

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

AN ORDINANCE

**AUTHORIZING THE RESTRICTION OF A 0.177 ACRE
IMPROVED SEGMENT OF CALDER STREET IN COUNCIL
DISTRICT 1 TO PEDESTRIAN AND EMERGENCY VEHICLE
TRAFFIC.**

* * * * *

WHEREAS, a cooperative agreement between Bexar County, Texas, and the San Antonio River Authority to complete the design for the San Pedro Creek Improvements Project (the “Project”) was approved by San Antonio River Authority on January 15, 2014 and Bexar County on February 18, 2014; and

WHEREAS, in order to complete the Project the San Antonio River Authority is required to acquire or restrict various property interests adjacent or near San Pedro Creek, some of which are currently owned or managed by the City of San Antonio; and

WHEREAS, approval of this request will result in the development of improvements along and near the San Pedro Creek that will create a world class experience for residents and visitors of San Antonio; and

WHEREAS, upon completion, the San Pedro Creek Improvements Project is expected to enhance containment of the 100-year floodplain, restore and improve water quality, reconnect people to a storied and historic natural resource, catalyze economic growth, and drive revitalization efforts that progress the social and economic well-being of the San Antonio community; and

WHEREAS, this restriction will promote safety along the San Pedro Creek and alleviate the City of San Antonio from unnecessary maintenance and other costs associated with vehicular traffic; **NOW THEREFORE**,

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

SECTION 1. Subject to the reservation below, as an exercise of its discretion, the City Council authorizes the restriction of the right of way segment (“Right of Way Segment”) identified in Section 2 of this Ordinance to pedestrian and emergency vehicle use. Emergency vehicle use shall include Solid Waste Management Department vehicles for the purpose of collecting trash and recycling at abutting City-owned or leased buildings and to service any public litter or recycling receptacle in the area. The City Manager or her designee are authorized and directed to take all action necessary to execute this restriction.

SECTION 2. The detailed description of the Right of Way Segment is set forth on **Attachment I**.

SECTION 3. The properties abutting the Right-of-Way Segment are:

Address:	Description:	Owner Listed by Bexar Appraisal District
322 W Commerce St	NCB 254 BLK LOT 1 THRU 4, & N IRR 1.17 FT OF W 80.8 OF 5	CITY OF SAN ANTONIO
322 W COMMERCE ST	NCB 254 BLK LOT N 98.02 FT OF S 244.49 FT OF BLK	CITY OF SAN ANTONIO
601 DOLOROSA	NCB 254 BLK LOT S 113.78 FT OF BLK	CARTER PAUL B
310 W COMMERCE ST	NCB 117 BLK 1 LOT 1 CASA MARTIS	AM YAKES LLC
105 PLAZA DE ARMAS	NCB 117 BLK LOT A6 OR 4	CITY OF SAN ANTONIO
115 PLAZA DE ARMAS	NCB 117 BLK LOT A2 THRU A5	CITY OF SAN ANTONIO

The listing above is made solely to facilitate indexing this Ordinance in the real property records. If the listing is inaccurate or not comprehensive, it does not affect the validity of the closure.

SECTION 4. This ordinance does not affect any water, recycled water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, that are located in the Right-of-Way Segment or that may be located there in future.

SECTION 5. 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 6: 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 7. 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 _____, 2016.

M A Y O R
Ivy R. Taylor

ATTEST:

APPROVED AS TO FORM:

Leticia M. Vacek, City Clerk

City Attorney

DRAFT

Attachment I

Parcel Calder St.
Project Name: San Pedro Creek
Page 1 of 3

Metes and Bounds Description
for a
0.177 Ac. Tract
(7,713 sq. ft.)

Being 0.177 acre of land (7,713 sq. ft.) and being all of the Calder St. Right-Of-Way, San Antonio, Bexar County, Texas; said tract of land being bounded to the north by Commerce St., to the east by Lot 1, Block 1, New City Block 117, Casa Marti's Subdivision, San Antonio, Bexar County, Texas, recorded in Volume 9574, Page 203, Deed and Plat Records of Bexar County, Texas, by the Spanish Governor's Palace (National Register of Historic Places, United States Department of the Interior, National Park Service), recorded in Volume 1079, Page 552, Deed Records of Bexar County, Texas, and by a 25,851 sq. ft. tract being Lots A2, A3, A4, and A5, New City Block 117, San Antonio, Bexar County, Texas, recorded in Volume 3898, Page 1321, Official Public Records of Real Property of Bexar County, Texas, to the south by Dolorosa St., and to the west by the San Pedro Creek; said 0.177 acre tract (7,713 sq. ft.) being more particularly described as follows:

Beginning at a set PK Nail located at the intersection of the south right-of-way line of Commerce St. with the east right-of-way line of Calder St.; said PK Nail being the northwest corner of the said Lot 1 and also being the northeast corner of the tract herein described;

Thence The following calls along the said east right-of-way line of Calder St., being the east line of the tract herein described:

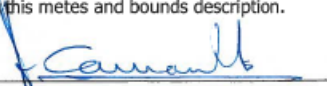
1. S 01°57'43" W, 38.10 feet departing the said south right-of-way line and continuing along the common line with the said Lot 1 to a set PK Nail located at the common most westerly corner of the said Lot 1 and the said Spanish Governor's Palace; said PK Nail being an angle point of the tract herein described;
2. S 00°38'20" W, 98.92 feet departing the said common line and continuing along the common line with the said Spanish Governor's Palace to a set 1/2" iron pin with yellow cap labeled "PCI" (hereinafter referred to as "IP W/YC") located at the common most westerly corner of the said Spanish Governor's Palace and the said 25,851 sq. ft. tract; said iron pin being an angle point of the tract herein described;

Parcel Calder St.
Project Name: San Pedro Creek
Page 2 of 3

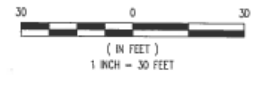
3. S 01°21'22" W, 123.72 feet departing the said common line and continuing along the common line with the said 25,851 sq. ft. tract to a set PK Nail for an angle point;
4. S 02°19'13" W, 26.19 feet continuing along the common line to a set PK Nail located at the intersection with the north right-of-way line of Dolorosa St.; said PK Nail being the southwest corner of the said 25,851 sq. ft. tract and also being the southeast corner of the tract herein described;
5. Thence N 83°43'00" W, 26.10 feet departing the said east right-of-way line of Calder St. and continuing along the said north right-of-way line to a set PK Nail located at the intersection with the east right-of-way line of the San Pedro Creek; said PK Nail being the southwest corner of the tract herein described;
6. Thence N 00°57'52" E, 283.58 feet departing the said north right-of-way line of Dolorosa St. and continuing along the said east right-of-way line to a set PK Nail located at the intersection with the south right-of-way line of Commerce St; said PK Nail being the northwest corner of the tract herein described;
7. Thence N 89°03'48" E, 27.57 feet departing the east said right-of-way line of the San Pedro Creek and continuing along the said south right-of-way line to the **Point of Beginning** and containing 0.177 acre of land (7,713 sq. ft.), more or less.

A plat of even date accompanies this metes and bounds description.



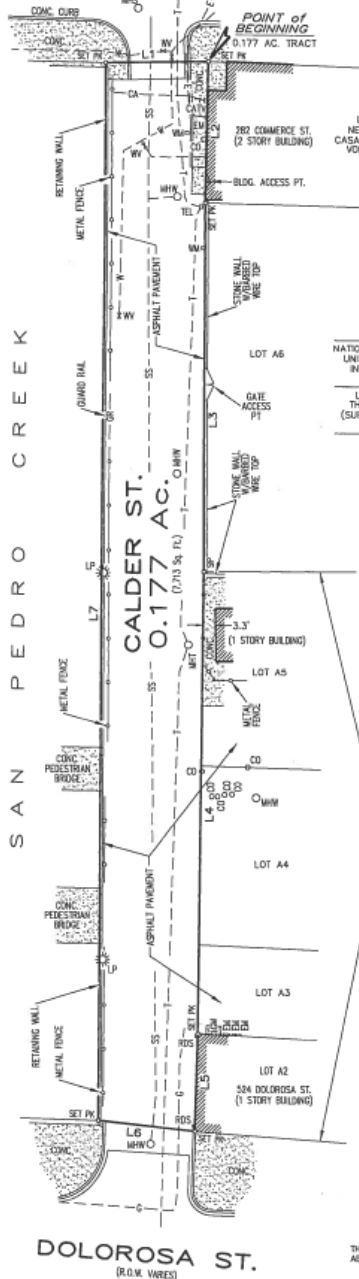

Adalberto Camarillo
Registered Professional Land Surveyor
No. 3929
May 21, 2015

ROZNECKI INC.
AMARILLO
9030 CALLAGHAN RD., SUITE 200
SAN ANTONIO, TEXAS 78228 210.349.3273



PARCEL NO. CALDER ST.
PROJECT NAME: SAN PEDRO CREEK

COMMERCE ST.
(R.O.M. VARES)



LINE DATA TABLE

NO.	BEARING	LENGTH
L1	N89°03'48"E	27.57'
L2	S01°57'43"W	38.10'
L3	S00°38'30"W	98.92'
L4	S01°21'22"W	123.72'
L5	S02°18'13"W	26.19'
L6	N83°43'00"W	28.10'
L7	N00°57'52"E	283.58'

LEGEND

- WV -- WATER VALVE
- WM -- WATER METER
- CO -- CLEAN OUT
- CATV -- CABLE/TV
- TEL -- TELEPHONE PEDESTAL
- MHW -- MANHOLE (WASTE)
- MHT -- MANHOLE (TELEPHONE)
- MIS -- MANHOLE (DRAINAGE)
- EM -- ELECTRIC METER
- LP -- LIGHT POLE
- CA -- CABLE/TV LINE
- W -- WATER LINE
- SS -- SEWER LINE
- G -- GAS LINE
- E -- ELECTRIC LINE
- T -- TELEPHONE LINE
- RDS -- ROOF DOWN SPOUT
- GM -- GAS METER

- NOTES :
- "SP" DENOTES SET 1/2" IRON PIN WITH YELLOW CAP LABELED "P"
 - "SET PK" DENOTES A PK NAIL WITH METAL WASHER STAMPED "PK"
 - "SET X" DENOTES "X" ETCHED IN CONCRETE.
 - "FIP" DENOTES FOUND IRON PIN.
 - "D.P.R.P.B.C.TX." - DEED & PLAT RECORDS OF BEXAR COUNTY, TEXAS.
 - "O.P.R.P.B.C.TX." - OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS.
 - "D.R.B.C.TX." - DEED RECORDS OF BEXAR COUNTY, TEXAS.

DIRECTIONAL CONTROL BASIS :
ALL BEARINGS SHOWN ARE BASED UPON THE TEXAS STATE PLANE SYSTEM (SOUTH CENTRAL ZONE NAD 83) AS DETERMINED BY GLOBAL POSITIONING SYSTEM (GPS).

PLAT SHOWING :
BEING 0.177 ACRE OF LAND (7,713 SQ. FT.) AND BEING ALL OF THE CALDER ST. RIGHT-OF-WAY, SAN ANTONIO, BEXAR COUNTY, TEXAS; SAID TRACT OF LAND BEING BOUNDED TO THE NORTH BY COMMERCE ST., TO THE EAST BY LOT 1, BLOCK 1, NEW CITY BLOCK 117, CASA MARTI'S SUBDIVISION, SAN ANTONIO, BEXAR COUNTY, TEXAS, RECORDED IN VOLUME 9574, PAGE 203, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, BY THE SPANISH GOVERNOR'S PALACE (NATIONAL REGISTER OF HISTORIC PLACES, UNITED STATES DEPARTMENT OF THE INTERIOR, NATIONAL PARK SERVICE), RECORDED IN VOLUME 1079, PAGE 502, DEED RECORDS OF BEXAR COUNTY, TEXAS, AND BY A 25,851 SQ. FT. TRACT BEING LOTS A2, A3, A4, AND A5, NEW CITY BLOCK 117, SAN ANTONIO, BEXAR COUNTY, TEXAS, RECORDED IN VOLUME 3898, PAGE 1321, OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, TO THE SOUTH BY DOLOROSA ST., AND TO THE WEST BY THE SAN PEDRO CREEK.

REFERENCES :
VOL. 9574, PG. 203 (D.P.R.B.C.TX.)
VOL. 1079, PG. 552 (D.R.B.C.TX.)
VOL. 3898, PG. 1321 (O.P.R.P.B.C.TX.)
JOB NO. : 12013
DWN BY : TALAMANTEZ
DWO FILE : (REF. DATESTAMP)

NOTE:
BUILDINGS SHOWN ON THIS DOCUMENT AS 282 COMMERCE ST., (LOT 1, BLOCK 1, NEW CITY BLOCK 117, CASA MARTI'S SUBDIVISION) AND 524 DOLOROSA ST. (LOT 2A, NEW CITY BLOCK 117) HAVE BUILDING FACES WHICH ABUT THE PROPERTY LINES OF THE 0.177 ACRE TRACT AS DELINEATED HEREIN.

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE ABSTRACT. ADDITIONAL EASEMENTS/RESTRICTIONS MAY APPLY.

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONNEL WORKING UNDER MY SUPERVISION.

THIS 21st DAY OF MAY, 2015, A.D.



ADALBERTO CAMARILLO, R.P.L.S. NO. 3929
SHEET 3 OF 3

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