

AN ORDINANCE 2015-10-15-0892

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of Lot 27, Block 48, NCB 15382, save and except 0.02 acres deeded to the State of Texas, from "C-1 GC-2 AHOD" Light Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-2 GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District.

SECTION 2. A description of the property recorded in Volume 4804 Page 1046 of the Official Public Record of Real Property of Bexar County, which is saved and excepted in Section 1 above, is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35 -491.

SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.


SECTION 5. This ordinance shall become effective October 25, 2015.

PASSED AND APPROVED this 15th day of October, 2015.



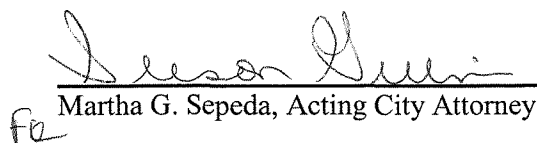
M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Martha G. Sepeda, Acting City Attorney

Agenda Item:	Z-10 (in consent vote: P-1, Z-3, Z-5, Z-7, Z-8, Z-9, Z-10, P-3, P-4, Z-12, P-6)
Date:	10/15/2015
Time:	02:25:52 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015280 (Council District 6): An Ordinance amending the Zoning District Boundary from "C-1 GC-2 AHOD" Light Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District to "C-2 GC-2 AHOD" Commercial Highway 151 Gateway Corridor Airport Hazard Overlay District on Lot 27, Block 48, NCB 15382 located at 8303 West Military Drive. Staff and Zoning Commission recommend Approval.
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
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				
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

1909261

State Department of Highways
and Public Transportation
Form D-15-12 (Partial Taking)
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Parcel: 31-10621
Project: Westside
Expressway
S.H. 151

b

DEED
CONTROLLED ACCESS HIGHWAY FACILITY

THE STATE OF TEXAS))
))
COUNTY OF BEXAR))

WHEREAS, the State Highway and Public Transportation Commission has been authorized under House Bill 179, Acts of the 55th Legislature, Regular Session, 1957 (Article 6674w-1, et seq., Vernon's Annotated Civil Statutes of Texas) to purchase land and such other property rights deemed necessary for the purposes of facilitating the construction, maintenance and operation of Controlled Access Highways; and,

WHEREAS, the purchase of the hereinafter described premises has been deemed necessary by the State Highway and Public Transportation Commission for the purposes of facilitating the construction, maintenance and operation of a Controlled Access Highway facility;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

That, HEALTHAMERICA CORPORATION OF TEXAS, A TEXAS CORPORATION formerly known as
HEALTH PLANS MANAGEMENT CORPORATION OF TEXAS, A TEXAS CORPORATION

of the County of _____, State of Texas, hereinafter referred to as Grantors, whether one or more, for and in consideration of the sum of Ten and No/100 (\$ 10.00) Dollars, to Grantors in hand paid by the State of Texas, acting by and through the State Highway and Public Transportation Commission, receipt of which is hereby acknowledged, and for which no lien is retained, either expressed or implied, have this day Sold, and by these presents do Grant, Bargain, Sell and Convey unto the State of Texas, all that certain tract or parcel of land lying and being situated in the County of Bexar, State of Texas, more particularly described as follows, to wit:

Parcel 31

0.02 of an acre of land, more or less, in New City Block 15330, in the City of San Antonio, same being out of and a part of that certain 2.211 acre tract of land out of the J.W. McCamley Survey No. 70, Abstract No. 470, County Block No. 4329, in Bexar County, Texas, which tract was conveyed to Health Plans Management Corporation of Texas by deed dated March 9, 1984 of record in Volume 3054, Page 1118, Real Property Records of Bexar County, Texas, which 0.02 of an acre of land, more or less, is more particulary described by metes and bounds as follows:

Attachment A

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BEGINNING at the point of intersection of the proposed South right of way line of S.H. 151 and the West line of said 2.211 acre tract, which point is North 0 Deg 45' 35" East, a distance of 382.85 feet from the Southwest corner of said 2.211 acre tract;

- (1) THENCE, North 0 Deg 45' 35" East along the West line of said 2.211 acre tract, a distance of 50.00 feet to the intersection of the West line of said 2.211 acre tract and the existing West right of way line of Military Drive;
- (2) THENCE, SOUTHEASTERLY, a distance of 74.99 feet along the arc of a circular curve to the left, the radius of which is 930.660 feet and has a chord length of 74.97 feet along a bearing of South 35 Deg 21' 24" East to a point for the intersection of the existing West right of way line of Military Drive and the proposed Southwest right of way cutback line of Military Drive;
- (3) THENCE, North 75 Deg 47' 36" West along the proposed Southwest right of way cutback line of Military Drive, a distance of 45.44 feet to the point of BEGINNING, and containing 0.02 of an acre of land, more or less.

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SAVE and EXCEPT, HOWEVER, it is expressly understood and agreed that Grantors are retaining title to the following improvements located on the above described property, to wit:

Grantors covenant and agree to remove the above described improvements from said land by _____, 19____, subject, however, to such extensions of time as may be granted by the State in writing; and if, for any reason, Grantors fail or refuse to remove same within said period of time prescribed, then, without any further consideration, the title to all or any part of such improvements not so removed shall pass to and vest in the State of Texas forever.

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Grantors hereby acknowledge that their use of and access to the expressway lanes to be constructed in conjunction with the highway facility of which the land hereby conveyed shall become a part shall be and forever remain subject to the same regulation by legally constituted authority as applies to the public's use thereof; and Grantors further acknowledge that the design and operation of such highway facility as a Controlled Access Highway require that access from Grantor's remaining property to said highway facility shall be governed henceforth as indicated in Paragraphs (A) and/or (B) hereinbelow; and all abutter's rights, including rights of ingress and egress and the right of direct access to and from Grantor's remaining property to said Controlled Access Highway facility, which have accrued or might otherwise accrue to Grantors, their heirs, successors or assigns are hereby waived, released and relinquished insofar as they appertain to Paragraph (B) hereinbelow:

(A) Access to and from Grantor's remaining property will be permitted:
Access will not be permitted.

(B) Access to and from Grantor's remaining property will be denied:

To the remainder abutting the highway facility between the beginning of the third call and the end of the third call of the foregoing property description.

Grantors reserve all of the oil, gas and sulphur in and under the land herein conveyed but waive all rights of ingress and egress to the surface thereof for the purpose of exploring, developing, mining or drilling for same; however, nothing in this reservation shall affect the title and rights of the State to take and use all other minerals and materials thereon, therein and thereunder.

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TO HAVE AND TO HOLD the above described premises herein conveyed together with all and singular the rights and appurtenances thereto in anywise belonging, unto the State of Texas and its assigns forever; and Grantors do hereby bind ourselves, our heirs, executors, administrators, successors and assigns, to Warrant and Forever Defend all and singular the said premises herein conveyed unto the State of Texas and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

IN WITNESS WHEREOF, this instrument is executed on this the 5th day of November, 1985.

HEALTHAMERICA CORPORATION OF TEXAS
By: James M. Scoggins
James M. Scoggins, Vice-President and
Chief Executive Officer

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS

County of _____ }

Before me, _____, a notary public in and for said County and State, on this day personally appeared _____

_____, known to me (or proved to me on the oath of _____, a credible witness) to be the person whose name _____ subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the _____ day of _____ 19 _____

Notary Public in and for _____ County, Texas.

SINGLE ACKNOWLEDGMENT

THE STATE OF TEXAS

County of _____ }

Before me, _____, a notary public in and for said County and State, on this day personally appeared _____

_____, known to me (or proved to me on the oath of _____, a credible witness) to be the person whose name _____ subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this the _____ day of _____ 19 _____

Notary Public in and for _____ County, Texas.

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CORPORATION ACKNOWLEDGMENT

STATE OF TEXAS

County of Bexar

BEFORE ME, the undersigned authority, a notary public in and for Bexar County, Texas, on this day personally appeared James M. Scoiggins, Vice-President and Chief Executive Officer, of HEALTHAMERICA CORPORATION OF TEXAS known to me to be the person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that the same was the act of the said HEALTHAMERICA CORPORATION OF TEXAS, a corporation and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this the 5th day of November, 1985.



Notary Public in and for Bexar County, Texas.

Parcel No.	31
County	Bexar
Highway No.	State Highway 151
Control	3508 Sec. 01 Job
Account or Federal No.	
Between	U.S. Highway 90 near Acme Road
and	State Loop 1604 South of Culebra Road
DEED	
CONTROLLED ACCESS HIGHWAY FACILITY	
TO	Grantors
THE STATE OF TEXAS	
Filed for Record	
This day of	
A. D. 19	at o'clock M.
Recorded	
This day of	
A. D. 19	in
County, Texas, Records of Deeds,	
Book	Page
County Clerk	Deputy
By	

ENDORSEMENTS

THE STATE OF TEXAS,
County of _____

I, _____, Clerk of the County Court of said County, do hereby certify that the foregoing instrument of writing, dated the _____ day of _____ A. D. 19____ with its authentication, was filed for record in my office on the _____ day of _____, A. D. 19____ at _____ o'clock _____ M., and duly recorded this the _____ day of _____, A. D. 19____ at _____ o'clock _____ M., in the Deed Records of said County, in Volume _____ on Page _____.

Witness my hand and the seal of the County Court of said County, at office in _____ Texas, the day and year last above written.

Clerk of Court, _____ County, Texas.
By _____ Deputy.

150138vd:081101

Z2015280

FILED IN MY OFFICE
APR 26 1990
ROBERT O. GREEN, County Clerk

COUNTY CLERK
STATE OF TEXAS
Robert O. Green



APR 30 1990

Any production made in whole or in part from the original public records of the County of Bexar, Texas, shall be made to the County Clerk of Bexar County, Texas, at the County Clerk's Office, 100 West Commerce Street, San Antonio, Texas 78204. The State of Texas, by and through the County Clerk of Bexar County, Texas, is the official custodian of the original public records of the County of Bexar, Texas, and the County Clerk of Bexar County, Texas, is the official custodian of the original public records of the County of Bexar, Texas, and the County Clerk of Bexar County, Texas, is the official custodian of the original public records of the County of Bexar, Texas.

RETURN TO:
Robert A. Statzer
City of San Antonio
Dept. of Environmental Mgt.
114 W. Commerce Street, 11th Floor
P.O. Box 839966
San Antonio, Texas 78283-3966

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