

AN ORDINANCE 2015-06-18-0623

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 44, NCB 13847, save and except 84,688 square feet conveyed by deed recorded in Volume 1977, Page 425, Real Property Records of Bexar County, from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District.

SECTION 2. A description of the property 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.

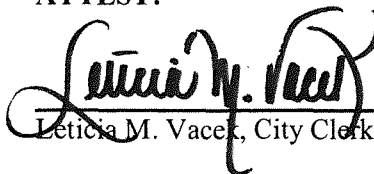
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective June 28, 2015.

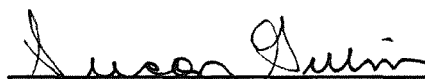
PASSED AND APPROVED this 18<sup>th</sup> day of June, 2015.

  
M A Y O R  
Ivy R. Taylor

ATTEST:

  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
Martha G. Sepeda, Acting City Attorney  
for

<b>Agenda Item:</b>	Z-18 ( in consent vote: 72, 73, 74, Z2, Z5, Z6, Z7, P1, Z11, P2, Z12, Z13, Z14, Z17, P3, Z18, P4, Z19, Z20 )						
<b>Date:</b>	06/18/2015						
<b>Time:</b>	02:50:29 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2015182 (Council District 9): An Ordinance amending the Zoning District Boundary from "R-5 AHOD" Residential Single-Family Airport Hazard Overlay District to "I-1 AHOD" General Industrial Airport Hazard Overlay District on Lot 44, NCB 13847 located at 214 West Turbo Drive. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15044)						
<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. Trevino	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				

RE-RECORDED TO INCLUDE LEGAL DESCRIPTION OF TRACT II.

**NOTICE**

Prepared by the State Bar of Texas for use by Lawyers only.  
To select the proper form, fill in blank spaces, strike out form provisions or insert special terms constitutes the practice of law. No "standard form" can meet all requirements.

166358

**WARRANTY DEED WITH VENDOR'S LIEN**

THE STATE OF TEXAS  
COUNTY OF BEXAR

181078 ✓

JUL-17-80

91000

LS - I

13.00

LS - I

15.00

KNOW ALL MEN BY THESE PRESENTS:

That I, C.C. BENNETT, owning, occupying, and claiming other property as my homestead,

of the County of Bexar and State of Texas for and

in consideration of the sum of TEN AND NO/100 ----- DOLLARS

and other valuable consideration to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged, and the further consideration of the execution and delivery by grantee of its two (2) certain promissory notes of even date herewith, the first in the principal sum of \$162,500.00 and the second in the principal sum of \$5,000.00, both payable to grantor herein, bearing interest as therein provided and containing the usual clauses providing for acceleration of maturity and for attorney's fees,

and the further consideration of taking SUBJECT TO, but not assuming, the unpaid balance on that certain promissory note to CATHOLIC LIFE INSURANCE UNION, dated January 22, 1975, in the original principal sum of SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$75,000.00), said note being more fully described in a Deed of Trust recorded in Volume 7530, Page 482, of the Deed of Trust Records of Bexar County, Texas.

RIDER ATTACHED TO WARRANTY DEED WITH VENDOR'S LIEN DATED MAY 1, 1980 FROM C. C. BENNETT TO CUSTOM AIRCRAFT CONVERSIONS, INC. AND SIGNED FOR IDENTIFICATION PURPOSES:

C. C. Bennett  
C. C. BENNETT

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PM 1933 REC 860

the payment of which note is secured by the vendor's lien herein retained, and is additionally secured by a deed of trust of even date herewith to

**JAMES F. GARDNER**

Trustee,

have GRANTED, SOLD AND CONVEYED, and by these presents do GRANT, SELL AND CONVEY unto

**CUSTOM AIRCRAFT CONVERSIONS, INC., a corporation,**

of the County of **Bexar** and State of **Texas**, all of the following described real property in **Bexar** County, Texas, to-wit:

TRACT I: Lots 46 and 47, New City Block 13847, AIRPORT INDUSTRIAL SUBDIVISION, City of San Antonio, Bexar County, Texas, according to plat thereof recorded in Volume 7500, Page 137, Deed and Plat Records of Bexar County, Texas.

TRACT II: Being 84.688 square feet of land out of Lot 44, New City Block 13847, AIRPORT INDUSTRIAL SUBDIVISION, and being more particularly described by EXHIBIT "A" attached hereto and made a part hereof.

*J.F.G.*

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AS TO LOT 46 ONLY, this conveyance is made subject to and the Grantee herein does not assume payment of the unpaid balance of that certain \$75,000.00 indebtedness payable to CATHOLIC LIFE INSURANCE UNION, described in and secured by Deed of Trust of record in Volume No. 7530, Page 482, Deed of Trust Records of Bexar County, Texas, but Grantor as well as any other owner and holder of Grantee's \$162,500.00 note and \$5,000.00 note shall be obligated to pay any and all installments falling due thereon as and when due, and in the event of default in the payment of any such installment as and when due, then, so long as Grantee is not in default in the payment of Grantee's aforesaid \$162,500.00 and \$5,000.00 notes, or in default in the performance of the covenants of the Deed of Trust securing said notes, Grantee shall have the right to pay any such delinquent installment or installments and to receive credit upon Grantee's \$162,500.00 note or \$5,000.00 note for all sums so paid, and in such manner as Grantee shall direct, as of the date of such payment.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging unto the said grantee, its successors ~~and~~ 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 grantee, its successors ~~and~~ and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

But it is expressly agreed that the VENDOR'S LIEN, as well as the Superior Title in and to the above described premises, is retained against the above described property, premises and improvements until the above described notes and all interest thereon are fully paid according to the face, tenor, effect and reading thereof, when this Deed shall become absolute.

Current taxes having been prorated, Grantee herein assumes payment thereof.

Grantor hereby covenants and agrees to continue to pay installments of principal and interest due on the Note dated January 22, 1975, in the principal sum of \$75,000.00, executed by C. C. BENNETT and payable to the order of CATHOLIC LIFE INSURANCE UNION. Grantor further covenants and agrees to perform all of the duties and obligations required in the Deed of Trust dated January 22, 1975, securing the Note in the original principal sum of \$75,000.00 payable to the order of CATHOLIC LIFE INSURANCE UNION, recorded in Volume 7530, Page 482 of the Deed of Trust Records of Bexar County, Texas. Grantor agrees that should Grantor fail to pay any installments of principal and interest as the same shall become due on the Note to CATHOLIC LIFE INSURANCE UNION, or make default in the performance of any of the duties and obligations required in the Deed of Trust dated January 22, 1975, securing the Note in the original principal sum of \$75,000.00 payable to the order of CATHOLIC LIFE INSURANCE UNION, recorded in Volume 7530, Page 482 of the Deed of Trust Records, then Grantee may pay directly to the note holders and the amount so paid shall be credited to Grantee's obligation to Grantor.

RIDER ATTACHED TO WARRANTY DEED WITH VENDOR'S LIEN DATED MAY 1, 1980  
FROM C. C. BENNETT TO CUSTOM AIRCRAFT CONVERSIONS, INC. AND  
SIGNED FOR IDENTIFICATION PURPOSES:

  
C. C. BENNETT

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EXECUTED this 1ST day of

May

, A. D. 1980.

*C. C. Bennett*  
C. C. BENNETT

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EXHIBIT "A"

FIELD NOTES

FOR

84,688 SQUARE FEET OF LAND

(0.00194 ACRES)

BEING 84,688 Square Feet of Land out of Lot 44, N.C.B. 13847, Airport Industrial Subdivision Recorded in Volume 7100, Page 200, Bexar County Deed and Plat Records, said 84,688 Square Feet of Land being more particularly described as follows:

BEGINNING at the most Northerly corner of Lot 44, said point being located North  $49^{\circ} 06' 28''$  West, a distance of 192.93 feet from the North cut-off line of Turbo Drive, said point also being the most Easterly corner of Lot 46, N.C.B. 13847, recorded in Volume 7500, Page 137, Bexar County Deed and Plat Records;

THENCE South  $49^{\circ} 06' 28''$  East, along the Southwest Right-of-Way line of Turbo Drive, a distance of 0.50 feet to a point for corner;

THENCE South  $40^{\circ} 53' 32''$  West, a distance of 169.38 feet to a point for corner;

THENCE North  $47^{\circ} 57' 40''$  West, a distance of 0.50 feet to a point for corner;

THENCE North  $40^{\circ} 53' 32''$  East, along the common line of Lot 46, and Lot 44, a distance of 169.37 feet to the Point-of-Beginning and Containing 84,688 Square Feet of Land.

SIGNED FOR IDENTIFICATION PURPOSES:

*Dyrell Bennett*

1977 MAR 4 29

(Acknowledgment)

THE STATE OF TEXAS  
COUNTY OF BEXAR

Before me, the undersigned authority, on this day personally appeared

C. C. BENNETT

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.

Given under my hand and seal of office on this the

1st

day of

MAY

A. D. 1980

Notary Public in and for

Bexar

County, Texas.



(Acknowledgment)

THE STATE OF TEXAS  
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me 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 on this the

day of

, A. D. 19

Notary Public in and for

County, Texas.

(Acknowledgment)

THE STATE OF TEXAS  
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

known to me 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 on this the

day of

, A. D. 19

Notary Public in and for

County, Texas.

(Corporate acknowledgment)

THE STATE OF TEXAS  
COUNTY OF

Before me, the undersigned authority, on this day personally appeared

of

a corporation, 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, in the capacity therein stated and as the act and deed of said corporation.

Given under my hand and seal of office on this the

day of

, A. D. 19

Notary Public in and for

County, Texas.

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EVOL 1977 PAGE 430



GP 58424 pds 97.00

15.00

WARRANTY DEED  
WITH VENDOR'S LIEN

C. C. BENNETT

TO

CUSTOM AIRCRAFT CONVERSIONS,  
INC.

This instrument has been recorded more  
than one time.  
Robert D. Green  
County Clerk, Bexar County



Harry Burns  
COUNTY CLERK BEXAR COUNTY, TEXAS

JUN 18 1980

STATE OF TEXAS }  
COUNTY OF BEXAR }  
I, the undersigned, Clerk of the County, do hereby certify that the foregoing is a true and correct copy of the original instrument as the same is recorded in the official public records of said County, Texas on



Harry Burns  
COUNTY CLERK BEXAR COUNTY, TEXAS

MAY - 6 1980

STATE OF TEXAS }  
COUNTY OF BEXAR }  
I, the undersigned, Clerk of the County, do hereby certify that the foregoing is a true and correct copy of the original instrument as the same is recorded in the official public records of said County, Texas on

FILED IN MY OFFICE  
ROBERT D. GREEN  
COUNTY CLERK BEXAR CO.  
1980 MAY 6 PM 3 28

FILED IN MY OFFICE  
ROBERT D. GREEN  
COUNTY CLERK BEXAR CO.  
1980 JUN 17 PM 5 34

PREPARED IN THE LAW OFFICE OF:  
GARDNER, FERGUSON & SOMMERS  
1800 Plaza West, Suite 100  
1800 N.E. Loop 410  
San Antonio, Texas 78217

PLEASE RETURN TO:

Harry Burns  
Attorney at Law  
1100 N. E. Loop 410, Suite 500  
San Antonio, Texas 78209

EX-1977 nat431

EX-1933 nat857

1980 JUN 17 PM 5 34