

AN ORDINANCE **2016-12-01-0927**

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 16.055 acres out of NCB 12886 from "C-3 NA" General Commercial Non-Alcoholic Sales District, "I-1" General Industrial District and "NP-10" Neighborhood Preservation District to "I-1" General Industrial District.

SECTION 2. A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes, save and except 1.500 acres described in Warranty Deed recorded in Volume 2785 Page 202 of the Official Public Record of Real Property of Bexar County a copy which is attached as **Exhibit "B"** 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 the 10th day of December 2016.

PASSED AND APPROVED this 1st day of December 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

For City Attorney

Agenda Item:	Z-3 (in consent vote: Z-1, Z-2, P-1, Z-3, P-2, Z-4, Z-5, Z-6, P-3, Z-7, P-4, Z-8, Z-10, Z-11, Z-12, Z-13, P-6, Z-15, Z-16, Z-17, P-7, Z-18, P-8, Z-19, Z-20, Z-21, Z-23)						
Date:	12/01/2016						
Time:	02:48:23 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2016206 (Council District 2): An Ordinance amending the Zoning District Boundary from "C-3 NA" General Commercial Non-Alcoholic Sales District, "I-1" General Industrial District and "NP-10" Neighborhood Preservation District to "I-1" General Industrial District on 16.055 acres out of NCB 12886, located at 1054 SE Loop 410. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16059)						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	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				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

NOTICE

Prepared by the State Bar of Texas for use by Lawyers only. Rev. 1-1-76. To select the proper form, fill in blank spaces, strike out forms or insert special terms constitutes the practice of law. No standard form can meet all requirements.

343650

WARRANTY DEED

22016206

THE STATE OF TEXAS
COUNTY OF BEXAR

} KNOW ALL MEN BY THESE PRESENTS:

THE INSTRUMENTS ARE

That I, JOHN M. SCHAEFER, 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 (\$10.00) DOLLARS cash and other valuable consideration/to the undersigned paid by the grantee herein named, the receipt of which is hereby acknowledged,

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

H. E. BUTT GROCERY COMPANY

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

A 17.5555 acre (764,717.70 square feet) tract out of the original 61.222 acre John M. Schaefer Tract, said 61.222 acre John M. Schaefer Tract being the same property described in Deed recorded in Volume 7397, Page 202, of the Deed Records of Bexar County, Texas, said 17.5555 acre tract being out of the Juan Manuel Urriegas Survey No. 94, Abstract 707, N.C.B. 12886 and C.B. 5129, and being more particularly described by metes and bounds on Exhibit "A" attached hereto and made a part hereof for all purposes the same as if fully set forth herein.

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, heirs 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, heirs and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

This conveyance is made and accepted subject to: (1) Easement as shown on instrument recorded in Volume 5759, at page 984, Deed Records of Bexar County, Texas, and (2) Easement to Magnolia Petroleum Co. as shown on instrument recorded in Volume 1729, at page 234, Deed Records of Bexar County, Texas, said easement having a 25' building setback line on either side of the Magnolia Petroleum Co. Easement.

Taxes having been prorated to the date hereof, Grantee hereby assumes the payment thereof.

EXECUTED this 10th day of August, A.D. 1981.

John M. Schaefer
JOHN M. SCHAEFER

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Exhibit "A"

(Acknowledgment)

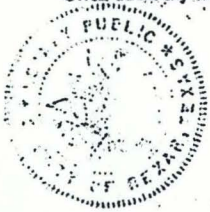
THE STATE OF TEXAS
COUNTY OF BEXAR

22016806

Before me, the undersigned authority, on this day personally appeared JOHN M. SCHAEFER

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 25 day of August, A.D. 1981.



Notary Public in and for Bexar County, Texas.
My commission expires....., 19.....

(Printed or stamped name of notary)

CINDY BRENNAN
Notary Public, State of Texas
Commission Expires 3-13-84

(Acknowledgment)

THE STATE OF TEXAS
COUNTY OF

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

STATE OF TEXAS
COUNTY OF BEXAR
I hereby certify that this instrument was FILED in
file Number Sequence on the date and of the time stamped
hereon by me; and was duly RECORDED in the Official
Public Records of said County, Texas on

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



Notary Public in and for County, Texas.
My commission expires....., 19.....

(Printed or stamped name of notary)

Robert D. Rosen
COUNTY CLERK
BEXAR COUNTY, TEXAS

WARRANTY DEED

JOHN M. SCHAEFER

TO

H. E. BUTT GROCERY COMPANY

FILED IN MY OFFICE
RUSSELL GREEN
COUNTY CLERK BEXAR CO.

1981 AUG 25 PM 12 52

PREPARED IN THE LAW OFFICE OF:
OPPENHEIMER, ROSENBERG, INC.
KELLEHER & WHEATLEY, INC.
Suite 620, 711 Navarro
San Antonio, Texas 78205

PLEASE RETURN TO:

Bruce H.C. Hill, Altly
Matthew's Newborn
1500 Alamo, Method Bldg
City 78205

(Corporate Acknowledgment)

THE STATE OF TEXAS
COUNTY OF

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

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.
My commission expires....., 19.....

(Printed or stamped name of notary)

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338226

Z2016206

RECORDER'S MEMORANDUM
ALL OR PARTS OF THE TEXT ON THIS PAGE
WAS NOT CLEARLY LEGIBLE FOR SATISFACTORY
RECORDATION

FIELD NOTE DESCRIPTION

17.5555 ACRE TRACT

A 17.5555 ACRE (764,717.70 SQUARE FEET) TRACT OUT OF THE ORIGINAL 61.222 ACRE JOHN M. SCHAEFER TRACT, SAID 61.222 ACRE JOHN M. SCHAEFER TRACT BEING THE SAME PROPERTY DESCRIBED IN DEED RECORDED IN VOLUME 7397, PAGE 202, OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, SAID 17.5555 ACRE TRACT BEING OUT OF THE JUAN MANUEL URRIEGAS SURVEY NO 94, ABSTRACT 707, N.C.B. 12886 AND C.B. 5129, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN SET ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHEAST LOOP 410, SAID IRON PIN BEING THE MOST SOUTHWESTERLY CORNER OF DIESEL INJECTION SUBDIVISION, SAID SUBDIVISION BEING RECORDED IN VOLUME 9000, PAGE 223, OF THE BEXAR COUNTY, TEXAS, DEED AND PLAT RECORDS, SAID IRON PIN ALSO BEING SOUTH APPROXIMATELY 3781 FEET FROM THE MOST SOUTHERLY END OF THE CUTBACK LINE BETWEEN THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHEAST LOOP 410 AND THE SOUTHERLY RIGHT-OF-WAY LINE OF ST. HEDWIG STREET;

THENCE, S 89° 54' 03" E, ALONG AND WITH THE SOUTHERLY BOUNDARY OF DIESEL INJECTION SUBDIVISION, A DISTANCE OF 296.29 FEET TO AN IRON PIN FOUND FOR ANGLE, SAID IRON PIN BEING THE MOST SOUTHEASTERLY CORNER OF DIESEL INJECTION SUBDIVISION;

THENCE, N 00° 00' 47" E, ALONG AND WITH THE EASTERLY BOUNDARY OF DIESEL INJECTION SUBDIVISION, A DISTANCE OF 100.00 FEET TO AN IRON PIN FOUND FOR ANGLE, SAID IRON PIN BEING THE MOST NORTHEASTERLY CORNER OF DIESEL INJECTION SUBDIVISION AND ON THE SOUTHERLY BOUNDARY OF RONCO SUBDIVISION, SAID SUBDIVISION BEING RECORDED IN VOLUME 8100, PAGE 27, OF THE BEXAR COUNTY, TEXAS, DEED AND PLAT RECORDS;

THENCE, S 89° 52' 49" E, ALONG AND WITH THE SOUTHERLY BOUNDARY OF RONCO SUBDIVISION, A DISTANCE OF 865.95 FEET TO AN IRON PIN FOUND FOR ANGLE, SAID IRON PIN BEING THE MOST SOUTHEASTERLY CORNER OF RONCO SUBDIVISION;

THENCE, N 00° 01' 22" E, ALONG AND WITH THE EASTERLY BOUNDARY OF RONCO SUBDIVISION, A DISTANCE OF 300.06 FEET TO AN IRON PIN FOUND FOR ANGLE, SAID IRON PIN BEING THE MOST NORTHEASTERLY CORNER OF RONCO SUBDIVISION AND ON THE NORTHERLY BOUNDARY OF THE ORIGINAL 61.222 ACRE JOHN M. SCHAEFER TRACT;

THENCE, S 89° 58' 57" E, ALONG AND WITH THE NORTHERLY BOUNDARY OF THE ORIGINAL 61.222 ACRE JOHN M. SCHAEFER TRACT, A DISTANCE OF 309.35 FEET TO AN IRON PIN SET FOR THE MOST NORTHEASTERLY CORNER OF THE HEREIN DESCRIBED 17.5555 ACRE TRACT, SAID IRON PIN BEING ON THE CENTER LINE OF AN EXISTING PIPELINE EASEMENT, SAID PIPELINE EASEMENT BEING RECORDED IN VOLUME 1729, PAGE 234, OF THE BEXAR COUNTY, TEXAS, DEED RECORDS;

THENCE, S 00° 01' 03" W, A DISTANCE OF 777.34 FEET TO AN IRON PIN SET FOR THE MOST SOUTHEASTERLY CORNER OF THE HEREIN DESCRIBED 17.5555 ACRE TRACT, SAID IRON PIN BEING ON THE SOUTHERLY BOUNDARY OF THE ORIGINAL 61.222 ACRE JOHN M. SCHAEFER TRACT;

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EXHIBIT
"A"

Z2016206

FIELD NOTE DESCRIPTION
17.5555 ACRE TRACT
PAGE 2.

THENCE, N 89° 52' 42" W, ALONG AND WITH THE SOUTHERLY BOUNDARY OF THE ORIGINAL 61.222 ACRE JOHN M. SCHAEFER TRACT, A DISTANCE OF 1,471.24 FEET TO AN IRON PIN FOUND FOR THE MOST SOUTHWESTERLY CORNER OF THE HEREIN DESCRIBED 17.5555 ACRE TRACT, SAID IRON PIN BEING THE MOST SOUTHWESTERLY CORNER OF THE ORIGINAL 61.222 ACRE JOHN M. SCHAEFER TRACT, AND ALSO BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHEAST LOOP 410;

THENCE, N 00° 02' 18" W, ALONG AND WITH THE EASTERLY RIGHT-OF-WAY LINE OF SOUTHEAST LOOP 410, A DISTANCE OF 376.57 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED 17.5555 ACRE TRACT.

6/26/81
KLR:DMD
JOB NO. 8149

2 J32531 C1

\$9.00 17027678

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Z2016206

property a part of original deed, but excluded from rezoning
F.T.C.
168174

5-18725
STATE OF TEXAS §
COUNTY OF BEXAR §
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

That H. E. BUTT GROCERY COMPANY, a Texas corporation for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) 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 exchange of the herein described property for like kind property, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto BADO EQUIPMENT COMPANY, INC., a Texas corporation, whose address is P. O. Box 12347, Houston, Harris County, Texas (77017), all of the real property situated in Bexar County, Texas as described in Exhibit "A" attached hereto and incorporated herein for all purposes.

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 assigns forever; and it does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the said premises unto the said grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

It is expressly agreed that any liens that would arise in favor of either party by operation of law, by reason of the exchange of property, shall not exist in favor of either party against the other, and any and all implied liens so arising are hereby expressly waived and released by the parties hereto.

This conveyance is made and accepted subject to the following matters, to the extent same are in effect at this time:

Any and all restrictions, covenants, conditions and easements, if any, relating to the hereinabove described property, but only to the extent they are still in effect and shown of record in the hereinabove mentioned

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Property a part of original deed,
but excluded from rezoning

county and state, and to all zoning laws, regulations and ordinances and municipal and/or other governmental authorities, if any, but only to the extent that they are still in effect, relating to the hereinabove described property.

Current ad valorem taxes on said property having been prorated, the payment thereof is assumed by grantee.

EXECUTED as of the 3rd day of February, A.D., 1983.

H. E. BUTT GROCERY COMPANY

By: [Signature]
Erie Thompson,
SA, Vice-President

STATE OF TEXAS §
COUNTY OF BEXARS

This instrument was acknowledged before me on the 3rd day of February, 1983 by Erie Thompson, Vice-President of H. E. Butt Grocery Company.



[Signature]
Notary Public in and for
The State of Texas

Preparation and Return

ANNA MAE SMITH
Notary Public, Bexar County, Texas

This instrument was prepared by:

Matthews & Branscomb
One Alamo Center
106 S. St. Mary's St.
San Antonio, Texas 78205
(512) 226-4211

Please return the recorded instrument to:

Bado Equipment Company, Inc.
P. O. Box 12347
Houston, Texas 77017

APR 27 8 5 PAGED 2 0 1

Z2016206

property a part of original deed (17.55 ac) but excluded from rezoning



W. E. SIMPSON CO., INC.
CONSULTING ENGINEERS
STRUCTURAL - CIVIL - PLANNING

W. E. SIMPSON, P.E., FOUNDER
11988-1997

MANFRED A. GERHARDT, P.E.
PRESIDENT ENGINEER

WILLARD E. SIMPSON, JR., P.E.
R. DONALD STEADMAN, P.E.
LARRY A. LAYNE, P.E.
JOHN S. WALL, P.E.
KENNETH W. THOMPAS, JR., P.E.
A. DAVID WALKER, P.E.

**FIELD NOTES
FOR A
1.500 ACRE TRACT OF LAND**

BEING A 1.500 ACRE TRACT OF LAND OUT OF THE JUAN MANUEL URRIGAS SURVEY NO. 94, ABSTRACT 707, NEW CITY BLOCK 12886, COUNTY BLOCK 5129, BEXAR COUNTY, TEXAS, AND BEING A PORTION OF THE 17.556 ACRE TRACT DESCRIBED IN DEED TO H. E. BUTT GROCERY COMPANY AS RECORDED IN VOLUME 2405, PAGE 974, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY, BEXAR COUNTY, TEXAS, SAID 1.500 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

- BEGINNING:** At an iron pin found for the southwest corner of the aforementioned 17.556 acre tract, same being the southwest corner of the hereinafter described tract;
- THENCE:** N 00° 02' 18" W, 143.53 feet along the west boundary of said 17.556 acre tract and the east right-of-way line of S.E. Loop 410 to an iron pin set for the point of curvature of a curve having a central angle of 90° 09' 36", a radius of 15.00 feet, a tangent of 15.04 feet, and a chord of 21.24 feet which bears N 45° 02' 30" E;
- THENCE:** 23.60 feet along said curve to the right to an iron pin set for the point of tangency;
- THENCE:** S 89° 52' 42" E, 397.20 feet across said 17.556 acre tract to an iron pin set for the northeast corner of this tract;
- THENCE:** S 00° 07' 18" E, 158.57 feet across said 17.556 acre tract to an iron pin set for the southeast corner of this tract and lying on the south boundary of said 17.556 acre tract;
- THENCE:** N 89° 52' 42" W, 412.48 feet along the fenced south boundary of said 17.556 acre tract to the POINT OF BEGINNING and containing 1.500 acres of land, more or less.



Kenneth W. Thompas, Jr.
12/29/02

701 2785 PAGED 202

Exhibit "B"

Z2016206

PLATE NO. 12345
EXPIRES 01/01/84
A license holder
registered on the date set out in the above number of this license is
the only LICENSEE in the State of Texas who is the holder of this license in
this County. Texas is

MAR 8 1983



Robert A. Green
COUNTY CLERK BEAUFORT COUNTY TEXAS

2 030683 01 \$7.00 17108724

FILED IN OFFICE
ROBERT A. GREEN
COUNTY CLERK BEAUFORT CO.
MAR 4 1983
PM 4 24

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