

ORDINANCE 2018-06-21-0482

**CLOSING, VACATING, AND ABANDONING A TOTAL OF 0.368 ACRES CONSISTING SPECIFICALLY 0.336 ACRES OF HAGNER ARC IMPROVED RIGHT-OF-WAY LOCATED BETWEEN CONVENT STREET AND NAVARRO STREET AND 0.032 ACRES OF CONVENT STREET.**

\* \* \* \* \*

**WHEREAS**, on December 14, 2017, City Council approved a \$4 million Chapter 380 Economic Development Program Loan and Tax Abatement Agreement with USAA capped at \$2 million or ten (10) years, whichever comes first, to facilitate a \$70 million investment and increasing its downtown presence with the addition of 1,500 new full-time jobs; and

**WHEREAS**, in order to accommodate its downtown presence and assist with pedestrian and vehicular traffic to adjacent property owner, Convent Ventures, L.P., a parking garage expansion by USAA necessitates the closure, vacation, and abandonment of a total 0.368 acres (the "Closure") consisting specifically 0.336 acres of Hagner Arc as shown in **Attachment A**, and 0.032 acres of Convent Street as shown in **Attachment B**; and

**WHEREAS**, 1 Riverwalk, LLC has offered an in-kind contribution of approximately \$570,085.00 toward the value of the proposed fee associated with both the Closure and subsequent conveyance as contemplated by its corresponding ordinance, which equates to the value of public improvements to be made by 1 Riverwalk, LLC; **NOW THEREFORE:**

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

**SECTION 1.** The City Council hereby authorizes the closure, vacation, abandonment of the improved right-of-ways comprising a total of 0.368 acres specifically 0.336 acres of Hagner Arc as shown in **Attachment A** and 0.032 acres of Convent Street as shown in **Attachment B**.

**SECTION 2.** The properties abutting the Right-of-Way Segments are:

<i>Address:</i>	<i>Description:</i>	<i>Owner Listed by Bexar Appraisal District</i>
700 N ST MARYS ST SAN ANTONIO, TX 78205	NCB 411 BLK 3 LOT 6	1 RIVERWALK LLC
1012 NAVARRO ST SAN ANTONIO, TX 78205	NCB 180 LOTS 13 & 14 ARB A14	US REAL ESTATE LIMITED PARTNERSHIP
333 CONVENT ST SAN ANTONIO, TX 78205	NCB 180 BLK LOT 18A	CONVENT VENTURES L P

The listing above is made solely to facilitate indexing of this Ordinance in the real property records. If the listing is inaccurate or not comprehensive, it does not affect the validity of the closure.

**SECTION 3. Reservation of Utility Rights.** All presently existing water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this Ordinance, and may continue to be used, repaired, enlarged, and maintained in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. Any person building on the Right-of-Way Segment without first reaching an agreement with a utility having lines or facilities in the segment does so at his or her own risk. After the date of this Ordinance, no utility may add additional utility lines or facilities in the Right-of-Way Segment based on a claim that the Right-of-Way Segment is public right of way. All existing drainage rights in the Right-of-Way Segments are retained by the City. This closure does not give up any right arising other than from the plat or other instrument creating the public street right of way or alley.

**SECTION 4.** This property is within the City of San Antonio Inner City Reinvestment/Infill Policy (ICRIP) area. Per that policy, which has been approved by City Council, the proposed fee for this closure the proposed fee for this closure is reduced by 75% for projects investing over \$50 million. The ICRIP Fee Waiver reduces the fee to \$300,768.75. However, the closure also allows the Petitioner to provide approximately Five Hundred Seventy Thousand Eighty Five Dollars and No Cents (\$570,085.00) of public related improvements, an in-kind contribution towards the value of the fee. Therefore, at City Council's discretion and approval, the City shall accept Five Hundred Seventy Thousand Eighty Five Dollars and No Cents (\$570,085.00) of public related infrastructure improvements from 1 Riverwalk, LLC as in-kind contribution towards the value of the proposed closure fee.

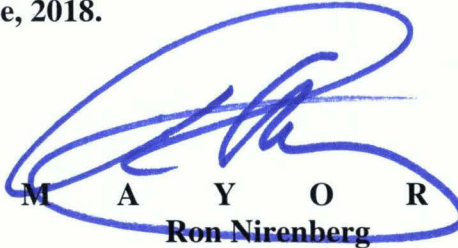
**SECTION 5.** The disposition of surplus property must be coordinated through the City's Finance Department to assure the removal of these assets into the City's financial records and to record the property accounting transactions.

**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.** 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.

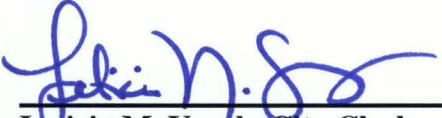
VS  
06/21/18  
Item No. 25A


**PASSED AND APPROVED** this 21<sup>st</sup> day of June, 2018.



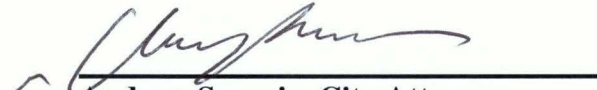
M A Y O R  
Ron Nirenberg

**ATTEST:**



  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

**APPROVED AS TO FORM:**



\_\_\_\_\_  
Andrew Segovia, City Attorney

<b>Agenda Item:</b>	25A ( in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18A, 18B, 19, 20, 21, 22, 23, 24, 25A, 25B, 25C, 27, 28, 29, 30, 31, 34, 35A, 35B, 36, 37, 38, 39, 40, 41, 42, 43, 46, 47, 49, 50, 51, 52, 53, 54, 56A, 56B, 56C, 56D, 56E )						
<b>Date:</b>	06/21/2018						
<b>Time:</b>	09:39:05 AM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	Closing, vacating, and abandoning a portion of the Convent Street right-of-way and Hangar Arc, located between Convent Street and Navarro Street, a combined total of 0.368 acres.						
<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>
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	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				

VS  
06/21/18  
Item No. 25A

**ATTACHMENT A**



METES AND BOUNDS DESCRIPTION  
FOR

A 0.336 of an acre, or 14,655 square feet more or less, tract of land being all of Hagner Arc, a variable width right-of-way, in the City of San Antonio, Bexar County, Texas. Said 0.336 of an acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

**BEGINNING:** At a point on the southwest right-of-way line of Navarro Street, a 55.6-foot right-of-way, the north corner of a tract described in deed to US Real Estate Limited Partnership recorded in Volume 17189, Page 578 of the Official Public Records of Bexar County, Texas, the east corner of the herein described tract;

**THENCE:** Departing the southwest right-of-way line of said Navarro Street, along and with the west line of said US Real Estate tract, and that tract described in deed to Convent Ventures, L.P. a Texas Limited Partnership recorded in Volume 6965, Page 2005 of said Official Public Records, and the south line of said Convent Ventures tract, same being the east and the north right-of-way lines of said Hagner Arc, the following bearings and distances:

S 46°46'16" W, a distance of 35.48 feet to a set ½ inch iron rod with cap marked "Pape-Dawson";

S 10°48'44" E, a distance of 76.60 feet to a set ½ inch iron rod with cap marked "Pape-Dawson" at the southwest corner of said US Real Estate tract and the northwest corner of said Convent Ventures tract;

S 10°57'13" E, a distance of 89.94 feet to a found ½ inch iron at the southwest corner of said Convent Ventures tract;

S 80°28'50" E, a distance of 93.20 feet to a found ½ inch iron rod at the west right-of-way line of said Navarro Street, the southeast corner of said Convent Venture tract;

**THENCE:** Along and with the east and south right-of-way line of Hagner Arc, and the north right-of-way line of Convent Street, a 55.6-foot right-of-way, the following bearings and distances:

S 00°11'52" E, a distance of 1.58 feet to a set ½ inch iron rod with cap marked "Pape-Dawson";

Page 1 of 3

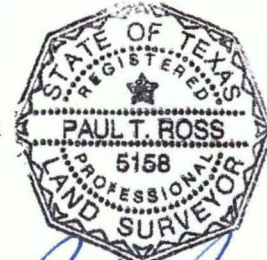
A handwritten signature in blue ink, appearing to be 'MR', is written over the footer text.

VS  
06/21/18  
Item No. 25A

0.336 of an Acre  
Job No. 9256-17  
Page 3 of 3

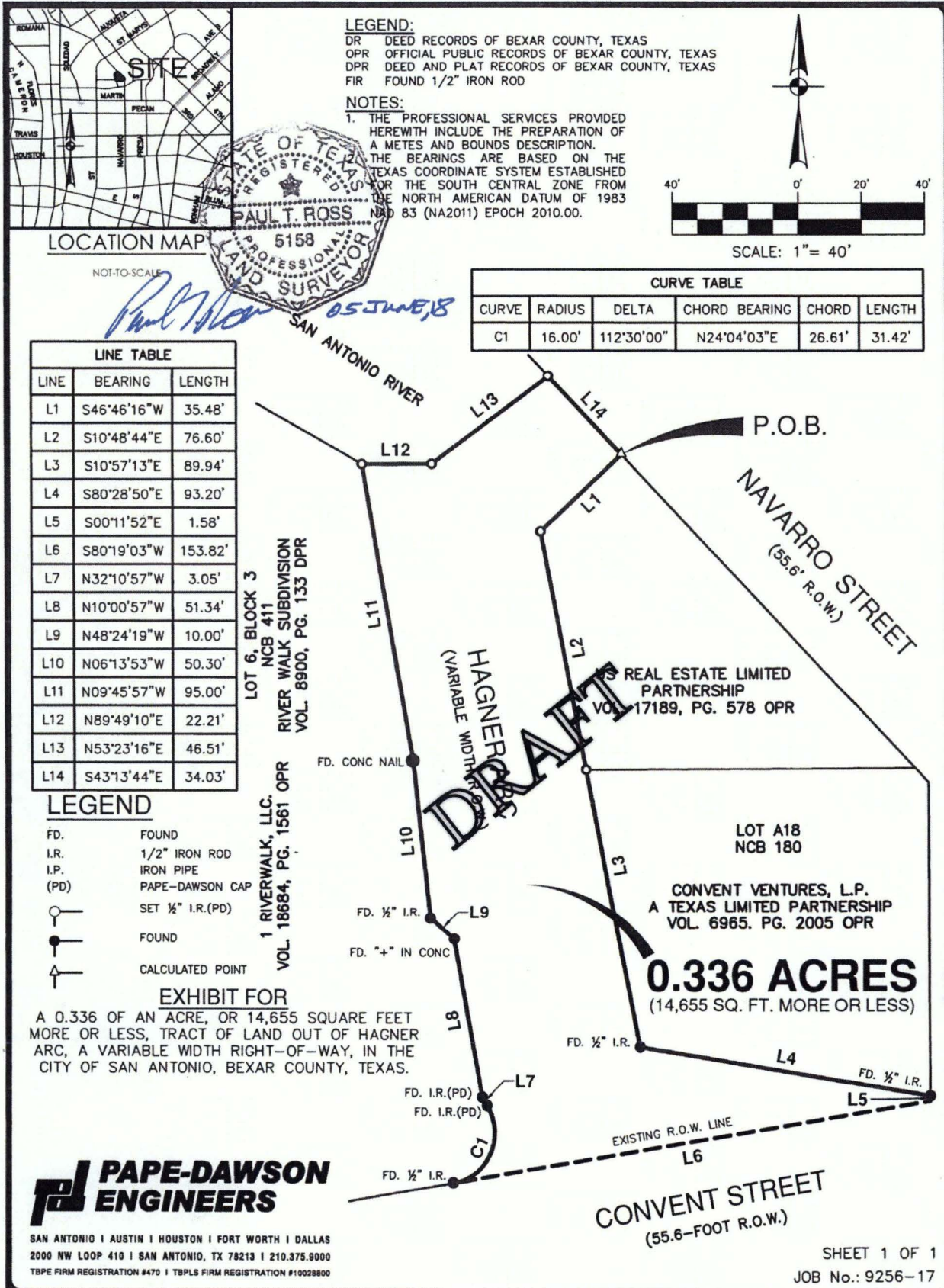
THENCE: S 43°13'44" E, a distance of 34.03 feet to the POINT OF BEGINNING, and containing 0.336 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 6550-11 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: November 14, 2017  
REVISED: June 5, 2018  
JOB NO. 9256-17  
DOC. ID. N:\Survey17\17-9200\9256-17\Word\9256-17 FN 0.336AC HAGNER.docx



*Paul T. Ross*  
05 JUNE, 18

**DRAFT**





VS  
06/21/18  
Item No. 25A

**ATTACHMENT B**



METES AND BOUNDS DESCRIPTION  
FOR

A 0.032 of an acre, or 1,386 square feet more or less, tract of land being a portion of Convent Street, a 55.6-foot right-of-way in the City of San Antonio, Bexar County, Texas. Said 0.032 of an acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

BEGINNING: At a found concrete nail on the north right-of-way line of said Convent Street, the south line of Lot 6, Block 3, New City Block 411, River Walk Subdivision recorded in Volume 8900, Page 133 of the Deed and Plat Records of Bexar County, Texas;

THENCE: N 80°19'03" E, along and with the north right-of-way line of said Convent Street, the south line of said Lot 6, the south right-of-way line of said Hagner Arc, a distance of 206.96 feet to a point on the west right-of-way line of Navarro Street, a 55.6-foot right-of-way, the east right-of-way line of said Convent Street, and from which a found ½ inch iron rod at the southeast corner of a tract described in deed to Convent Ventures, L.P. a Texas limited partnership recorded in Volume 6965, Page 2005 of said Official Public Records, bears N00°11'52"W, a distance of 1.58 feet;

THENCE: S 00°11'52" E, along and with the west right-of-way line of Navarro Street, the east right-of-way line of said Convent Street, a distance of 2.65 feet to a set ½ inch iron rod with cap marked "Pape-Dawson";

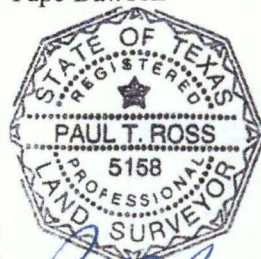
THENCE: Departing the west right-of-way line of Navarro Street, over and across said Convent Street, the following bearings and distances:

S 45°00'00" W, a distance of 74.86 feet to a set ½ inch iron rod with cap marked "Pape-Dawson";

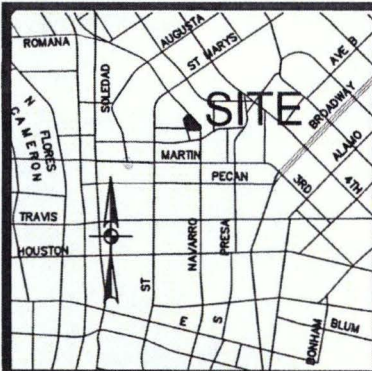
S 82°37'57" W, a distance of 127.27 feet to a set ½ inch iron rod with cap marked "Pape-Dawson";

S 85°28'07" W, a distance of 67.51 feet to the POINT OF BEGINNING, and containing 0.032 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 9256-17 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.  
DATE: November 14, 2017  
JOB NO. 9256-17  
DOC. ID. N:\Survey17\17-9200\9256-17\Word\9256-17 FN 0.032AC CONVENT.docx



*Paul T. Ross*  
05 JUNE, 18



LOCATION MAP

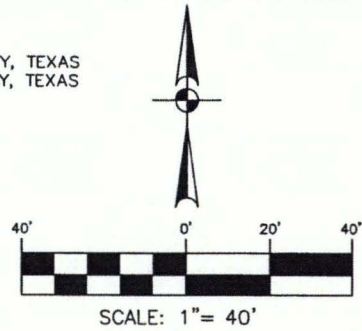
NOT-TO-SCALE

**LEGEND:**

DR DEED RECORDS OF BEXAR COUNTY, TEXAS  
OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS  
DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS  
FIR FOUND 1/2" IRON ROD

**NOTES:**

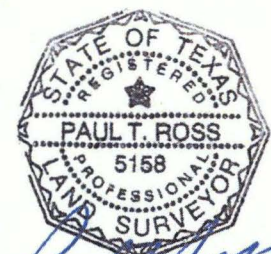
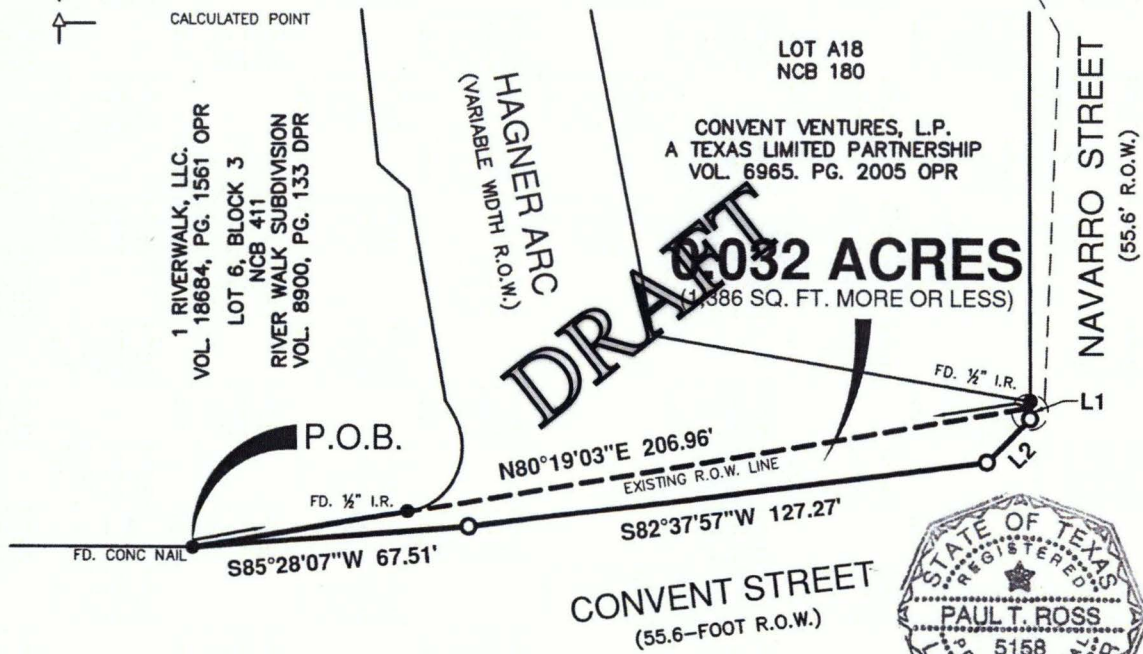
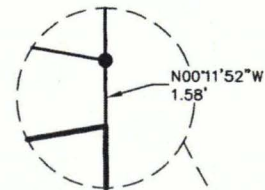
1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A METES AND BOUNDS DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



**LEGEND**

- FD. FOUND
- I.R. 1/2" IRON ROD
- I.P. IRON PIPE
- (PD) PAPE-DAWSON CAP
- SET 1/2" I.R. (PD)
- FOUND
- CALCULATED POINT

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°11'52"E	2.65'
L2	S45°00'00"W	14.86'



*Paul T. Ross*  
05 June, 18

CONVENT STREET  
(55.6-FOOT R.O.W.)

EXHIBIT FOR  
A 0.032 OF AN ACRE, OR 1,386 SQUARE FEET MORE OR LESS, TRACT OF LAND OUT OF CONVENT STREET, A 55.6-FOOT RIGHT-OF-WAY, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

**PAPE-DAWSON ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS  
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000  
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800

SHEET 1 OF 1  
JOB No.: 8458-01