

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

AN ORDINANCE

**AUTHORIZING THE CLOSURE, VACATION, AND
ABANDONMENT 0.579 ACRES CONSISTING OF AN UNIMPROVED
PORTION OF OAKLAND BOULEVARD PUBLIC RIGHT-OF-WAY
BETWEEN NCB 14691 AND 14695 IN CITY COUNCIL DISTRICT 8.**

* * * * *

WHEREAS, SA Rocking in the Free World, LLC currently owns approximately 22.9 acres of unimproved properties within the Babcock Acres subdivision;

WHEREAS, the City of San Antonio currently owns a portion of Lots 2 and 17, Block 7, NCB 14691 within the Babcock Acres subdivision, which was accepted in 1987 through Ordinance 65903 as part of a land exchange to realign Richview Street; and

WHEREAS, there exists a 0.579 acre unimproved portion of Oakland Boulevard right-of-way within the Babcock Acres subdivision;

WHEREAS, SA Rocking in the Free World plans to build medium density single family homes with a proposed investment of \$22,550,000.00 for the development; and

WHEREAS, SA Rocking in the Free World plans to realign Oakland Boulevard right-of-way to provide access from the subdivision to Floyd Curl-Drive; and

WHEREAS, SA Rocking in the Free World requests the closure, vacation, and abandonment of a 0.579 acre of unimproved portion of Oakland Boulevard public right-of-way between NCB 14691 and 14695 as shown on **Exhibit A**; and

WHEREAS, the closure fee established for this request totals \$4,539.78 (“Initial Closure Fee”), which includes the assessed value of the Public Rights of Way and the administrative fee; and

WHEREAS, the City of San Antonio’s Planning Commission recommended approval of this request at its regular meeting on October 24, 2018; **NOW THEREFORE**,

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

SECTION 1. As an exercise of its discretion, the City Council hereby closes, vacates, and abandons .579 acres of an unimproved portion of Oakland Boulevard between NCB 14691 and 14695 for a fee of \$4,539.78.

SECTION 2. A detailed description of the Right of Way segment is set forth on **Exhibit A**. A map and picture of the Right of Way segment is set forth on **Exhibit B**. All exhibits are

incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit A** controls any discrepancy between it and **Exhibit B**.

SECTION 3. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

SECTION 4. 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 proper accounting transactions.

SECTION 5. 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 6. 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.

PASSED AND APPROVED this 1st day of November, 2018.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Assistant City Attorney

Exhibit A



LEGAL DESCRIPTION 0.579 ACRES

0.579 acres of land being a portion of Oakland Boulevard (60.00 feet wide), as shown on the plat of Babcock Acres, according to the map or plat thereof recorded in Volume 3025, Page 8, Deed and Plat Records of Bexar County, Texas; said 0.579 acres being more particularly described as follows:

BEGINNING, at a found ½ inch iron rod marking the intersection of the northeasterly right of way line of Oakland Boulevard with the northwesterly right of way line of Redwing Drive;

THENCE, South 43deg 40' 51" West, crossing Oakland Boulevard, a distance of 60.08 feet, to a found ½ inch iron rod marking the intersection of the southwesterly right of way line of Oakland Boulevard with the northwesterly right of way line of Redwing Drive;

THENCE, North 49deg 12' 02" West, along the southwesterly right of way line of Oakland Boulevard, a distance of 418.99 feet, to a found ½ inch iron rod marking the intersection of the southwesterly right of way line of Oakland Boulevard with the southeasterly right of way line of South Rincon Boulevard;

THENCE, North 40deg 47' 58" East, crossing Oakland Boulevard, a distance of 60.00 feet, to a set ½ inch iron rod with "CUDE" cap located in the northeasterly right of way line of Oakland Boulevard;

THENCE, South 49deg 12' 02" East, along the northeasterly right of way line of Oakland Boulevard, a distance of 422.01 feet, to the **POINT OF BEGINNING** and containing 0.579 acres of land, more or less.

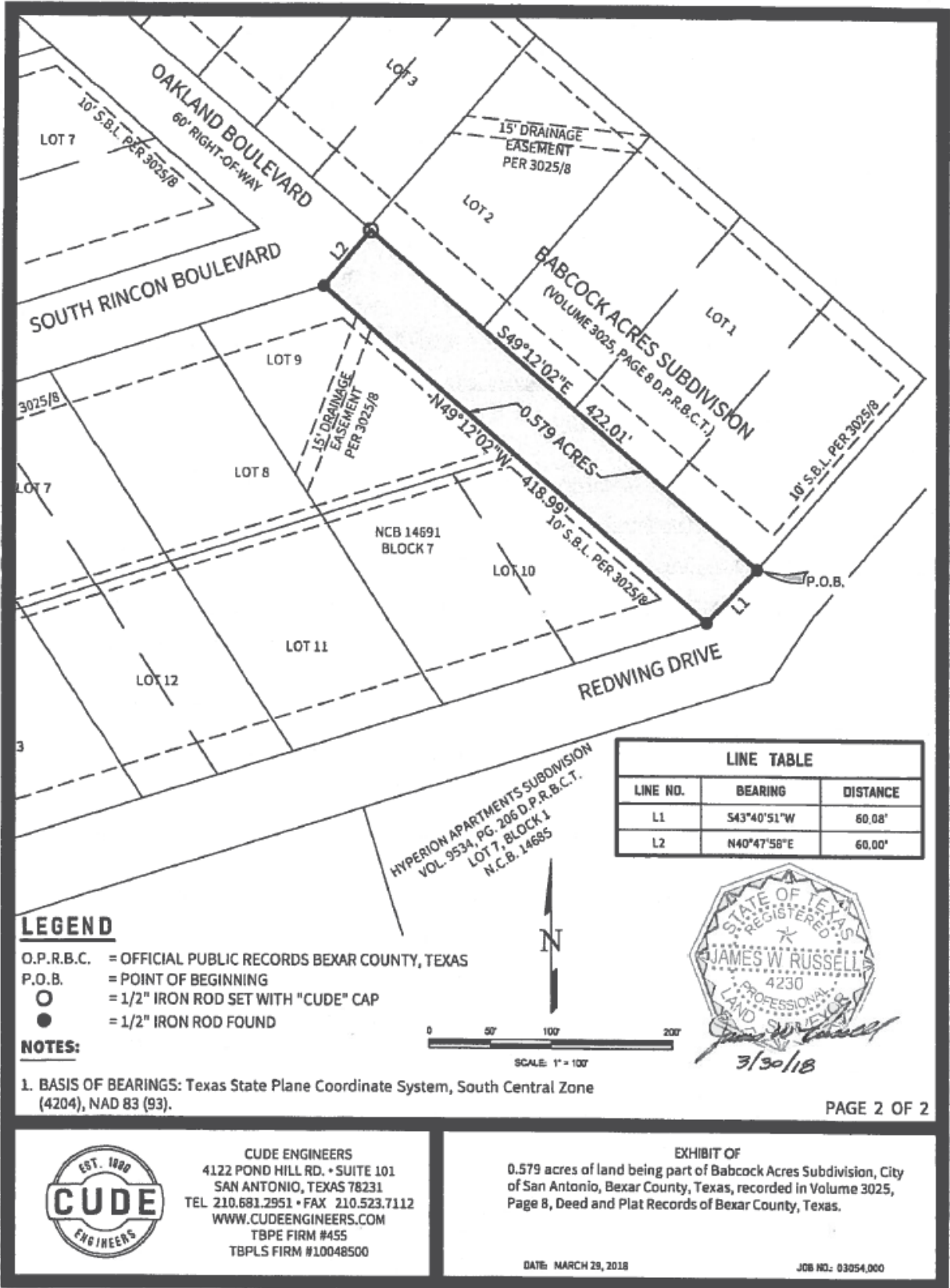
Basis of bearings is the Texas State Plane Coordinate System, South Central Zone (4204), NAD 83 (93).

 3/30/18

James W. Russell
Registered Professional Land Surveyor No. 4230
Cude Engineers
4122 Pond Hill Road, Suite 101
San Antonio, Texas 78231
TBPLS Firm No. 10048500
TBPE Firm No. 455
Project No. 03054.000.0



Exhibit B



P:\102654(000)6-Survey\Drawings\LV 03034-000 VACATE AND ESMT.dwg 2018/03/29 11:32am bblack

REPRODUCTION OF THE ORIGINAL SIGNED AND SEALED PLAN AND/OR ELECTRONIC MEDIA MAY HAVE BEEN INADVERTENTLY ALTERED. CONTRACTOR IS RESPONSIBLE FOR VERIFYING THE SCALE OF THE DOCUMENT AND CONTACTING CUDE ENGINEERS TO VERIFY DISCREPANCIES PRIOR TO CONSTRUCTION.



CUDE ENGINEERS
 4122 POND HILL RD. • SUITE 101
 SAN ANTONIO, TEXAS 78231
 TEL 210.681.2951 • FAX 210.523.7112
 WWW.CUDEENGINEERS.COM
 TBPE FIRM #455
 TBPLS FIRM #10048500

EXHIBIT OF
 0.579 acres of land being part of Babcock Acres Subdivision, City of San Antonio, Bexar County, Texas, recorded in Volume 3025, Page 8, Deed and Plat Records of Bexar County, Texas.

DATE: MARCH 29, 2018

JOB NO: 03054.000