM REGISTRATION NUMBERS
ENGINEERING F-2214 & SURVEYING 100410

DESCRIPTION OF 12.837 ACRE TRACT

Being a 12.837 acre tract of land out of Lot 2, Block 6, New City Block (N.C.B.) 14747, Western Development, recorded in Volume 9612, Page's 175-176, Deed and Plat Records, Bexar County, Texas, said 12.837 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" at the southwest corner of said Lot 2, on the east right-of-way (R.O.W.) line of Interstate Highway 10, for the southwest corner of the herein described tract;

Thence coincident with the common line of Lot 2 and said east right-of-way line, the following three (3) calls:

North 07°36'24" West, a distance of 194.99 feet to a Texas Department of Transportation Type II Monument found for an angle point of the herein described tract,

North 11°06'28" West, a distance of 200.35 feet to a Texas Department of Transportation Type II Monument found for an angle point of the herein described tract,

North 07°16'39" West, a distance of 67.78 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

Thence departing said common line, crossing Lot 2, the following sixteen (16) calls:

South 19°01'14" East, a distance of 214.67 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 78°14'50" East, a distance of 281.00 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 65°24'32" East, a distance of 33.97 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 53°26'57" East, a distance of 80.26 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 48°36'59" East, a distance of 226.47 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

EXHIBIT "A"

11550 I.H. 10 WEST, SUITE 395
SAN ANTONIO, TEXAS 78230-1037
TEL: 210.641.9999 · FAX: 210.641.6440

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9652 MCPHERSON RD., SUITE 7
LAREDO, TEXAS 78045-6541
TEL: 956.729.7844 · FAX: 956.729.7854

North 06°55'31" West, a distance of 46.85 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 18°18'50" West, a distance of 121.35 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 25°09'08" West, a distance of 68.77 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 34°11'50" West, a distance of 179.33 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 36°03'12" West, a distance of 123.84 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 40°46'13" West, a distance of 151.87 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 44°31'16" West, a distance of 119.39 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 28°32'37" West, a distance of 35.98 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 50°16'22" West, a distance of 71.98 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 89°20'30" West, a distance of 52.21 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

North 80°53'00" West, a distance of 40.53 feet to 1/2" iron rod set with plastic cap stamped "CEC" on the north line of aforementioned Lot 2, for an angle point of the herein described tract,

Thence North 89°05'11" East, passing at a distance of 529.61 feet a 1/2" iron rod set with plastic cap stamped "CEC" for the southwest corner of Lot 1, Block 6, N.C.B. 14747, replat and resubdivision plat of South Rim, Unit 3, recorded in Volume 9590, Page's 103-104, Deed and Plat Records, Bexar County, Texas, and continuing coincident with the common line of said Lot 2 and said Lot 1, for a total distance of 1,092.89 feet to a 1/2" iron rod found for the northeast corner of Lot 2, for the northeast corner of the herein described tract;

Thence departing said common line, coincident with the southeasterly line of Lot 2, the following thirteen (13) calls:

South 00°38'21" East, a distance of 38.42 feet to 1/2" iron rod found for an angle point of the herein described tract

South 52°08'29" West, a distance of 262.71 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 17°31'15" West, a distance of 238.79 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 63°03'17" West, a distance of 148.79 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 24°02'33" East, a distance of 103.56 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 04°43'25" East, a distance of 178.73 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 09°28'19" West, a distance of 193.47 feet to 1/2" iron rod found for an angle point of the herein described tract,

South 43°57'05" West, a distance of 150.52 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 08°02'57" East, a distance of 154.11 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 70°36'47" West, a distance of 70.10 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 75°33'21" West, a distance of 285.36 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

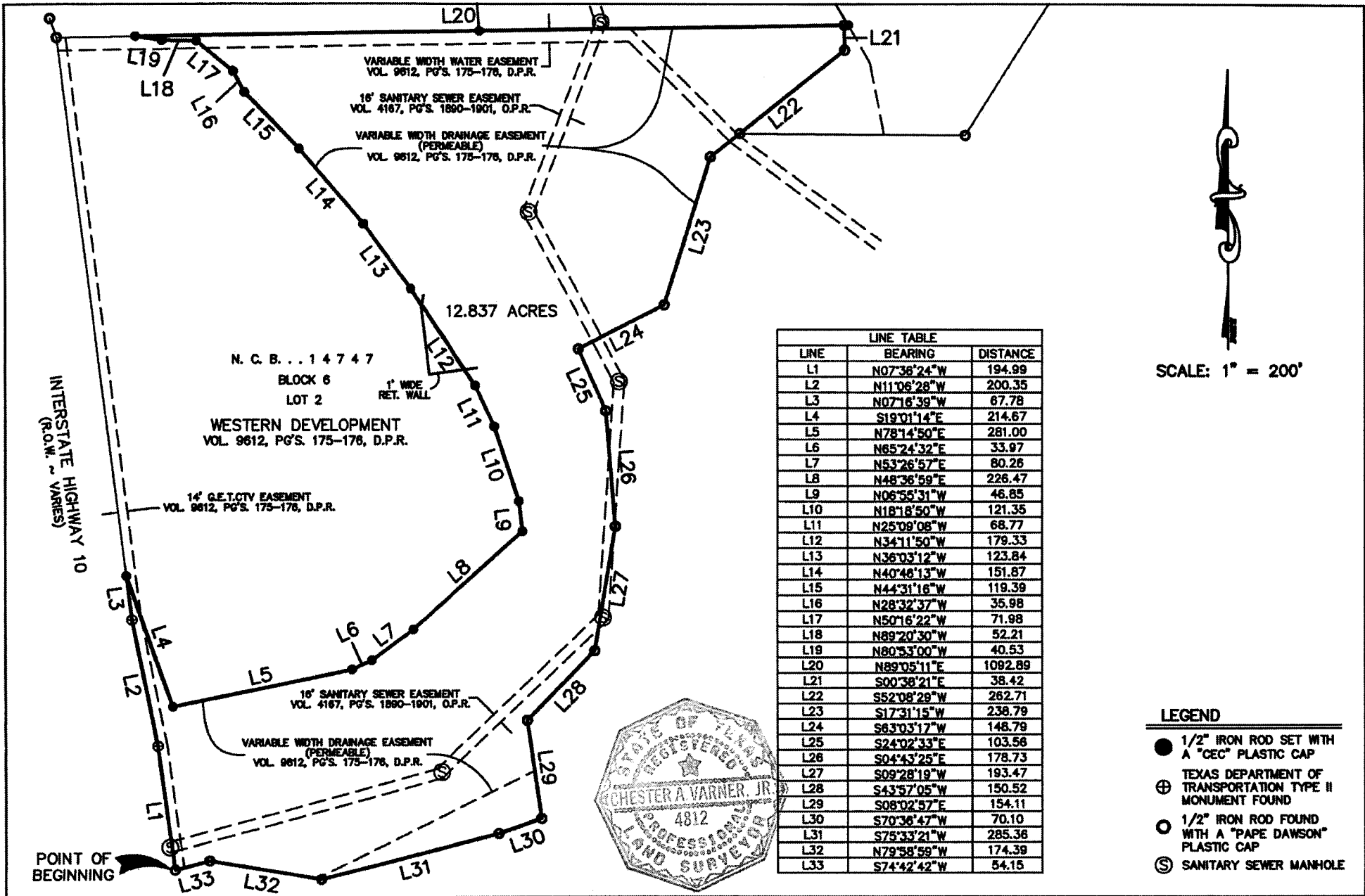
North 79°58'59" West, a distance of 174.39 feet to 1/2" iron rod found with plastic cap stamped "PAPE DAWSON" for an angle point of the herein described tract,

South 74°42'42" West, a distance of 54.15 feet to the **POINT OF BEGINNING** containing 12.837 acres of land, more or less.

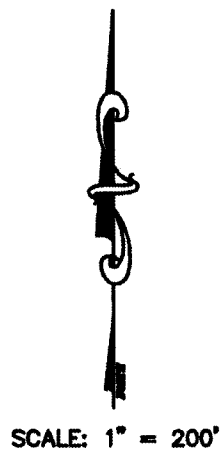
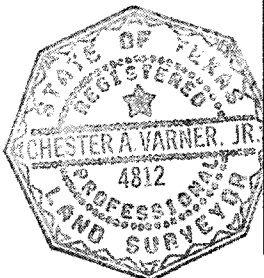
This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants. There is a plat of a survey with like job number. Bearings are based on the Texas State Plane, South Central Zone Coordinate System. Surveyed this the 26th day of March, 2013.



Chester A. Varner, R.P.L.S.
Chester A. Varner, RPLS # 4812z e 4/9/13



LINE	BEARING	DISTANCE
L1	N07°38'24"W	194.99
L2	N11°06'28"W	200.35
L3	N07°16'39"W	67.78
L4	S19°01'14"E	214.67
L5	N78°14'50"E	281.00
L6	N65°24'32"E	33.97
L7	N53°26'57"E	80.26
L8	N48°38'59"E	226.47
L9	N06°55'31"W	46.85
L10	N18°18'50"W	121.35
L11	N25°09'08"W	68.77
L12	N34°11'50"W	179.33
L13	N36°03'12"W	123.84
L14	N40°46'13"W	151.87
L15	N44°31'16"W	119.39
L16	N28°32'37"W	35.98
L17	N50°16'22"W	71.98
L18	N89°20'30"W	52.21
L19	N80°53'00"W	40.53
L20	N89°05'11"E	1092.89
L21	S00°38'21"E	38.42
L22	S52°08'29"W	262.71
L23	S17°31'15"W	238.79
L24	S63°03'17"W	148.79
L25	S24°02'33"E	103.56
L26	S04°43'25"E	178.73
L27	S09°28'19"W	193.47
L28	S43°57'05"W	150.52
L29	S08°02'57"E	154.11
L30	S70°36'47"W	70.10
L31	S75°33'21"W	285.38
L32	N79°58'59"W	174.39
L33	S74°42'42"W	54.15



- LEGEND**
- 1/2" IRON ROD SET WITH A "CEC" PLASTIC CAP
 - ⊕ TEXAS DEPARTMENT OF TRANSPORTATION TYPE II MONUMENT FOUND
 - 1/2" IRON ROD FOUND WITH A "PAPE DAWSON" PLASTIC CAP
 - Ⓢ SANITARY SEWER MANHOLE

HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN. SURVEYED THIS THE 29TH DAY OF MARCH, 2003.

Chester A. Varner, Jr. P.L.S. 4/9/13

CHESTER A. VARNER REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4812



CIVIL ENGINEERING CONSULTANTS
DON DUDMAN, INC.
11556 L.E. 10 WEST, SUITE 306
SAN ANTONIO, TEXAS 78230
P) 810.641.9999 F) 810.641.6440
TEXAS FIRM REGISTRATION NUMBER:
REGISTRATION: F-8814
SUBTYPE: 100410-09
Email: cec@cectexas.com

BOUNDARY SURVEY

BEING 12.837 ACRES OUT OF LOT 2,
BLOCK 6 WESTERN DEVELOPMENT,
NEW CITY BLOCK 14747, SAN
ANTONIO, BEXAR COUNTY, TEXAS.

SHEET 1 OF 1
DRAWN BY: C.P.K.
DATE: 4/04/2013
JOB NO. S0242748



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DON DURDEN, INC.
SAN ANTONIO • LAREDO
TEXAS FIRM REGISTRATION NUMBERS
ENGINEERING F-2214 & SURVEYING 100410

DESCRIPTION OF 2.862 ACRE TRACT

Being a 2.862 acre (124,692 Sq. Ft.) tract of land out of Lot 5, La Cantera Restaurant Park-P.U.D., recorded in Volume 9650, Page 3, Deed and Plat Records, Bexar County, Texas and being out of N.C.B. 14854, City of San Antonio, Bexar County, Texas, said tracts being conveyed to LA CANTERA DEVELOPMENT COMPANY, said 2.862 acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with plastic cap stamped "CEC" at the common corner of said Lot 5 and a 3.250 acre tract of land recorded in Volume 13111, Page 1470, Official Public Records of Real Property, Bexar County, Texas, on the east line of Old Fredricksburg Road, for the northwest corner of the herein described tract;

Thence North 89°37'00" East, along common line of Lot 5, and said 3.250 acre tract, a distance of 468.14 feet to 1/2" iron rod set with plastic cap stamped "CEC" on a common line of Lot 5 and a 3.483 acre tract of land recorded in Volume 3037, Page 930, Official Public Records of Real Property, Bexar County, Texas, for an angle point of the herein described tract;

Thence along the said common line, the following two (2) calls:

South 00°36'01" East, a distance of 36.40 feet to a 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract;

North 83°45'13" East, a distance of 392.26 feet to a 1/2" iron rod set with plastic cap stamped "CEC" on the common line of Lot 5 and Interstate Highway 10, for the north corner of Lot 5 and the northeast corner of the herein described tract;

Thence South 07°41'17" East, along common line of Lot 5, and said Interstate Highway 10, a distance of 69.75 feet to 1/2" iron rod set with plastic cap stamped "CEC" for for an angle point of the herein described tract;

Thence along a Variable Width Drainage Easement recorded in the aforementioned Volume 9560, Page 3, Deed and Plat Records, Bexar County, Texas, an Existing Variable Width Drainage and Sanitary Sewer Easement recorded in Volume 9519, Page 220, Deed and Plat Records, Bexar County, Texas, and crossing Lot 5, the following seven (7) calls:

South 84°49'27" West, a distance of 110.93 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

"EXHIBIT B"

11550 I.H. 10 WEST, SUITE 395
SAN ANTONIO, TEXAS 78230-1037
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9652 MCPHERSON RD., SUITE 7
LAREDO, TEXAS 78045-6541
TEL: 956.729.7844 · FAX: 956.729.7854

South 77°08'56" West, a distance of 106.94 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

South 72°43'05" West, a distance of 145.87 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

South 79°21'17" West, a distance of 119.03 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

South 81°57'17" West, a distance of 140.29 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

South 79°19'42" West, a distance of 265.07 feet to 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract,

South 43°39'05" West, a distance of 37.12 feet to 1/2" iron rod set with plastic cap stamped "CEC" on the common line of Lot 5 and the aforementioned Old Fredricksburg Road, for the southwest corner of the herein described tract,

Thence along the said common line, the following two (2) calls:

North 03°07'02" East, a distance of 134.81 feet to a 1/2" iron rod set with plastic cap stamped "CEC" for an angle point of the herein described tract;

North 09°53'54" East, a distance of 121.61 feet to the **POINT OF BEGINNING** containing 2.862 acres of land (124,692 Sq. Ft.), more or less.

This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants. There is a plat of a survey with like job number. Bearings are based on the Texas State Plane, South Central Zone Coordinate System. Surveyed this the 28th day of December, 2012.

Chester A. Varner, L.P.L.S.

Chester A. Varner, RPLS # 4812

4/1/2013





SCALE: 1" = 200'

LEGEND

- ⊕ POWER POLE
- ⊙ GUY WIRE
- IRON ROD FOUND
- ⊙ IRON ROD W/A 'CEC' CAP SET

3.076 ACRES
VOLUME 6387
PAGE 644

618.58 ACRES
VOLUME 4735
PAGE 511

3.076 ACRES
VOLUME 6387
PAGE 644

3.520 ACRES
VOLUME 13111
PAGE 147, R.P.R.

3.483 ACRES
VOLUME 3037
PAGE 930, R.P.R.

2.862 ACRE TRACT
OF LAND

16' SANITARY
SEWER EASEMENT
VOL. 4167, PG. 187E, R.P.R.

468.14'
N89°37'00"E

L1
N83°45'13"E 392.26'

LINE	BEARING	DISTANCE
L1	S00°36'01"E	38.40'
L2	S07°41'17"E	69.75'
L3	S84°49'27"W	110.93'
L4	S77°08'56"W	108.94'
L5	S72°43'05"W	145.87'
L6	S79°21'17"W	119.03'
L7	S81°57'17"W	140.29'
L8	S43°39'05"W	37.12'
L9	N03°07'02"E	134.81'
L10	N09°53'54"E	121.61'

I.H. 10

0.4344C
B. VALADEZ
TO LCDC
VOL. 5007
PAGE 765

0.2274C
E. VALADEZ
TO LCDC
VOL. 5007
PAGE 770

0.3204C
B. VALADEZ
TO LCDC
VOL. 5007
PAGE 765

OLD FREDRICKSBURG ROAD L9

POINT OF BEGINNING

EXISTING VARIABLE WIDTH DRAINAGE AND SANITARY SEWER EASMT VOL. 9019, PG. 22B, R.P.R.

PROPOSED 16' SANITARY SEWER EASEMENT 17' DRAINAGE ACCESS EASEMENT VOL. 9019, PG. 22B, R.P.R.

VARIABLE WIDTH DRAINAGE EASMT

N03°14'22"W 265.07'

VARIABLE WIDTH DRAINAGE EASMT

LOT 5

LOT 4

10' PRIVATE SEWER LATERAL EASEMENT

25' INGRESS/EGRESS EASEMENT

LA CANTERA RESTAURANT PARK-P.U.B. 11.277 ACRE VOLUME 9560 PAGE 3, D.P.R.

LOT 3

10' PRIVATE SEWER LATERAL EASEMENT

25' INGRESS/EGRESS EASEMENT

LOT 2

25' INGRESS/EGRESS EASEMENT

25' BUILDING SETBACK

14' GAS AND ELECTRIC EASEMENT VOL. 9019, PG. 22B, R.P.R.

1' VEHICULAR NON-ACCESS EASEMENT

NOTES:

- A 1/2" REBAR WITH A "CEC" PLASTIC CAP WAS SET AT EACH CORNER, UNLESS NOTED OTHERWISE.
- THE BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
- THERE IS A METES AND BOUNDS DESCRIPTION WITH LINE JOB NUMBER.
- NOT ALL EASEMENTS AND IMPROVEMENTS ARE SHOWN FOR CLARITY.
- R.P.R. DENOTES OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN, SURVEYED THIS THE 26TH DAY OF DECEMBER, 2012.

Chester A. Varner P.L.S.
CHESTER A. VARNER, REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4812
4/12/2013



CIVIL ENGINEERING CONSULTANTS
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WWW.DONDUNN.COM
SURVEYING 520-02-00
Email: don@dondunn.com

BEING A 2.862 ACRE (124,892 SQ. FT.) TRACT OF LAND OUT OF LOT 5, LA CANTERA RESTAURANT PARK-P.U.B., RECORDED IN VOLUME 9650, PAGE 3, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS

SHEET	1
DRAWN BY:	V.V.
DATE:	DECEMBER 2012
JOB NO.	SD242746



CIVIL ENGINEERING CONSULTANTS
DON DURDEN, INC.

SAN ANTONIO • LAREDO
TEXAS FIRM REGISTRATION NUMBERS
ENGINEERING F-2214 & SURVEYING 100410

DESCRIPTION OF 0.853 OF ONE ACRE TRACT

Being a 0.853 of one acre (37,164 Sq. Ft.) tract of land out of a 3.483 acre tract of land recorded in Volume 3037, Page 930, Official Public Records of Real Property, Bexar County, Texas and being out of N.C.B. 14854, City of San Antonio, Bexar County, Texas, said tracts being conveyed to LA CANTERA DEVELOPMENT COMPANY, said 0.853 of one acre tract being more particularly described as follows:

BEGINNING at a 1/2" iron rod set with plastic cap stamped "CEC" at the common corner of said 3.483 acre tract and Lot 5, La Cantera Restaurant Park-P.U.D., recorded in Volume 9650, Page 3, Deed and Plat Records, Bexar County, Texas, on the west line of Interstate highway 10, for the southeast corner of the 3.483 acre tract and of the herein described tract;

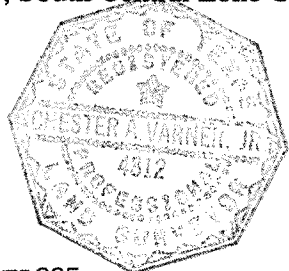
Thence South 83°45'13" West, along common line of the 3.483 acre tract, and said Lot 5, a distance of 392.26 feet to 1/2" iron rod set with plastic cap stamped "CEC" for the southwest corner of the 3.483 acre tract and of the herein described tract;

Thence North 00°35'13" West, along common line of the 3.483 acre tract, Lot 5, and a 3.520 acre tract of land recorded in Volume 13111, Page 147, Official Public Records of Real Property, Bexar County, Texas, a distance of 77.96 feet to 1/2" iron rod set with plastic cap stamped "CEC" for the northwest corner of the herein described tract;

Thence North 78°11'44" East, departing said common line of the 3.483 acre tract, Lot 5, and said 3.520 acre tract, crossing the 3.483 acre tract, a distance of 383.52 feet to 1/2" iron rod set with plastic cap stamped "CEC" on the aforementioned west line of Interstate Highway 10, for the northeast corner of the herein described tract;

Thence South 07°40'27" East, along the common line of the 3.483 acre tract and Interstate Highway 10, a distance of 114.76 feet to the **POINT OF BEGINNING** containing 0.853 of one acre of land (37,164 Sq. Ft.), more or less.

This description was prepared from a survey made on the ground by employees of Civil Engineering Consultants. There is a plat of a survey with like job number. Bearings are based on the Texas State Plane, South Central Zone Coordinate System. Surveyed this the 28th day of December, 2012.



Chester A. Varner, R.P.L.S.
Chester A. Varner, RPLS # 4812 4/1/2013

"EXHIBIT C"

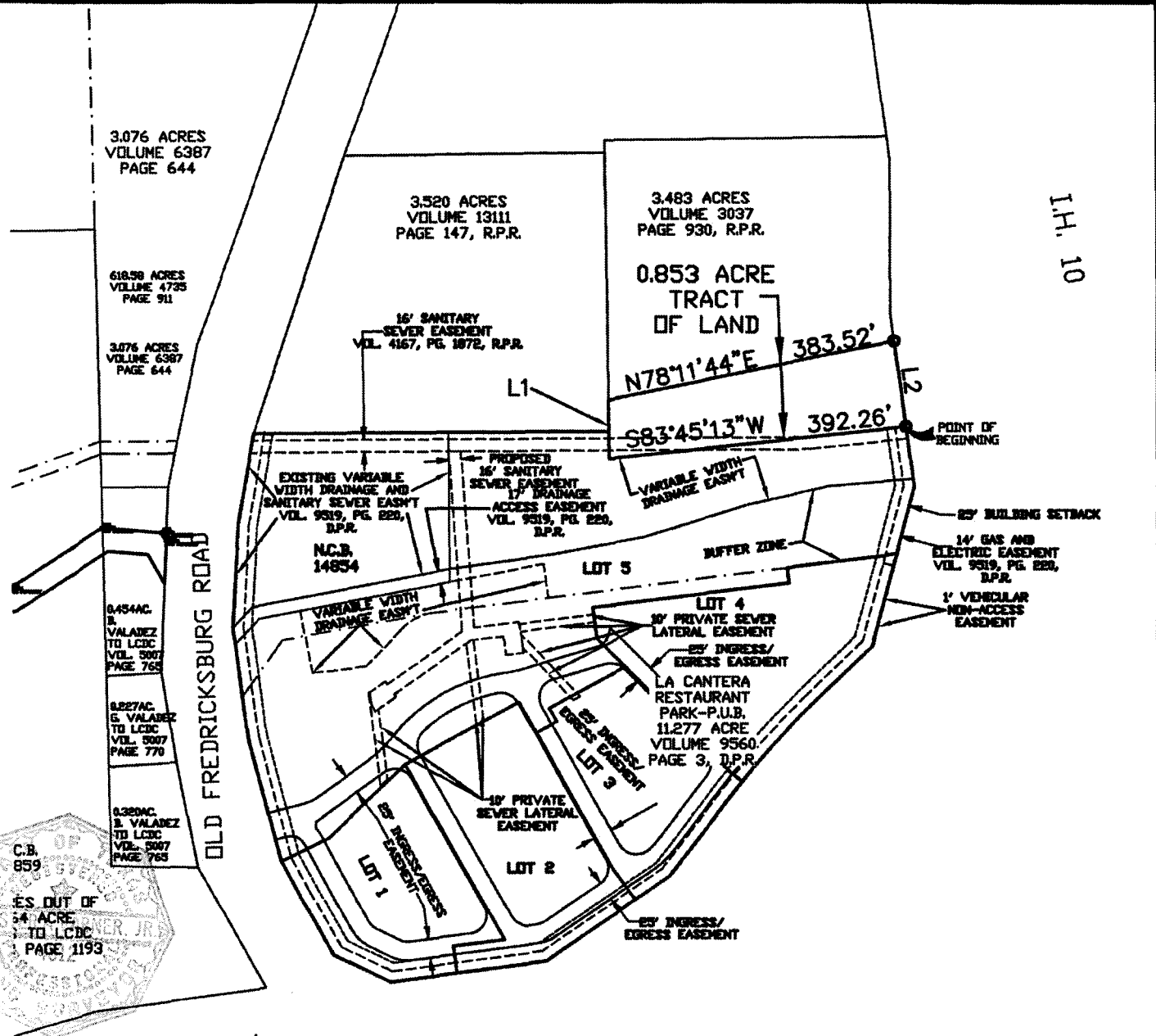


SCALE: 1" = 200'

LEGEND

- POWER POLE
- GUY WIRE
- IRON ROD FOUND
- IRON ROD W/A 'CEC' CAP SET

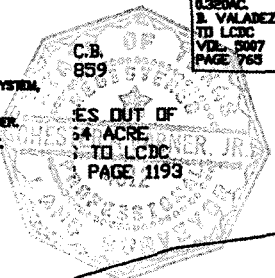
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N00°35'13"W	77.96'
L2	S07°40'27"E	114.76'



I.H. 10

NOTES:

1. A 1/2" REBAR WITH A "CEC" PLASTIC CAP WAS SET AT EACH CORNER, UNLESS NOTED OTHERWISE.
2. THE BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD83).
3. THERE IS A METES AND BOUNDS DESCRIPTION WITH LIKE JOB NUMBER.
4. NOT ALL EASEMENTS AND IMPROVEMENTS ARE SHOWN FOR CLARITY.
5. D.P.R. DENOTES DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS
6. R.P.R. DENOTES OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS



I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THERE ARE NO VISIBLE EASEMENTS, ENCROACHMENTS OR OVERLAPPING OF IMPROVEMENTS EXCEPT AS SHOWN. SURVEYED THIS THE 28TH DAY OF DECEMBER, 2012.

Chester A. Varnier, R.P.L.S. 4/11/2013

CHESTER A. VARNIER, REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4812

CEC

CIVIL ENGINEERING CONSULTANTS
DON DUNN, INC.
1800 LIL. ST. WEST, SUITE 600
SAN ANTONIO, TEXAS 78208
P: 214.841.0000 F: 214.841.0440
TEXAS PROFESSIONAL ENGINEER NUMBER:
0000000000 P-2014
SURVEYING 18001-00
Email: cecc@cecc.com

BEING A 0.853 OF ONE ACRE (37,164 SQ. FT.) TRACT OF LAND OUT OF A 3.483 ACRE TRACT OF LAND, RECORDED IN VOLUME 3037, PAGE 930, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS

SHEET	1
DRAWN BY:	V.V.
DATE:	DECEMBER 2012
JOB NO.	SD242746