

AN ORDINANCE **2016-04-28-0309**

**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 5.421 acres of land out of NCB 13811 from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Oversized Vehicle Sales, Service and Storage.

**SECTION 2.** A description of the property is attached as **Attachment "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 May 8, 2016.


**PASSED AND APPROVED** this 28th day of April, 2016.



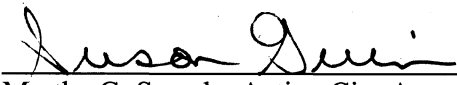
M A Y O R

Ivy R. Taylor

ATTEST:

  
\_\_\_\_\_  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
for Martha G. Sepeda, Acting City Attorney

<b>Agenda Item:</b>	<b>Z-3 ( in consent vote: Z-1, P-1, Z-2, Z-3, Z-4, Z-5, Z-6, Z-9 )</b>						
<b>Date:</b>	04/28/2016						
<b>Time:</b>	02:05:53 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2016003 CD (Council District 2): An Ordinance amending the Zoning District Boundary from "C-2 AHOD" Commercial Airport Hazard Overlay District to "C-2 CD AHOD" Commercial Airport Hazard Overlay District with Conditional Use for Manufactured Home/Oversized Vehicle Sales, Service and Storage on 5.421 acres of land out of NBC 13811 located at 5315, 5319, and 5331 Sherri Ann Road. Staff and Zoning Commission recommend Approval.						
<b>Result:</b>	Passed						
<b>Voter</b>	<b>Group</b>	<b>Not Present</b>	<b>Yea</b>	<b>Nay</b>	<b>Abstain</b>	<b>Motion</b>	<b>Second</b>
Ivy R. Taylor	Mayor		x				
Roberto C. Treviño	District 1		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			x	
Joe Krier	District 9		x				
Michael Gallagher	District 10		x				x

22016003

**Warranty Deed**

**Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your Social Security number or your driver's license number.**

Date: August 11, 2015

Grantor: Pompa Capital, LLC, a Texas limited liability company

Grantor's Mailing Address:

Grantee: Javier Sarreon

Grantee's Mailing Address: 4638 Avenida Prima, San Antonio, TX 78233

Consideration: Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

**TRACT 1: Being 3.569 acres of land, more or less, being all of Lot 23, New City Block 13811, Bexar County, Texas, and being out of and a part of that 5.441 acres conveyed in a Special Warranty Deed recorded in Volume 14211 Page 1645, Official Public Records, Bexar County, Texas, said 3.569 acres being more particularly described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.**

**TRACT 2: Being 0.926 acres of land, more or less, being the South one-half of Lot 25, New City Block 13811, Morningside Park, Unit 4, according to the map or plat thereof recorded in Volume 6600, Page 182, Deed and Plat Records, Bexar County, Texas, and being out of and a part of that 5.441 acres conveyed in a Special Warranty Deed recorded in Volume 14211 Page 1645, Official Public Records, Bexar County, Texas, said 0.926 acres being more particularly described by metes and bounds in Exhibit "B" attached hereto and made a part hereof.**

**TRACT 3: Being 0.926 acres of land, more or less, being the North one-half of Lot 25, New City Block 13811, Morningside Park, Unit 4, according to the map or plat thereof recorded in Volume 6600, Page 182, Deed and Plat Records, Bexar County, Texas, and being out of and a part of that 5.441 acres conveyed in a Special Warranty Deed recorded in Volume 14211 Page 1645, Official Public Records, Bexar County, Texas, said 0.926 acres being more particularly described by metes and bounds as follows in Exhibit "C" attached hereto and made a part hereof.**

**Reservations from and Exceptions to Conveyance and Warranty: This conveyance, however, is made and accepted subject to the following matters, to the extent same are in effect at this time: any and all restrictions, covenants, assessments, reservations, outstanding mineral interests held by third parties, 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 County and**

Attachment "A"

REC- Stone Oak  
1523927-SOSA/KA

State or to the extent that they are apparent upon reasonable inspection of the property; and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any, but only to the extent they are still in effect and relating to the hereinabove described property.

The Contract between Grantor as the Seller and Grantee as the Buyer, if any, may contain limitations as to warranty or other agreed matters; to the extent that the Contract provides for any such limitations or other agreed matters to survive closing and this conveyance, then such limitations or other agreed matters are hereby deemed incorporated by reference. The warranty of title contained in this Deed is hereby expressly excluded from the limitations or other agreed matters referenced in this paragraph.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

When the context requires, singular nouns and pronouns include the plural.

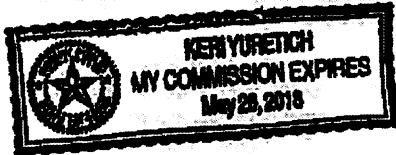
**Pompa Capital, LLC;**  
**a Texas limited liability company**

By:   
Philip Pompa, Member

72016003

STATE OF TEXAS  
COUNTY OF DALLAS

This instrument was acknowledged before me on this 11th day of August, 2015, by Phillip Pompa, Member of Pompa Capital, L.L.C, a Texas limited liability company, on behalf of said limited liability company.



*[Handwritten Signature]*  
Notary Public, State of Texas

AFTER RECORDING RETURN TO:  
Javier Sarreon

Exhibit A  
METERS AND BOUNDS

Being 3,569 acres of land, more or less, being all of Lot 23, New City Block 13811, Bexar County, Texas, and being out of and a part of that 3,441 acres conveyed in a Special Warranty Deed recorded in Volume 14211 Page 1645, Official Public Records, Bexar County, Texas, said 3,569 acres being more particularly described by meters and bounds as follows:

**BEGINNING** at a 1/2 inch iron rod found for the southeast corner of said Lot 23, same being the southeast corner of Lot 24, New City Block 13611 and on the northwest Right-of-Way line of Sherri Ann Road, same also being the northeast corner of this 3,569 and the southeast corner of said 5,441 acres, same also being the **POINT OF BEGINNING**;

**THENCE** along the northwest Right-of-Way line of Sherri Ann Road, South 57 degrees 00 minutes 02 seconds West (called South 56 degrees 57 minutes 02 seconds West), a distance of 235.12 feet to a 1/2 inch iron rod set for the southwest corner of this 3,569 acres, from which an iron rod found bears North 62 degrees 06 minutes 54 seconds West, a distance of 1.29 feet, same being the southeast corner of Lot 25, New City Block 13811, Morningside Park, Unit 4, according to the map or plat thereof recorded in Volume 6600, Page 182, Deed and Plat Records, Bexar County, Texas;

**THENCE** along the West line of this 3,569 acres, North 05 degrees 30 minutes 29 seconds West (called North 05 degrees 01 minutes 18 seconds West), at a distance of 374.34 feet pass a 1/2 inch iron rod set for the northeast corner of the South one-half of said Lot 25, same being the southeast corner of the North one-half of said Lot 25, and continuing for a total distance of 777.66 feet (called 775.33 feet) to a 1/2 inch iron rod set for the northwest corner of this 3,569 acres, same being on the South line of Lot 14, Block 12, New City Block 13774, Morningside, Unit 1, (Volume 3850, Page 25);

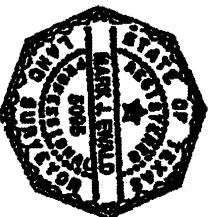
**THENCE** along the line common to this 3,569 acres and said Morningside, Unit 1, South 89 degrees 59 minutes 57 seconds East (called South 89 degrees 52 minutes 45 seconds East), at a distance of 4,70 feet pass a 1/2 inch iron rod found 0.10 feet to the left for the southeast corner of said Lot 14 and the southwest corner of Lot 15, of said Morningside, Unit 1, at a distance 61.94 feet pass a 1/2 inch iron rod found 0.26 to the left for the southeast corner of said Lot 15, same being the southwest corner of Lot 16, of said Morningside, Unit 1, at a distance of 118.59 feet pass a 1/2 inch iron rod found 0.50 feet left for the southeast corner of said Lot 16, same being the southwest corner of Lot 17 of said Morningside, Unit 1, and continuing for a total distance of 231.25 feet to a 1/2 inch iron rod found for the northeast corner of this 3,569 acres, same being a point on the South line of Lot 18, of said Morningside, Unit 1 and the northwest corner of said Lot 24;

**THENCE** along the line common to this 3,569 acres and said Lot 24, South 02 degrees 58 minutes 05 seconds East, a distance of 647.53 feet to the **POINT OF BEGINNING**, and enclosing 3,569 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings are based on actual GPS observations, Texas State Plane System, South Central Zone, Grid.



Mark J. Ewald  
Registered Professional Land Surveyor  
Texas Registration No. 5095  
February 6, 2014



Amended on March 17, 2014 based upon new evidence found in the field.

## METES AND BOUNDS

Being 0.926 acres of land, more or less, being the South one-half of Lot 25, New City Block 13811, Morningglade Park, Unit 4, according to the map or plat thereof recorded in Volume 6600, Page 182, Deed and Plat Records, Bexar County, Texas, and being out of and a part of that 5.441 acres conveyed in a Special Warranty Deed recorded in Volume 14211 Page 1645, Official Public Records, Bexar County, Texas, said 0.926 acres being more particularly described by metes and bounds as follows:

**BEGINNING** at a 3/4 inch iron pipe found for the southwest corner of said Lot 25, same being the southwest corner of Lot 21, New City Block 13811 and on the northwest Right-of-Way line of Sherril Ann Road, same also being the southwest corner of this 0.926 and the **POINT OF BEGINNING;**

**THENCE** along the line common to this 0.926 acres and said Lot 21, North 05 degrees 02 minutes 47 seconds West (called North 05 degrees 05 minutes 15 seconds West), a distance of 435.89 feet to a 1/2 inch iron rod set for the northwest corner of this 0.926 acres, same being the southwest corner of the North one-half of said Lot 25, surveyed this same date;

**THENCE** departing the West line of and reversing said Lot 25, South 89 degrees 59 minutes 57 seconds East, a distance of 100.16 feet to a 1/2 inch iron rod set for the northeast corner of this 0.926 acres, same being the southeast corner of said North one-half of said Lot 25 and on the West line of Lot 23, New City Block 13811;

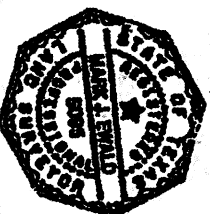
**THENCE** along the line common to this 0.926 acres and Lot 23, South 04 degrees 59 minutes 13 seconds East (called South 05 degrees 01 minutes 18 seconds East), at a distance of 374.34 feet to a 1/2 inch iron rod set for the southeast corner of this 0.926 acres, from which a iron rod found bears North 62 degrees 06 minutes 54 seconds West, 1.29 feet, said set iron rod also being the southwest corner of said Lot 23 and on the northwest Right-of-Way line of Sherril Ann Road;

**THENCE** along the northwest Right-of-Way line of said Sherril Ann Road, South 57 degrees 00 minutes 02 seconds West (called South 56 degrees 57 minutes 02 seconds West), a distance of 112.51 feet to the **POINT OF BEGINNING**, and containing 0.926 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings are based on actual GPS observations, Texas State Plane System, South Central Zone, GMA.



MARK J. EWALD  
Registered Professional Land Surveyor  
Texas Registration No. 5095  
February 6, 2014



Amended on March 17, 2014 based upon new evidence found in the Deed.

Exhibit C

METERS AND BOUNDS

Being 0.926 acres of land, more or less, being the North one-half of Lot 25, New City Block 13811, Morningglade Park, Unit 4, according to the map or plat thereof recorded in Volume 6600, Page 182, Deed and Plat Records, Bexar County, Texas, and being out of and a part of that 5.441 acres conveyed in a Special Warranty Deed recorded in Volume 14211 Page 1645, Official Public Records, Bexar County, Texas, said 0.926 acres being more particularly described by notes and bounds as follows:

**COMMENCING** at a 3/4 inch iron pipe found for the southwest corner of said Lot 25, same being the southeast corner of Lot 21, New City Block 13811 and on the northwest Right-of-Way line of Sherri Ann Road, same also being the southwest corner of the South one-half of said Lot 25, surveyed this same date and the **POINT OF COMMENCEMENT**;

**THENCE** along the line common to said Lot 25 and said Lot 21, North 05 degrees 02 minutes 47 seconds West (called North 05 degrees 05 minutes 15 seconds West), a distance of 435.89 feet to a 1/2 inch iron rod set for the northwest corner of said South one-half of said Lot 25, same also being the southwest corner of this 0.926 acres and on the northeast line of the Corvina Plaza Apartments, LTD, (Volume 7204, Page 2026), same also being the **POINT OF BEGINNING**;

**THENCE** along the line common to this 0.926 acres and said Plaza tract, North 05 degrees 02 minutes 47 seconds West (called North 05 degrees 05 minutes 15 seconds West), a distance of 403.35 feet to a 1/2 inch iron rod found for the northwest corner of this 0.926 acres, same being the northeast corner of Morningglade Park Unit 2 (Volume 4305, Page 187) and the southeast corner of Lot 12, Block 12, Morningglade Subdivision, Unit 1 (Volume 3850, Page 25), same also being the southwest corner of Lot 13, Block 12, Morningglade Subdivision, Unit 1 (Volume 3850, Page 25);

**THENCE** along the line common to this 0.926 acres and Morningglade Subdivision, Unit 1, South 89 degrees 59 minutes 57 seconds East (called South 89 degrees 52 minutes 45 seconds East), at a distance of 418.69 feet pass a 1/2 inch iron rod found 0.41 feet to the left for the southeast corner of said Lot 13 and the southwest corner of Lot 14, of said Morningglade Subdivision, Unit 1, and continuing for a total distance of 100.58 feet to a 1/2 inch iron rod set for the northeast corner of this 0.926 acres, same being on the South line of said Lot 14;

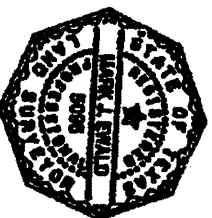
**THENCE**, along the line common to this 0.926 acres and said Lot 23, South 04 degrees 59 minutes 13 seconds East (called South 05 degrees 01 minutes 18 seconds East), a distance of 403.32 feet to a 1/2 iron rod set for the southeast corner of this 0.926 acres, same being the northeast corner of said South one half of Lot 25;

**THENCE** departing the East line of and surveying said Lot 25, North 89 degrees 59 minutes 57 seconds West, a distance of 100.16 feet to the **POINT OF BEGINNING**, and containing 0.926 acres of land, more or less.

I hereby certify that these field notes were prepared from an actual survey made on the ground under my supervision and are true and correct to the best of my knowledge and belief. A survey plat of the above described tract prepared this day is hereby attached to and made a part hereof. Bearings are based on actual GPS observations, Texas State Plane System, South Central Zone, GFDL.



Mark J. Ewald  
Registered Professional Land Surveyor  
Texas Registration No. 9895  
February 6, 2014



Amended on March 17, 2014 based upon new evidence found in the field.