

AN ORDINANCE 2015-11-19-1003

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 Lot 35 NCB 11928 and 0.516 acres of land out of Lot 32 NCB 11928 from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District and "O-2 AHOD" High-Rise Office Airport Hazard Overlay to "C-2 AHOD" Commercial Airport Hazard Overlay District.

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 November 29th, 2015.

PASSED AND APPROVED this 19th day of November, 2015.



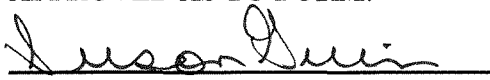
M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:



Martha G. Sepeda, Acting City Attorney

Agenda Item:	Z-24 (in consent vote: 27, 29, P-1, Z-1, P-2, Z-2, Z-4, Z-5, Z-6, P-3, Z-7, Z-8, Z-10, Z-11, Z-12, Z-13, Z-14, Z-15, Z-16, Z-17, Z-18, P-4, Z-20, Z-22, P-5, Z-24)
Date:	11/19/2015
Time:	02:34:55 PM
Vote Type:	Motion to Approve
Description:	ZONING CASE # Z2015284 (Council District 10): An Ordinance amending the Zoning District Boundary from "MF-33 AHOD" Multi-Family Airport Hazard Overlay District, "C-2 AHOD" Commercial Airport Hazard Overlay District and "O-2 AHOD" High-Rise Office Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 1.723 acres of land out of NCB 11928 located at 7701 Broadway Street. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 15081)
Result:	Passed

Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
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			x	
Ron Nirenberg	District 8		x				
Joe Krier	District 9		x				x
Michael Gallagher	District 10		x				

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Grantor, for the consideration and subject to the reservations from and 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 wise belonging, to have and hold it unto Grantee, Grantee's successors and assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part hereof, by, through or under Grantor, but not otherwise, except as to the reservations from and exceptions to warranty.

The vendor's lien against and superior title to the property are retained until the note described is fully paid according to its terms, at which time this deed shall become absolute.

SECURITY STATE BANK has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note described. The vendor's lien and superior title to the property are retained for the benefit of SECURITY STATE BANK and are transferred to that party without recourse on Grantor.

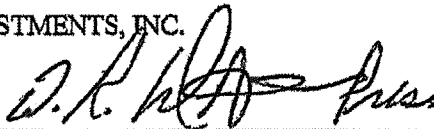
When the context requires, singular nouns and pronouns include the plural.

EXECUTED as of the date set forth above.

GRANTOR:

BOULDER INVESTMENTS, INC.

By (signature):



Printed Name: W.R. Davis

Title: President and Director

By: **GITMEL, LLC**

By (signature):

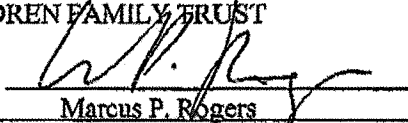


Printed Name: Leonard J. Gittinger, Jr.

Title: Managing Member

By: **SAKS CHILDREN FAMILY TRUST**

By (signature):



Printed Name: Marcus P. Rogers

Title: Interim Trustee

ACKNOWLEDGMENTS

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on April 28, 2015, by W. R. Davis, as President of Boulder Investments, Inc., a Texas corporation, on behalf of said corporation.



Michelle Hebert
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF BEXAR §

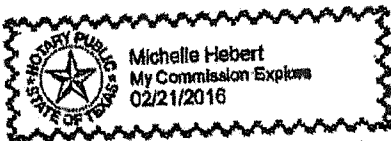
This instrument was acknowledged before me on April 28, 2015, by Leonard Gittinger Jr, as Managing Member of Gitmel, LLC, a Texas limited liability company, on behalf of said limited liability company.



Michelle Hebert
Notary Public, State of Texas

STATE OF TEXAS §
§
COUNTY OF BEXAR §

This instrument was acknowledged before me on April 28, 2015, by Marais Rogers, as Interim Trustee of SAKS CHILDREN FAMILY TRUST, a _____, on behalf of said trust.



Michelle Hebert
Notary Public, State of Texas

AFTER RECORDING, RETURN TO:

Rosenthal Pauerstein Sandoloski Agather LLP
755 E. Mulberry, Suite 200
San Antonio, Texas 78212
Attn: Robert A. Rosenthal

EXHIBIT A**LEGAL DESCRIPTION OF PROPERTY****TRACT 1:**

LOT THIRTY (35), NCB 11928, LYING AND SITUATED WITHIN THE CORPORATE LIMITS OF THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 6600, PAGE 237, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS.

TRACT 2:

0.478 OF AN ACRE OF LAND OUT OF LOT 32, NEW CITY BLOCK 11928, KNIBBE SUBDIVISION UNIT NO. 3, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 5300, PAGE 275, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS BEING THE SAME PROPERTY CALLED TRACT 2 AS DESCRIBED IN DEED RECORDED IN VOLUME 6759, PAGE 1871, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS. SAID 0.478 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" FOUND ON CONCRETE ON THE NORTH RIGHT-OF-WAY LINE OF NOTTINGHAM ROAD MARKING THE SOUTHWEST CORNER OF LOT 35, NEW CITY BLOCK 11928, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 6600, PAGE 237, DEED AND PLAT RECORDS;

THENCE SOUTH 89 DEGREES 51 MINUTES 00 SECONDS WEST 135.04 FEET TO A ½" IRON ROD SET WITH CAP MARKED "RPLS 5578" MARKING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 154.10 FEET TO A MAG NAIL SET WITH WASHER MARKED "RPLS 5578" MARKING THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 135.04 FEET TO AN "X" CHISELED ON CONCRETE FOUND MARKING THE NORTHWEST CORNER OF SAID LOT 35;

THENCE SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST 154.10 FEET ALONG THE WEST LINE OF SAID LOT 35 TO THE POINT OF BEGINNING AND CONTAINING 0.478 OF AN ACRE OF LAND.

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TRACT 3:

0.038 OF AN ACRE OF LAND OUT OF THE SOUTHEAST CORNER OF LOT 32, NEW CITY BLOCK 11928, KNIBBE SUBDIVISION UNIT NO. 3, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 5300, PAGE 275, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; SAID 0.038 OF AN ACRE OF LAND BEING THE SAME PROPERTY CALLED TRACT 3 AS DESCRIBED IN DEED RECORDED IN VOLUME 6759, PAGE 1871, REAL PROPERTY RECORDS, BEXAR COUNTY, TEXAS. SAID 0.038 OF AN ACRE OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN "X" FOUND ON CONCRETE ON THE NORTH RIGHT-OF-WAY LINE OF NOTTINGHAM ROAD MARKING THE SOUTHWEST CORNER OF LOT 35, NEW CITY BLOCK 11928, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 6600, PAGE 237, DEED AND PLAT RECORDS;

THENCE SOUTH 00 DEGREES 05 MINUTES 20 SECONDS EAST 12.45 FEET TO A ½" IRON ROD FOUND ON THE NORTH RIGHT-OF-WAY LINE OF NOTTINGHAM ROAD MARKING THE SOUTHEAST CORNER OF SAID LOT 32;

THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 135.09 FEET ALONG THE NORTH RIGHT-OF-WAY LINE OF NOTTINGHAM ROAD TO A ½ IRON ROD FOUND MARKING THE SOUTHWEST CORNER OF THIS TRACT;

THENCE NORTH 00 DEGREES 09 MINUTES 26 SECONDS EAST 12.10 FEET TO A 1/2 " IRON ROD SET WITH CAP MARKED "RPLS 5578" MARKING THE NORTHWEST CORNER OF THIS TRACT;

THENCE NORTH 89 DEGREES 51 MINUTES 00 SECONDS EAST 135.04 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.038 OF AN ACRE OF LAND.

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Pages 6
04/29/2015 2:54PM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$42.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
04/29/2015 2:54PM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff