

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

ORDINANCE

**DECLARING A 0.0679-ACRE TRACT OF LAND LOCATED ALONG THE
SOUTHERN RIGHT-OF-WAY OF IH-10 E, EAST OF THE
INTERSECTION OF FOSTER ROAD IN THE NORTHEAST QUADRANT
OF BEXAR COUNTY, TEXAS, AS SURPLUS AND AUTHORIZING ITS
DISPOSITION BY THE SAN ANTONIO WATER SYSTEM.**

* * * * *

WHEREAS, the Texas Department of Transportation (TxDOT) made a request to the San Antonio Water System (SAWS) to purchase a 0.0679-acre tract of land, located along the south right-of-way of IH-10 E for its IH-10 Loop 410 Roadway, as depicted in the attached here to Map **Exhibit “A”**, widening project; and

WHEREAS, the SAWS Board of Trustees passed Resolution No. 2020-216 on October 6, 2020, declaring the 0.0679-acre tract of land located along the southern right-of-way of IH-10 E, east of the intersection of Foster Road in the northeast quadrant of Bexar County, Texas, as surplus to its system; and

WHEREAS, under Municipal Code, all city-owned property must be declared as surplus prior to the property’s disposition (sale); and

WHEREAS, the request to declare property as surplus is submitted to the Public Works Real Estate Division; and

WHEREAS, the request and exhibits are then sent to departments and municipal-owned utilities that provide services to, or construct infrastructure on the properties; and

WHEREAS, City departments and municipal-owned utilities respond if there is a need for the property or if the property may be disposed of; and

WHEREAS, there was no opposition to this request by SAWS to declare as surplus and dispose of a 0.0679-acre tract of land located along the southern right-of-way of IH-10 E, east of the intersection of Foster Road in the northeast quadrant of Bexar County, Texas; and

WHEREAS, with City Council approval, SAWS is authorized to dispose of the property in accordance with the Chapters 253 and 272 of the Local Government Code; and

WHEREAS, the Planning Commission reviewed this request at its regular meeting on January 13, 2021; **NOW THEREFORE:**

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

SECTION 1. The City Council hereby declares, a 0.0679-acre tract of land, as depicted in the attached survey here to as **Exhibit “B”**, located along the southern right-of-way of IH-10 E, east of the intersection of Foster Road in the northeast quadrant of Bexar County, Texas, Council District 2, as surplus and authorizing its disposition by the San Antonio Water System (SAWS).

SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth.

SECTION 3. No fiscal ordinance language required.

SECTION 4. 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 _____ day of January 2021.

M A Y O R
Ron Nirenberg

Attest:

Approved As To Form:

Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

Exhibit A – Map

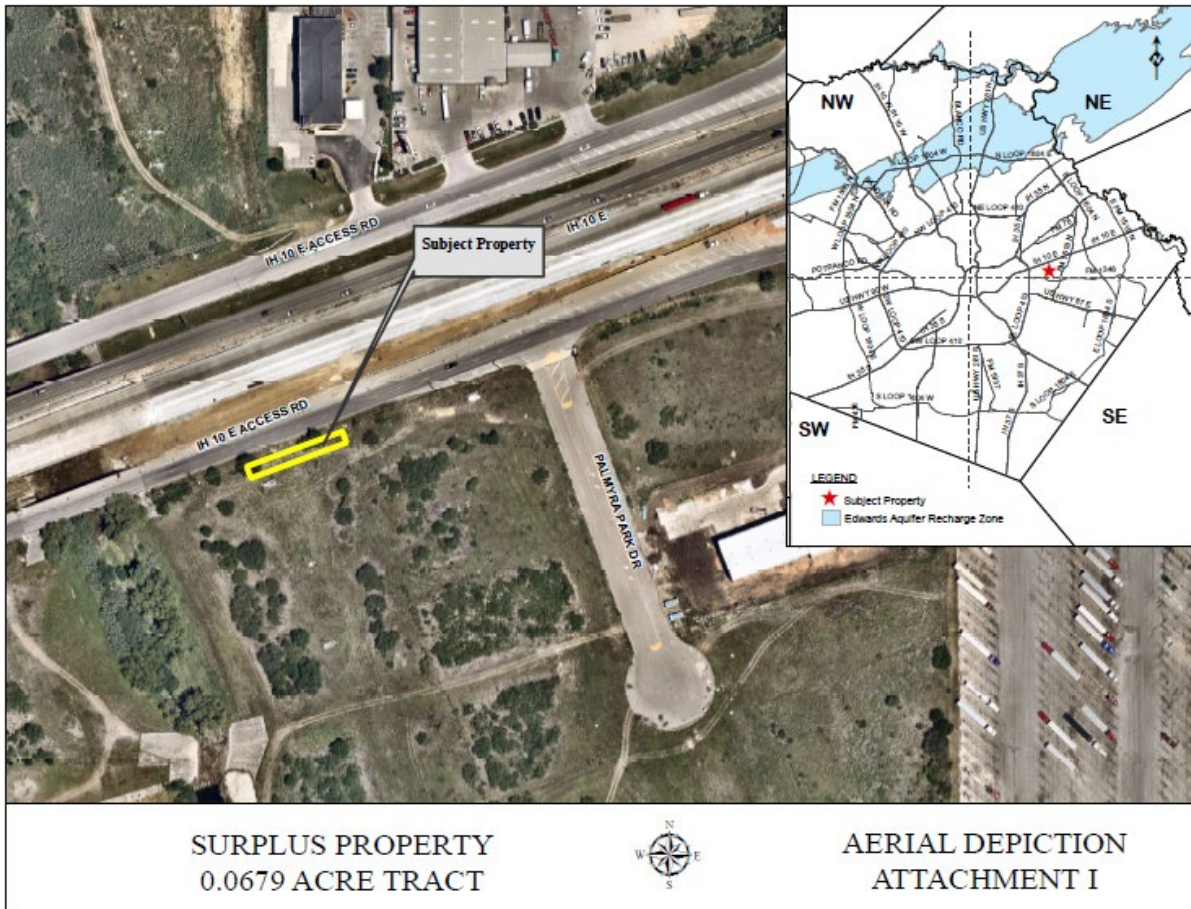


Exhibit B - IH-10 Surplus Property Legal Description-Reso Att. II

EXHIBIT A

County: Bexar
Highway: IH410
Project Limits: IH-10E
RCSJ No.: 0521-06-140

Revised February 2020
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Property Description for Parcel 54A

Being a 0.0679 of an acre (2,956 square feet) tract of land situated in the C. Texada Survey 133, Abstract Number 743, Bexar County, Texas, and being out of and a part of a called 25.564 acre tract of land described in deed to San Antonio Water System executed June 2, 2005 as recorded in Volume 11434, Page 2054 of the Official Public Records of Bexar County, Texas, being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2 inch iron rod with "KHA" cap found in the east line of said 25.564 acre tract for the southwest corner of ROSILLO CREEK COMMERCIAL UNIT 1 SUBDIVISION (Subdivision) as recorded on plat in Volume 9681, Page 163 of the Deed and Plat Records of Bexar County, Texas and the northwest corner of a remainder of a called 701.078 acre tract of land described in the deed to Rosillo Creek Development, Ltd. dated March 1, 2003 as recorded in Volume 9955, Page 2109 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE, with the common line of said 25.564 acre tract and said Subdivision, North 20°12'49" West (North 20°12'51" West) a distance of 577.74 feet to a 1/2 inch iron rod with aluminum TxDOT ROW cap set ** in the proposed southerly right-of-way line of Interstate Highway 10 East (IH10E) (a variable width right-of-way) for the POINT OF BEGINNING (N:13,711,382.71, E:2,170,423.31) at Station 294+92.39, 179.07 feet right and being the southeast corner of the herein described tract of land;

- 1) THENCE, departing said common line with said proposed southerly right-of-way line of IH10E, over and across said 25.564 acre tract, South 69°46'55" West a distance of 150.00 feet to a 1/2 inch iron rod with aluminum TxDOT ROW cap set ** in the west line of said 25.564 acre tract and a east line of said 701.078 acre remainder tract for the southwest corner of the herein described tract of land;
- 2) THENCE, departing said proposed southerly right-of-way line of IH10E with the common line of said 25.564 acre tract and said 701.078 acre remainder tract, North 20°12'49" West (North 20°12'51" West) a distance of 19.71 feet to the northeast corner of said 701.078 remainder acre tract in the existing southerly right-of-way line of IH10E (a variable width right-of-way) as recorded in Volume 3931, Page 335 of the Deed Records of Bexar County, Texas for the northwest corner of said 25.564 acre tract and the herein described tract of land, from which a 1/2 inch iron rod with "OVERBY DESCAMPS" cap found bears South 20°12'49" East a distance of 0.90 feet;

EXHIBIT A

County: Bexar
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- 3) THENCE, departing said common line with said existing southerly right-of-way line of IH10E, North 69°47'02" East (North 69°47'09" East) a distance of 150.00 feet to a 1/2 inch iron rod with "OVERBY DESCHAMPS" cap found for the northwest corner of said Subdivision and the northeast corner of said 25.564 acre tract and the herein described tract of land;
- 4) THENCE, departing said existing southerly right-of-way line of IH10E with the common line of said 25.564 acre tract and said Subdivision, South 20°12'49" East (South 20°12'51" East) a distance of 19.70 feet to the POINT OF BEGINNING and containing 0.0679 acres (2,956 square feet) of land.

NOTE: All bearings shown herein are referenced to the Texas Coordinate System of 1983, South Central Zone (NAD83, 2011 Adjustment) based on TxDOT VRS network observations. All coordinates and distances are in U.S. Survey Feet displayed in surface values and may be converted to grid by applying the TxDOT combined scale factor for Bexar County of 1.00017. The project was surveyed on-the-ground between December 2017 and July 2019.

This property description was prepared in conjunction with a parcel plat of even date.

This survey was performed utilizing that certain title report prepared by First American Title Insurance Company, G.F. No. NCS-873242-68-SNANT (Issue Date: January 2, 2018, Effective Date: November 2, 2017) pursuant to Section 663.16(b) of the Professional Land Surveying Act (revised August, 2013) and reflects only those easements and encumbrances of record mentioned therein. Jones|Carter performed no additional research of the public records.

** The monument described and set may be replaced with a TxDOT Type II right-of-way marker upon completion of the construction project under the supervision of a Registered Professional Land Surveyor, either employed or retained by TxDOT.

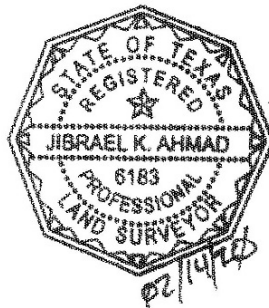
Access is permitted to the highway facility from the remainder of the abutting property.

EXHIBIT A

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Highway: IH410
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RCSJ No.: 0521-06-140

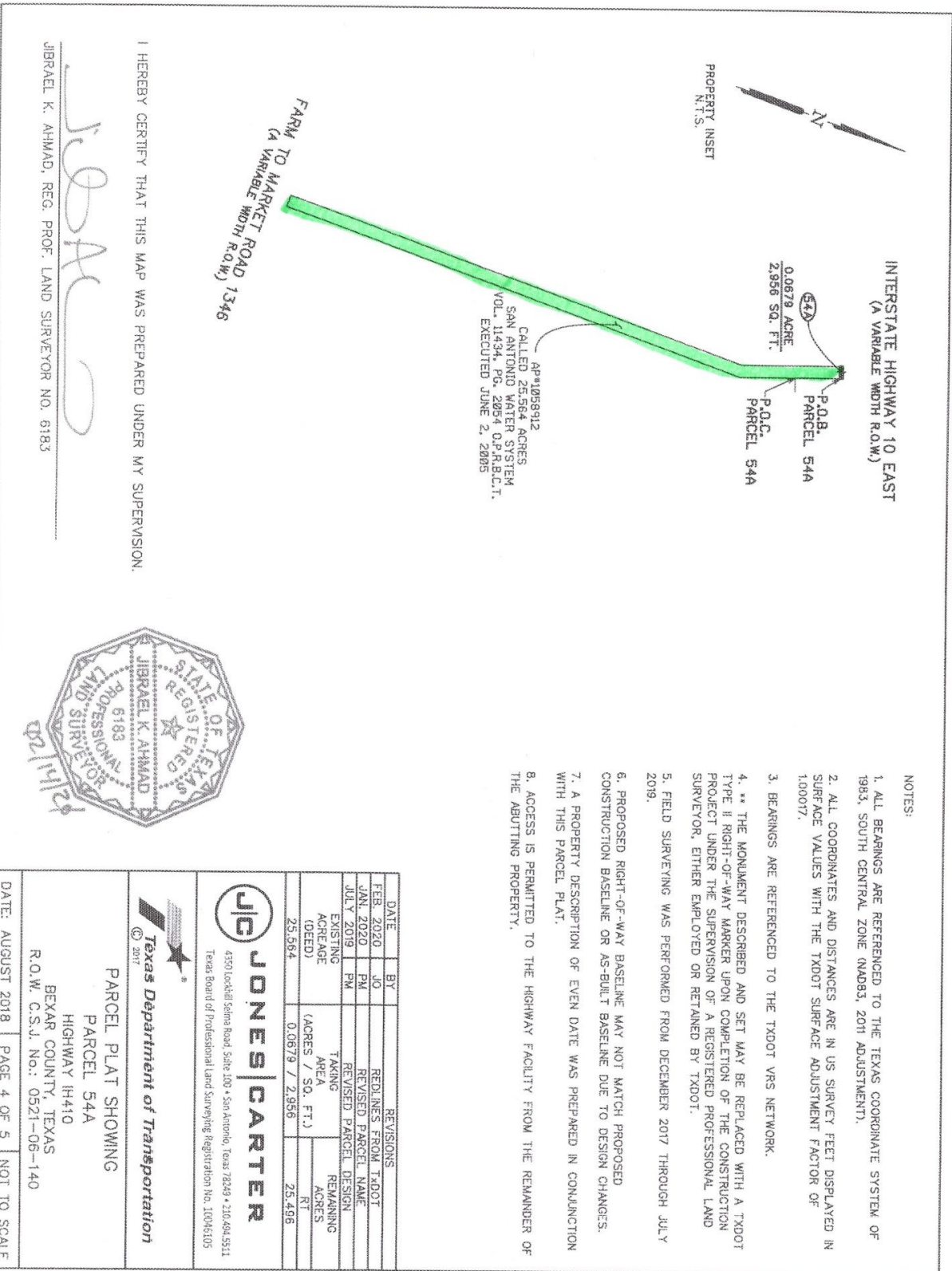
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I, Jibrael Ahmad, a Registered Professional Land Surveyor, do hereby certify that the property description hereon and the accompanying parcel plat of even date represent an actual on-the-ground survey made by me or under my supervision.



Jibrael K. Ahmad
Jibrael K. Ahmad
Registered Professional Land Surveyor
Texas Registration Number 6183

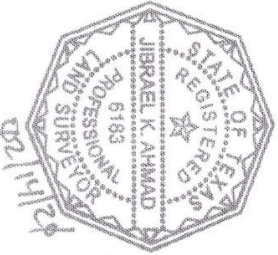
Prepared by: Jones | Carter
4350 Lockhill-Selma Road, Suite 100
San Antonio, TX 78249
210.494.5511
TBPLS Firm Registration Number 10046105



I HEREBY CERTIFY THAT THIS MAP WAS PREPARED UNDER MY SUPERVISION.

Jibrail K. Ahmad

JIBRAEL K. AHMAD, REG. PROF. LAND SURVEYOR NO. 6183



- NOTES:
1. ALL BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, SOUTH CENTRAL ZONE (NAD83, 2011 ADJUSTMENT).
 2. ALL COORDINATES AND DISTANCES ARE IN US SURVEY FEET DISPLAYED IN SURFACE VALUES WITH THE TXDOT SURFACE ADJUSTMENT FACTOR OF 1.00017.
 3. BEARINGS ARE REFERENCED TO THE TXDOT VRS NETWORK.
 4. ** THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY TXDOT.
 5. FIELD SURVEYING WAS PERFORMED FROM DECEMBER 2017 THROUGH JULY 2019.
 6. PROPOSED RIGHT-OF-WAY BASELINE MAY NOT MATCH PROPOSED CONSTRUCTION BASELINE OR AS-BUILT BASELINE DUE TO DESIGN CHANGES.
 7. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
 8. ACCESS IS PERMITTED TO THE HIGHWAY FACILITY FROM THE REMAINDER OF THE ADJUTING PROPERTY.

DATE	BY	REVISIONS
FEB. 2020	JO	REDLINES FROM TXDOT
JAN. 2020	PM	REVISED PARCEL NAME
JULY 2019	PM	REVISED PARCEL DESIGN
		TAKING REMAINING
EXISTING		AREA
ACREAGE	(ACRES / SQ. FT.)	ACRES
(O.E.E.D)	RT	RT
25.564	0.0679 / 2.956	25.496

J/C JONES | CARTER

4350 Lockhill Santa Road, Suite 100 • San Antonio, Texas 78249 • 210.494.5511
Texas Board of Professional Land Surveying Registration No. 10046105

Texas Department of Transportation

PARCEL PLAT SHOWING

PARCEL 54A
HIGHWAY IH410

BEXAR COUNTY, TEXAS
R.O.W. C.S.J. No.: 0521-06-140

DATE: AUGUST 2018 PAGE 4 OF 5 NOT TO SCALE