

AN ORDINANCE 2017-09-21-0731

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 2.721 acres out of NCB 16890 and Lot 3, Block 3, NCB 16890 from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District.

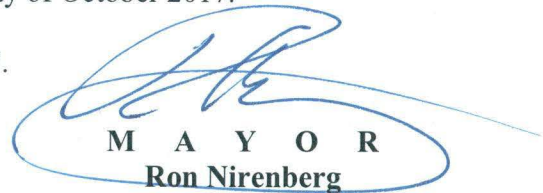
SECTION 2. A description of the property is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

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.

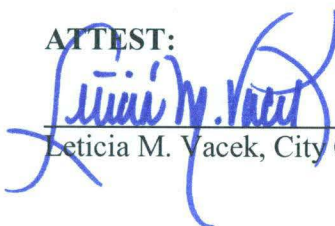
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective the 1st day of October 2017.

PASSED AND APPROVED this 21st day of September 2017.

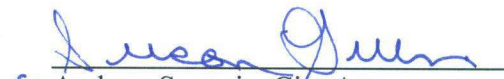

M A Y O R
Ron Nirenberg

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


fo Andrew Segovia, City Attorney

Agenda Item:	Z-5 (in consent vote: Z-2, Z-5, Z-6, Z-7, Z-8, P-3, Z-9, Z-12)						
Date:	09/21/2017						
Time:	02:21:46 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2017207 (Council District 2): An Ordinance amending the Zoning District Boundary from "I-1 AHOD" General Industrial Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 2.721 acres out of NCB 16890 and Lot 3, Block 3, NCB 16890, located at 6903 East Sunbelt and 6944 South Sunbelt Drive. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x				x
William Cruz Shaw	District 2		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			x	
Manny Pelaez	District 8		x				
John Courage	District 9	x					
Clayton H. Perry	District 10		x				

SG/lj
09/21/2017
Item No. Z-5

Exhibit "A"

SPECIAL WARRANTY DEED WITH VENDOR=S LIEN



2001- 0073813

STATE OF TEXAS :
: KNOW ALL MEN BY THESE PRESENTS:
COUNTY OF BEXAR :

THAT 4-KEEPS PARTNERSHIP, a Texas general partnership, hereinafter collectively called AGrantor", for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration in hand paid by the **GEORGE GERVIN YOUTH CENTER, INC.**, hereinafter called AGrantee@, the receipt of which is hereby acknowledged, and as further consideration of the execution and delivery by Grantee of that one certain promissory note (the ANote@) of even date herewith in the principal sum of SEVEN HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$780,000.00), payable to the order of Grantor whose mailing address is 209 Paseo Encinal, San Antonio, Bexar County, Texas, 78212, bearing interest at the rate therein provided; said note containing the usual and reasonable attorney's fees clause and various acceleration of maturity clauses in case of default, and being secured by vendor's lien and a superior title retained herein in favor of Grantor, and being also secured by Deed of Trust of even date herewith from Grantee to Frank Z. Ruttenberg, Trustee; has GRANTED SOLD AND CONVEYED and by these presents does GRANT, SELL AND CONVEY unto said Grantee, the following described property (including any improvements) situated in Bexar County, Texas, to wit:

A parcel of land containing 2.721 acres, more or less, being the same property described by deed recorded in Volume 5485, Page 1864, Bexar County Real Property Records, out of Lot 1, Block 3, New City Block 16890, TERRELL PARK SUBDIVISION, in the City of San Antonio, Bexar County, Texas, which plat is recorded in Volume 8800, Pages 28-29, Deed and Plat Records of Bexar County, Texas; said 2.721 acres of land being out of the remaining portion of said Lot 1, Block 3, New City Block 16890, as shown on a replat of TERRELL PARK SUBDIVISION, recorded in Volume 9516, Page 14, Deed and Plat Records of Bexar County, Texas; said 2.721 acre tract also being more particularly on Exhibit "A" attached hereto and incorporated herein for all purposes ("Property"):

TO HAVE AND TO HOLD THE PROPERTY, together with all and singular the rights and appurtenances belonging in any way to the Property, subject to the provisions stated herein, to Grantee, Grantee's heirs, executors, administrators, successors and assigns forever, and Grantor binds itself and its heirs, executors, administrators and successors TO WARRANT AND

VOL 8860 PG 0738

Exhibit A

FOREVER DEFEND all and singular the Property to Grantee and Grantee's heirs, executors, administrators, successors and assigns, against every person lawfully claiming or to claim all or any part of the Property by, through or under Grantor, but not otherwise.

Current ad valorem taxes on the Property for the year 2001 having been prorated to the date hereof, the payment thereof is hereby assumed by Grantee.

This conveyance is made subject to any and all valid and subsisting restrictions, easements, rights-of-way, reservations, maintenance charges, together with any liens securing said maintenance charges, zoning laws, ordinance of municipal and/or other governmental authorities, conditions and covenants, if any, applicable to and enforceable against the Property, as recorded in the Official Public Records of Real Property of Bexar County, Texas.

THE PROPERTY IS BEING CONVEYED "AS IS", "WHERE IS", AND WITH ALL FAULTS AND EXCEPT FOR THE SPECIAL WARRANTY CONTAINED IN THIS DEED GRANTOR MAKES NO REPRESENTATION OR WARRANTY WHATSOEVER, WHETHER, EXPRESSED, IMPLIED OR STATUTORY WITH RESPECT TO THE PROPERTY.

It is expressly agreed that the vendor's lien and superior title are retained by Grantor against the above described Property, until said Note and all interest thereof shall have been fully paid according to the terms thereof, when this Deed shall become absolute.

EXECUTED this 30th day of April, 2001.

4-KEEPS PARTNERSHIP, a Texas general partnership

By: 

Name: Barry Bankler

Title: Managing Partner

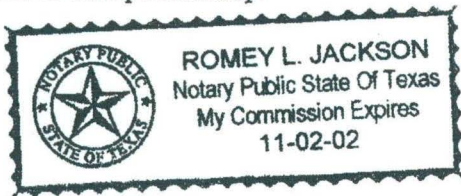
Mailing Address of Grantee:

Name: George Gervin Youth Center, Inc.
Address: 6903 Sunbelt South
San Antonio, Texas 78218

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on the 30 day of April, 2001, by Barry Bankler, the managing partner of 4-KEEPS PARTNERSHIP, a Texas general partnership, on behalf of said partnership.



Romey Jackson

Notary Public, State of Texas

AFTER RECORDING RETURN TO:

George Gervin Youth Center, Inc.
6903 Sunbelt South
San Antonio, Texas 78218

551569

VOL 8860 PG 0740

EXHIBIT "A"
Real Property

BEING 2.721 acres of land out of Lot 1, Block 3, N.C.B. 16890, Terrell Park Subdivision in the City of San Antonio, Bexar County, Texas, recorded in Volume 8800, Pages 28 and 29 of the Deed and Plat Records of Bexar County, Texas, said 2.721 acres of land being out of the remaining portion of said Lot 1, Block 3, N.C.B. 16890 as shown on a replat of Terrell Park Subdivision, recorded in Volume 9516, Page 14 of the Deed and Plat Records of Bexar County, Texas, and being more particularly described as follows:

BEGINNING at a ½-inch iron pin found in the Northwest Right-of-Way line of Sunbelt Drive South, being at the Southwest corner of Lot 3, Block 3, N.C.B. 16890 of said Terrell Park Subdivision replat, recorded in Volume 9516, Page 14;

THENCE, with and along the Northwest and Northeast Right-of-Way lines of Sunbelt Drive South, the following:

South 24° 45' 23" West 10.60 feet to a ½-inch iron pin found at the Point-of-Curvature of a curve whose radius point bears North 65° 14' 37" West 70.00 feet, whose chord bears South 43° 18' 12" West 44.53 feet and whose interior angle is 37° 05' 37";

Thence in a Southwesterly direction, 45.32 feet, along the arc of said curve to a ½-inch iron pin found at the Point-of-Tangency;

Thence, South 61° 51' 00" West, 166.68 feet to a ½-inch iron pin found at the Point-of-Curvature of a curve whose radius point bears North 28° 09' 00" West 70.00 feet, whose chord bears North 73° 07' 34" West 99.04 feet and whose interior angle is 90° 02' 52";

Thence in a Northwesterly direction, 110.01 feet to a ½-inch iron pin found at the Point-of-Tangency;

Thence, North 28° 06' 08" West, 115.87 feet to a ½-inch iron pin found at the Point-of-Curvature of a curve whose radius point bears South 61° 53' 52" West 180.00 feet, whose chord bears North 43° 07' 34" West 93.32 feet and whose interior angle is 30° 02' 52";

Thence in a Northwesterly direction, 94.40 feet, along the arc of said curve, to a ½-inch iron pin found at the Point-of-Tangency;

Thence, North 58° 09' 00" West, 70.91 feet to a ½-inch iron pin found at the Point-of-Curvature of a curve whose radius point bears North 31° 51' 00" East 25.00 feet, whose chord bears North 16° 37' 17" West 33.15 feet and whose interior angle is 83° 03' 26";

THENCE, in a Northeasterly direction, 36.24 feet, along the arc of said curve to a ½-inch iron pin found in the Southeast Right-of-Way line of Northeast Parkway, at the Point-of-Reverse-

VOL 8860 PG 0741

Curvature of a curve whose radius point bears North 65° 05' 34" West 430.00 feet, whose chord bears North 22° 12' 02" East 40.61 feet and whose interior angle is 05° 24' 48";

THENCE, in a Northeasterly direction, 40.63 feet, along the arc of said curve and the Southeast Right-of-Way line of Northeast Parkway to a ½-inch iron pin set at the Northwest corner of the herein described tract;

THENCE North 61° 56' 11" East, 309.25 feet, along the Northwest line of the herein described tract, to a ½-inch iron pin found for the Northeast corner of the herein described tract, being the Northwest corner of said Lot 3;

THENCE, South 28° 06' 8" East, 374.87 feet, along the East line of the herein described tract and the West line of said Lot 3, to the POINT-OF-BEGINNING, containing 2.721 acres of land.

VOL 8860 PG 0742

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on the date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

MAY - 3 2001



Gerry Rickhoff

COUNTY CLERK BEXAR COUNTY, TEXAS

Filed for Record in:
BEXAR COUNTY, TX
GERRY RICKHOFF, COUNTY CLERK

On May 03 2001
At 4:08pm

Receipt #: 433820
Recording: 11.00
Doc/Mgt: 6.00
Doc/Num: 2001-0073813
Deputy -RUBIANA EVANS