

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

ORDINANCE

**AUTHORIZING THE CLOSURE, VACATION, AND
ABANDONMENT OF 0.429 ACRE OF AN IMPROVED PORTION OF
KARNES STREET PUBLIC RIGHT-OF-WAY AS REQUESTED BY
RIO PERLA PROPERTIES, LP FOR A FEE OF \$ \$487,650.00 IN CITY
COUNCIL DISTRICT 1.**

* * * * *

WHEREAS, Petitioner Rio Perla Properties, LP (“Petitioner”) is requesting the City of San Antonio to close, vacate and abandon the improved Karnes Street Public Right-of-Way located within the Pearl District in New City Blocks 959 and 14164 in City Council District 1 as shown on **Exhibit “A”** consisting of 0.429 acre (18,705 square feet) (“Subject Property”); and

WHEREAS, Petitioner owns all abutting property to the Subject Property which includes the former Samuels Glass Company building located at 221 Newell Avenue; and

WHEREAS, if approved, Petitioner plans to repurpose Subject Property into a pedestrian-friendly space with wide sidewalks and landscaping and redevelop the former Samuels Glass Company building, located on one of the abutting parcels, into a commercial mixed-use area that would accommodate retail, food & beverage, and an event space; and

WHEREAS, if the closure is approved, Petitioner would provide a fire apparatus ingress/egress by means of an easement; and

WHEREAS, there was no opposition to the closures by City departments or utilities during the canvassing process and the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on November 13, 2019; and

WHEREAS, in compliance with Chapter 37, Section 37-2(ii) of the City Code, fair market value of the proposed closure was based upon an independent State of Texas Certified Professional Appraisal Report prepared by Noble & Associates, Inc. on August 9, 2019 and the subject property was assessed at \$975,000.00; Petitioner applied and was approved for ICR/IP waivers administered by the City’s Center City Development & Operations (CCDO) Department; based on the proposed level of investment totaling \$25.5 million, the project is eligible for a 50% reduction of the closure fee, a discount totaling \$(487,500.00); the fee to be paid by Petitioner is the net amount of the assessed fair market value of the property plus the ICRIP investment discount plus a \$150.00 administrative costs fee, totaling \$487,650.00; **NOW THEREFORE**,

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

SECTION 1. The City Council hereby authorizes, for a Final Closure Fee of \$\$487,650.00 the closure, vacation, and abandonment of its Right of Way interests as to .429 acre consisting of the

improved portion of Karnes Street as shown in **Exhibit “A”** and more accurately described in **Exhibit “B”** conditioned upon Petitioner providing fire apparatus ingress/egress by means of an easement.

SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit “B”** controls over any discrepancy between it and **Exhibit “A”**.

SECTION 3. Revenue generated from this sale will be deposited into the General Fund in accordance with the FY 2020 Adopted Budget.

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 Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers 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 _____ day of _____, 2019.

M A Y O R
Ron Nirenberg

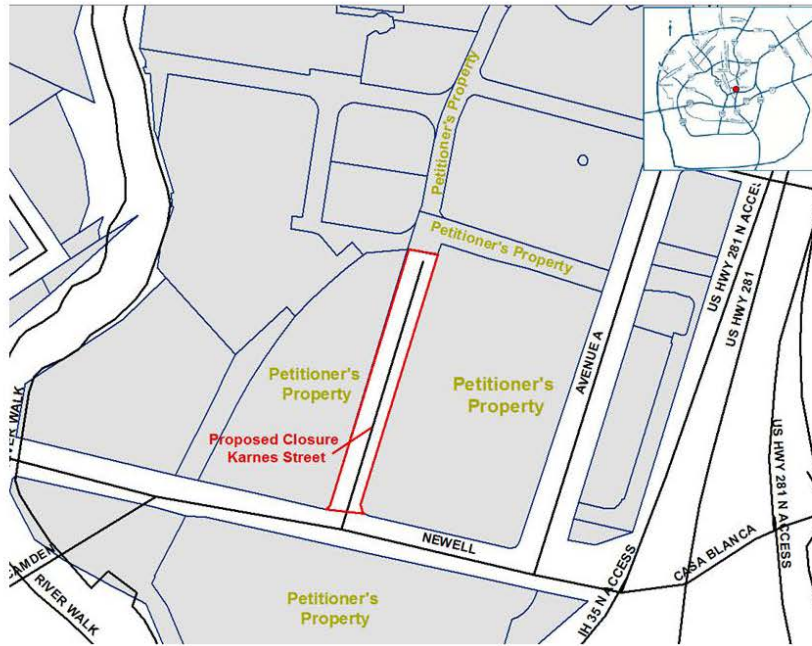
ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

Exhibit A





METES AND BOUNDS DESCRIPTION
FOR KARNES STREET

A 0.429 acre, or 18,705 square feet more or less, tract of land comprised of all of the remainder of Karnes Street north of Newell Avenue, said Karnes Street established as a 45-foot public right-of-way in the O.S. Newell Subdivision, an antiquated plat recorded in Volume 72, Page 521 of the Deed Records of Bexar County Texas, and that 0.001 acre dedicated to public right-of-way in the Pearl Brewery Development Unit 4 subdivision recorded in Volume 9621, Page 160 of the Deed and Plat Records of Bexar County, Texas, now between New City Blocks 959 and 14164 of the City of San Antonio, Bexar County, Texas. Said 0.429-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 set nail with cap marked "Pape-Dawson" at the southeast corner of the herein described tract, on the north right-of-way line of Newell Street, a 60-foot wide public right-of-way this point, at the east corner of said 0.001-acre tract;

THENCE: N 77°31'28" W, a distance of 16.29 feet to a set nail with cap marked "Pape-Dawson", the southwest corner of said 0.001-acre tract, the original southeast corner of said Karnes Street;

THENCE: N 84°15'10" W, a distance of 45.98 feet to a set nail with cap marked "Pape-Dawson" at the southwest corner of said Karnes Street, and the southeast corner of a 0.0003-acre tract dedicated to right-of-way in deed to the State of Texas recorded in Volume 3268, Pages 1298-1303 of the Official Public Records of Real Property of Bexar County, Texas;

THENCE: N 17°12'22" E, with the west right-of-way of said Karnes Street, and east line of New City Block 959 a distance of 416.83 feet to a found ½" iron rod with cap marked "Pape-Dawson" at the southeast corner of Lot 909, Block 1 of said Pearl Brewery Development Unit 4;

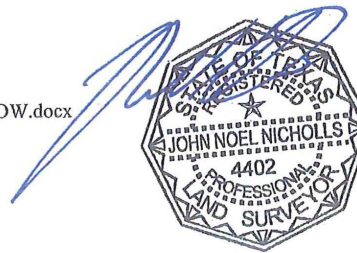
THENCE: S 77°30'53" E, with the line of said Lot 909 a distance of 45.15 feet to a set ½" iron rod with yellow cap marked "Pape-Dawson" on the west line of Lot 10, Block 1 of said Pearl Brewery Development Unit 4, an angle of said Lot 909, and the northeast corner of the herein described tract;

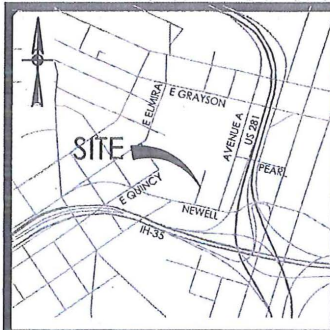
THENCE: S 17°11'47" W, with the east line of said Karnes Street, and west line of said Lot 10 a distance of 395.12 feet to a set nail with cap marked "Pape-Dawson";

Karnes Street
0.429 Acre
Job No: 9244-18

THENCE: Along a non-tangent curve to the right, said curve having a radial bearing of S 72°48'27" E, a radius of 15.00 feet, a central angle of 94°43'01", a chord bearing and distance of S 30°09'57" E, 22.07 feet, for an arc length of 24.80 feet to the POINT OF BEGINNING, and containing 0.429 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 9224-18 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: October 4, 2018
JOB NO. 9224-18
DOC. ID. N:\Survey18\18-9200\9224-18\Word\9224-18 Karnes ROW.docx





LOCATION MAP
MAPSCO: 617 A3
NOT-TO-SCALE

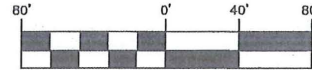
LEGEND:

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



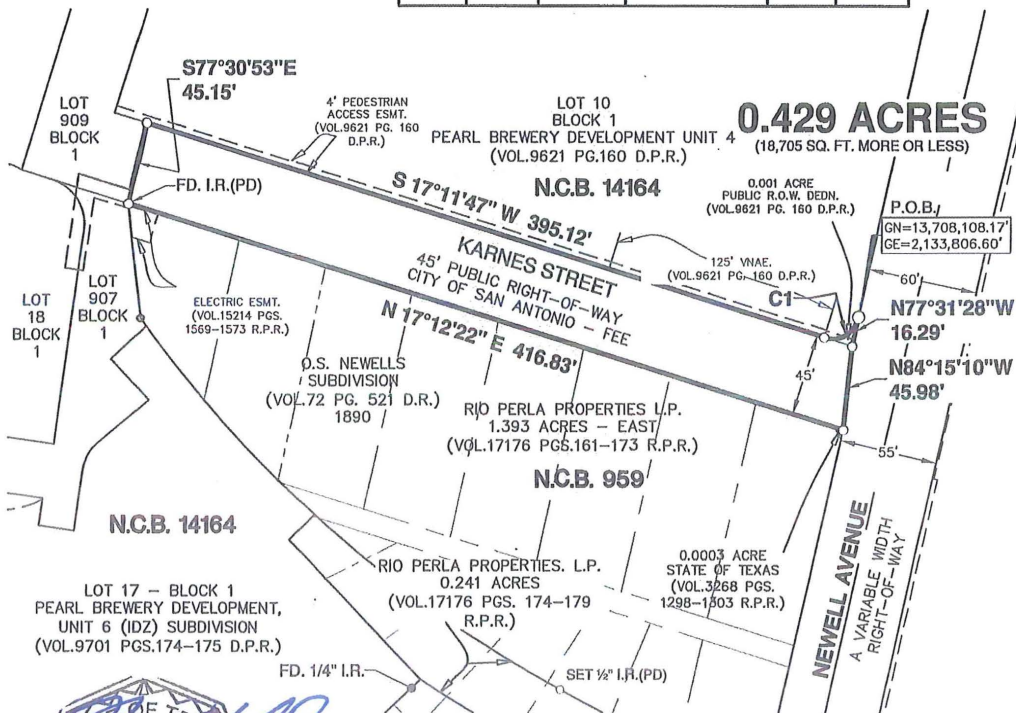
NOTES:

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.



SCALE: 1" = 80'

| CURVE TABLE | | | | | |
|-------------|--------|-----------|---------------|--------|--------|
| CURVE | RADIUS | DELTA | CHORD BEARING | CHORD | LENGTH |
| C1 | 15.00' | 94°43'01" | S30°09'57"E | 22.07' | 24.80' |



PAPE-DAWSON ENGINEERS

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.0000
TPE FIRM REGISTRATION #470 | TPLS FIRM REGISTRATION #10028000

EXHIBIT

FOR KARNES STREET

A 0.429 ACRE, OR 18,705 SQUARE FEET MORE OR LESS, TRACT OF LAND COMPRISED OF ALL OF THE REMAINDER OF KARNES STREET NORTH OF NEWELL AVENUE, SAID KARNES STREET ESTABLISHED AS A 45-FOOT PUBLIC RIGHT-OF-WAY IN THE O.S. NEWELL SUBDIVISION, AN ANTIQUATED PLAT RECORDED IN VOLUME 72, PAGE 521 OF THE DEED RECORDS OF BEXAR COUNTY TEXAS, AND THAT 0.001 ACRE DEDICATED TO PUBLIC RIGHT-OF-WAY IN THE PEARL BREWERY DEVELOPMENT UNIT 4 SUBDIVISION RECORDED IN VOLUME 9621, PAGE 160 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, NOW BETWEEN NEW CITY BLOCKS 959 AND 14164 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS.

Date: Oct. 04, 2018, 12:17pm, User: JN, NICHOLLS, File: N:\Survey\18\18-2000\9224-1\18-9224-1B_Karnes_Closure.dwg

000000000-0014-18

October 4, 2018

SHEET 1 OF 1
JOB No.: 9224-18

EXHIBIT "B"