

ATTACHMENT III
CITY OF SAN ANTONIO -- CITY OF SHAVANO PARK

DRAFT MEMORANDUM OF AGREEMENT

This Agreement is entered into by and between the City of San Antonio, a Texas Municipal Corporation, acting by and through its City Manager pursuant to Ordinance No._____, and the City of Shavano Park, a Texas Municipal Corporation, acting by and through its City Manager pursuant to Resolution No. _____, Witnesseth:

WHEREAS, the City of Shavano Park requests a Municipal Boundary Adjustment with the City of San Antonio for an exchange of territory, with the City of San Antonio receiving 31.81 acres and the City of Shavano Park receiving 6.24 acres, adjacent to Salado Creek. The City of Shavano Park has requested that the City of San Antonio release from its city limits an area of approximately 4.36 and 1.88 acres so that it may incorporate the area into the city of Shavano Park; and the City of Shavano Park will release 31.81 acres from its city limits to the City of San Antonio. The subject area is generally located to the south of West Loop 1604, to the north of Huebner Road and to the west of Salado Creek in Bexar County, Texas.

WHEREAS, incorporation of this area would allow the City of Shavano Park to exercise jurisdiction over two tracts of land totaling 6.24 acres; and

WHEREAS, incorporation of this area would allow the City of San Antonio to exercise jurisdiction over a tract of land totaling 31.81 acres; and

WHEREAS, both municipalities are desirous of entering into an agreement to permit this situation;

THE PARTIES AGREE AS FOLLOWS:

1. General Terms and Conditions

- A. City of San Antonio agrees to release from its municipal boundary and to relinquish control over an area described as Tract 1 and Tract 2 which totals approximately 6.24 acres of land generally located to the south of North Loop 1604, to the north of Huebner Road, and to the west of Salado Creek in north Bexar County and more particularly described by metes and bounds and map attached hereto as Exhibits A and B, and incorporated herein for all purposes.
- B. City of Shavano Park agrees to incorporate into its city limits the area described in Section A above.
- C. The City of Shavano Park agrees to release from its municipal boundary and relinquish control over an area described as Tract 3 which totals approximately 31.81 acres of land generally located to the south of North Loop 1604, to the north of Huebner Road, and to the west of Salado Creek in north Bexar County and more particularly described by metes and bounds and map attached hereto as Exhibits A and B, and incorporated herein for all purposes.
- D. City of San Antonio agrees to incorporate into its city limits the area described in Section A above.

E. City of Shavano Park agrees to the following:

1. City of Shavano Park, upon release of the subject area by San Antonio, has agreed to the following:

- Provide services and regulations to the Subject Area as required by Chapter 43 of the Texas Local Government Code
- The City of San Antonio Annexation Policy Recommendation regarding revenue sharing the City of Shavano Park will contribute \$15,000 to the City of San Antonio to be paid annually over the next four years in the amount of \$3,750. The payments will be made on October 1st of each year beginning on October 1, 2014 and ending on October 1, 2017

F. City of San Antonio agrees to file for record a copy of this agreement for each tract of land affected by this agreement in the Real Property Records of Bexar County, Texas.

G. This Agreement is effective immediately after the later of the Ordinance of the City of San Antonio and the Resolution of the City of Shavano Park authorizing this Agreement, in each case as indicated by the date following the signature of the City Manager or Authorized Representative below.

2. Severability

If for any reason, any one or more paragraphs of this agreement is held invalid, such judgment shall not affect, impair or invalidate the remaining paragraphs of the agreement but shall be confined in its operation to the specific sections sentences clauses or parts of this agreement held invalid and invalidity of any section, sentence, clause or parts shall not affect, impair or prejudice in any way the validity of this agreement in any instances.

3. Applicable Law

This agreement shall be construed in accordance with the laws of the State of Texas.

4. Notices

Any notice, request, demand, report, certificate or other instrument which may be required or permitted to be furnished to or served upon the parties shall be deemed sufficiently given or furnished or served if in writing and deposited in the United States mail, registered or certified, return receipt required, addressed to such party at the address set forth below or such other address as may be hereafter designated by either party by written notice to the other party.

IF TO THE CITY OF SAN ANTONIO:

City of San Antonio
P.O. Box 839966
San Antonio, Texas 78283-3966
Attn: _____
City Clerk

IF TO THE CITY OF SHAVANO PARK:

City of Shavano Park
900 Saddletree Ct.
Shavano Park, Texas 78231
Attn: Zina Tedford
City Secretary

ACKNOWLEDGEMENTS

In witness of which this agreement has been executed in duplicate.

CITY OF SHAVANO PARK

By: _____

Attest: _____

Title: City Manager

Title: _____

Date: _____

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on _____ by _____, City Manager of the City of Shavano Park, a Texas Municipal Corporation, on behalf of said corporation.

Notary Public, State of Texas

My Commission expires: _____

CITY OF SAN ANTONIO

By: _____

Attest: _____

Title: _____

Title: _____

Date: _____

STATE OF TEXAS

COUNTY OF BEXAR

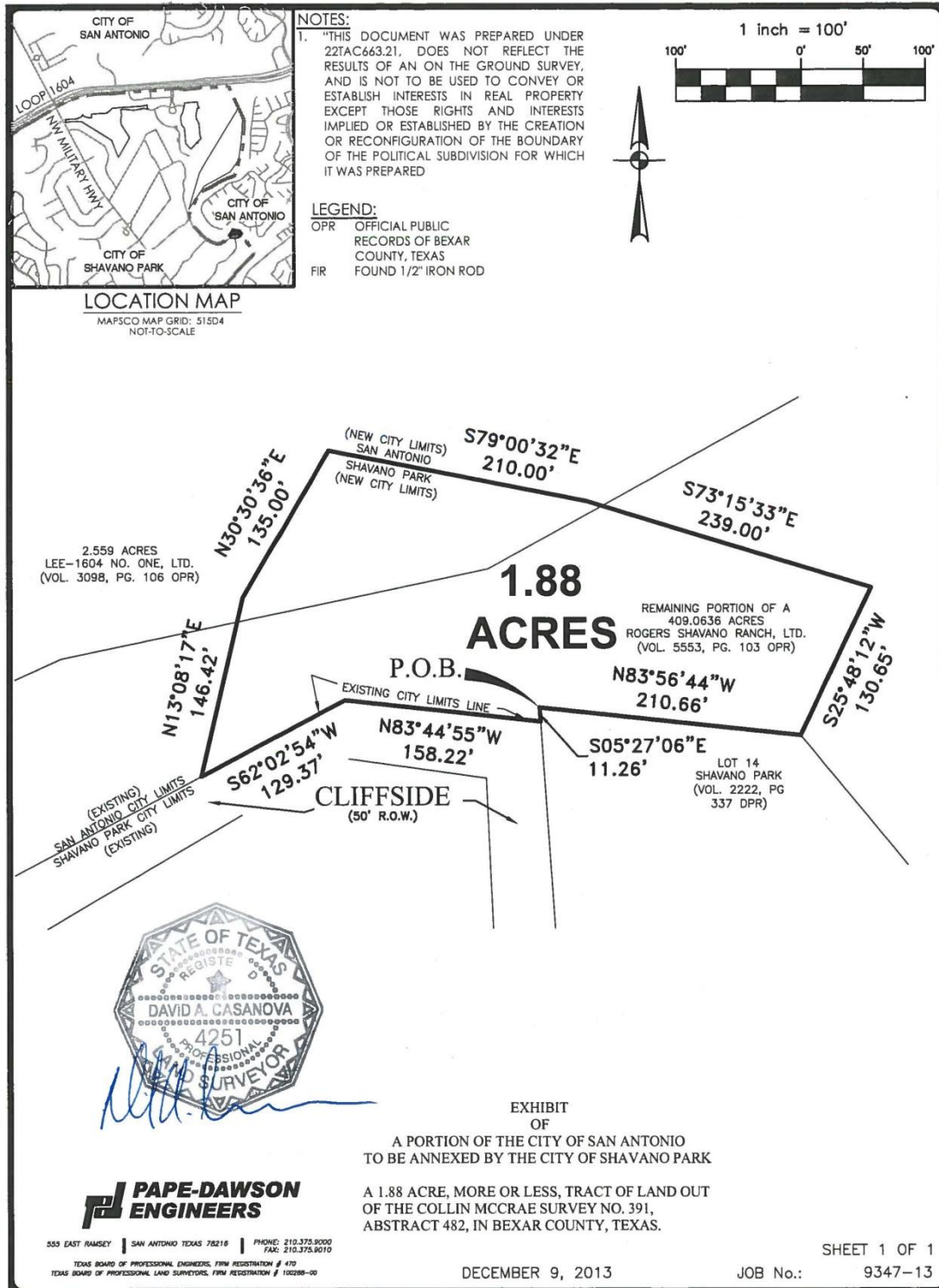
This instrument was acknowledged before me on _____ by _____, City Manager of the City of San Antonio, a Texas Municipal Corporation, on behalf of said corporation.

Notary Public, State of Texas

My Commission expires: _____

Exhibit A:

Tract 1



Date: Dec 10, 2013, 1:18pm User: ID: Mjolmer
File: N:\Survey\13-9300\9347-13 EX-1.71 AC.dwg



METES AND BOUNDS DESCRIPTION
FOR

A portion of the City of San Antonio to be Annexed by the City of Shavano Park

A 1.88 acre, more or less, tract of land out of a 409.0636 acre tract recorded in Volume 5553, Page 103 of the Official Public Records of Bexar County, Texas and out of a 2.559 acre tract recorded in Volume 3098, Page 106 of the Official Public Records of Bexar County, Texas, out of the Collin McCrae Survey No. 391, Abstract 482, in Bexar County, Texas. Said 1.88 acre tract being more fully described as follows:

- BEGINNING: At a northwest corner of Lot 14 of Shavano Park Subdivision recorded in Volume 2222, Page 337 of the Deed and Plat Records of Bexar County, Texas, also being on the existing city limits line between the City of San Antonio and the city of Shavano Park;
- THENCE: S 05°27'06" E, along and with the west line of said Lot 14 and the existing City Limits line between San Antonio and Shavano Park, a distance of 11.26 feet to a corner of Cliffside, a 50-foot right-of-way dedicated on said Shavano Park;
- THENCE: N 83°44'55" W, along and with the north right-of-way line of said Cliffside and the existing City Limits line, a distance of 158.22 feet to an angle point;
- THENCE: S 62°02'54" W, continuing along and with the north right-of-way line of said Cliffside and the existing City Limits line, a distance of 129.37 feet to a point;
- THENCE: Departing the northerly line of said Cliffside and the existing City Limits line, over and across said 409.0636 acre tract and said 2.559 acre tract within the existing City Limits of San Antonio the following bearings and distances:
- N 13°08'17" E, a distance of 146.42 feet to a point;
 - N 30°30'36" E, a distance of 135.00 feet to a point;
 - S 79°00'32" E, a distance of 210.00 feet to a point;
 - S 73°15'33" E, a distance of 239.00 feet to a point;
 - S 25°48'12" W, a distance of 130.65 feet to the northeast corner of said Lot 14;

1.88 Acre
Job No. 9347-13
Page 2 of 2

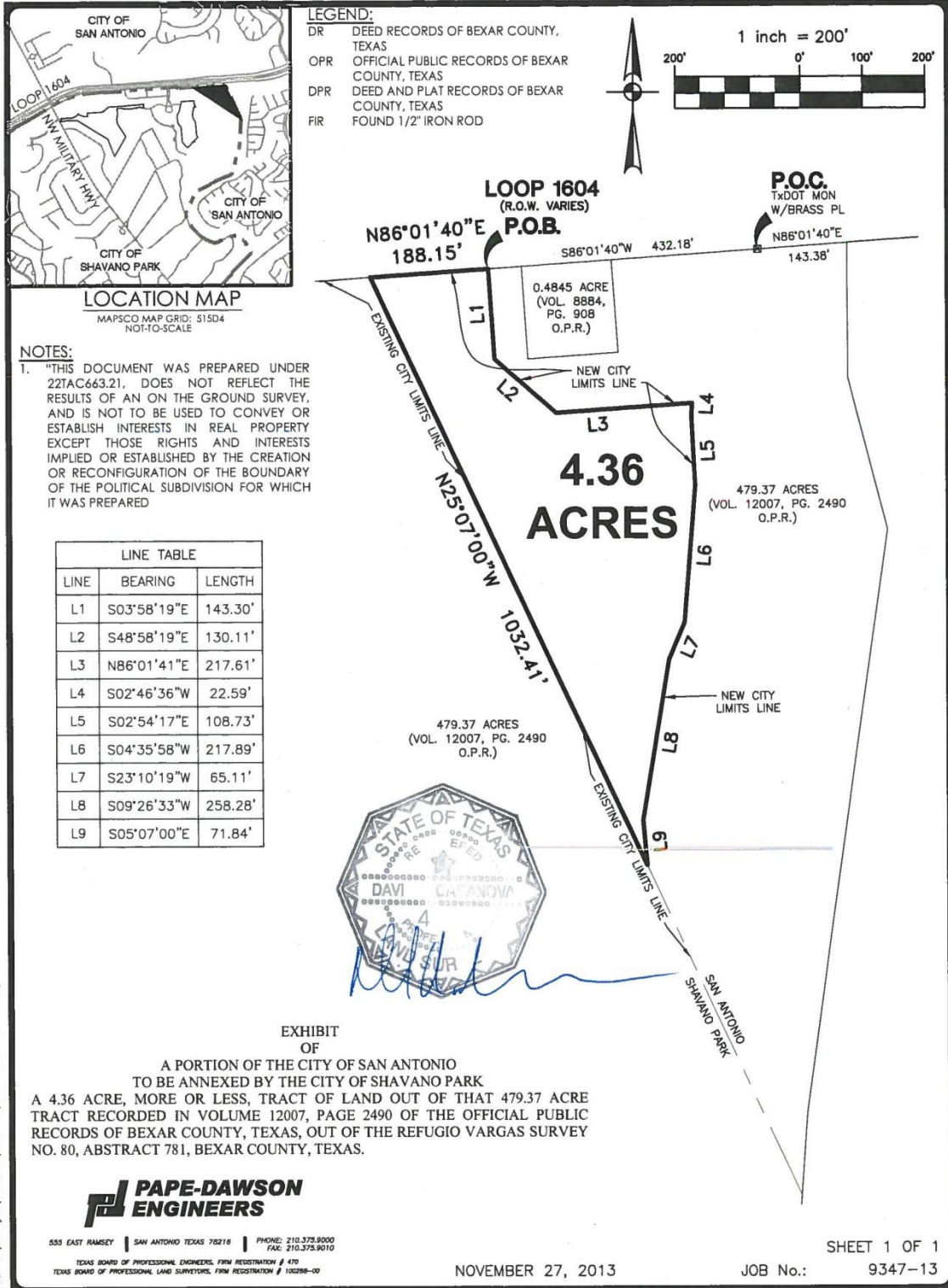
THENCE: S 83°56'44" W, along and with the north line of said Lot 14 and the existing City Limits line, a distance of 210.66 feet to the POINT OF BEGINNING, and containing 1.88 acres in Bexar County, Texas.

“This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared.”

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: December 9, 2013
JOB NO. 9347-13
DOC. ID. N:\Survey13\13-9300\9347-13\Word\9347-13 FN-1.71 AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



Tract 2



Date: Nov 27, 2013, 2:18pm, User: JD, Mileage: 13
 File: H:\Survey\9347-13\9347-13 EX-4.36 AC.dwg



LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

METES AND BOUNDS DESCRIPTION
FOR

A portion of the City of San Antonio to be Annexed by the City of Shavano Park

Being 4.36 acres, more or less, out of the 521 acres annexed by the City of San Antonio by Ordinance No. 7904. Said 4.36 acres also being out of that 479.37 acre tract recorded in Volume 12007, Page 2490 of the Official Public Records of Bexar County, Texas, out of the Refugio Vargas Survey No. 80, Abstract 781, Bexar County, Texas. Said 4.36 acres being more fully described as follows, with bearings based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983, (CORS 96):

COMMENCING: At a found TxDOT Monument with Brass Plate on the south right-of-way line of Charles Anderson Loop 1604 (Loop 1604), a variable width right-of-way, on the north line of said 479.37 acre tract, from which the northeast corner of said 479.37 acre tract bears N 86°01'40" E, 143.38 feet;

THENCE: S 86°01'40" W, along and with the south right-of-way line of said Loop 1604, the north line of said 479.37 acre tract, a distance of 432.18 feet to the POINT OF BEGINNING;

THENCE: Departing the south right-of-way line of said Loop 1604, over and across said 479.37 acre tract, along and with the new City Limits line between the City of San Antonio and the City of Shavano Park, the following bearings and distances:

S 03°58'19" E, a distance of 143.30 feet to a point;

S 48°58'19" E, a distance of 130.11 feet to a point;

N 86°01'41" E, a distance of 217.61 feet to a point;

S 02°46'36" W, a distance of 22.59 feet to a point;

S 02°54'17" E, a distance of 108.73 feet to a point;

S 04°35'58" W, a distance of 217.89 feet to a point;

S 23°10'19" W, a distance of 65.11 feet to a point;

S 09°26'33" W, a distance of 258.28 feet to a point;

S 05°07'00" E, a distance of 71.84 feet to a point on the existing City Limits line of the City of Shavano Park and the City of San Antonio;

THENCE: N 25°07'00" W, along and with the existing City Limits line, continuing over and across said 479.37 acre tract, a distance of 1032.41 feet to a point on the south right-of-way line of said Loop 1604;

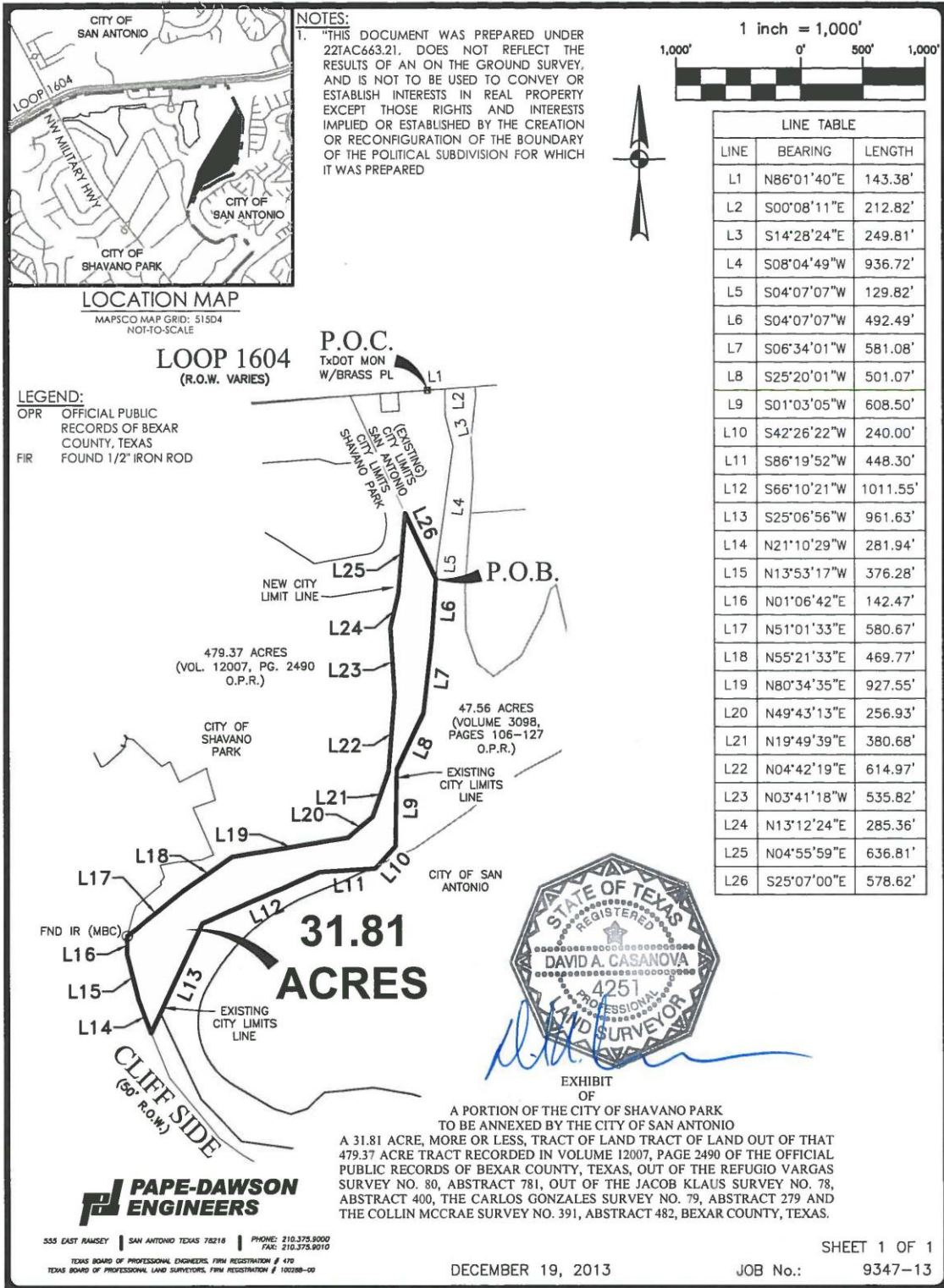
THENCE: N 86°01'40" E, along the new City Limits line between the City of San Antonio and the City of Shavano Park, the south right-of-way line of said Loop 1604, a distance of 471.56 feet to the POINT OF BEGINNING.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 27, 2013
JOB NO. 9347-13
DOC. ID. N:\Survey13\13-9300\9347-13\Word\9347-13 FN-4.363 AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



Tract 3





LAND DEVELOPMENT ENVIRONMENTAL TRANSPORTATION WATER RESOURCES SURVEYING

FIELD NOTES
FOR

A portion of the City of Shavano Park to be Annexed by the City of San Antonio

A 31.81 acre, more or less, tract of land out of that 479.37 acre tract recorded in Volume 12007, Page 2490 of the Official Public Records of Bexar County, Texas, out of the Refugio Vargas Survey No. 80, Abstract 781, out of the Jacob Klaus Survey No. 78, Abstract 400, the Carlos Gonzales Survey No. 79, Abstract 279 and the Collin McCrae Survey No. 391, Abstract 482, in Bexar County, Texas. Said 31.81 acre tract being more fully described as follows, with bearings based on the Texas State Plane Coordinate System, South Central Zone, North American Datum of 1983, (CORS 96):

COMMENCING: At a found TxDOT Monument with Brass Plate on the south right-of-way line of Charles Anderson Loop 1604 (Loop 1604), a variable width right-of-way, on the north line of said 479.37 acre tract;

THENCE: N 86°01'40" E, along and with the south right-of-way line of said Loop 1604, the north line of said 479.37 acre tract, a distance of 143.38 feet to the northeast corner of said 479.37 acre tract, the northwest corner of a 47.56 acre tract recorded in Volume 3098, Page 106 of the Official Public Records of Bexar County, Texas;

THENCE: Departing the south right-of-way line of said Loop 1604, along and with the east line of said 479.37 acre tract, the west line of said 47.56 acre tract the following bearings and distances:

S 00°08'11" E, a distance of 212.82 feet to a point;

S 14°28'24" E, a distance of 249.81 feet to a point;

S 08°04'49" W, a distance of 936.72 feet to a point;

S 04°07'07" W, a distance of 129.82 feet to a point on the existing City Limits Line between the City of San Antonio and the City of Shavano Park for the POINT OF BEGINNING;

THENCE: Continuing along and with the east line of said 479.37 acre tract, and said existing City Limits Line the following bearings and distances:

S 04°07'07" W, a distance of 492.49 feet to a point;

S 06°34'01" W, a distance of 581.08 feet to a point;

S 25°20'01" W, a distance of 501.07 feet to a point;

S 01°03'05" W, a distance of 608.50 feet to a point;

S 42°26'22" W, a distance of 240.00 feet to a point;

S 86°19'52" W, a distance of 448.30 feet to a point;

S 66°10'21" W, a distance of 1011.55 feet to a point;

S 25°06'56" W, a distance of 961.63 feet to a point on the east right-of-way line of Cliff Side Drive, a 50-foot right-of-way, dedicated on Shavano Park, recorded in Volume 2222, Page 337 of the Deed Records of Bexar County, Texas;

THENCE: Departing said existing City limits line, along the new City Limits line between the City of San Antonio and the City of Shavano Park, along and with the east right-of-way line of said Cliff Side Drive, the southwest line of said 479.37 acre tract the following bearings and distances:

N 21°10'29" W, a distance of 281.94 feet to a point;

N 13°53'17" W, a distance of 376.28 feet to a point;

N 01°06'42" E, a distance of 142.47 feet to a found iron rod with cap stamped "MBC" for a corner of said 479.37 acre tract;

THENCE: Departing the east right-of-way line of said Cliff Side Drive, continuing along the new City Limits line between the City of San Antonio and the City of Shavano park, over and across said 479.37 acre tract the following bearings and distances:

N 51°01'33" E, a distance of 580.67 feet to a point;

N 55°21'33" E, a distance of 469.77 feet to a point;

N 80°34'35" E, a distance of 927.55 feet to a point;

N 49°43'13" E, a distance of 256.93 feet to a point;

31.81 Acres
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N 19°49'39" E, a distance of 380.68 feet to a point;

N 04°42'19" E, a distance of 614.97 feet to a point;

N 03°41'18" W, a distance of 535.82 feet to a point;

N 13°12'24" E, a distance of 285.36 feet to a point;

N 04°55'59" E, a distance of 636.81 feet to a point on the existing City Limits Line between said San Antonio and Shavano Park;

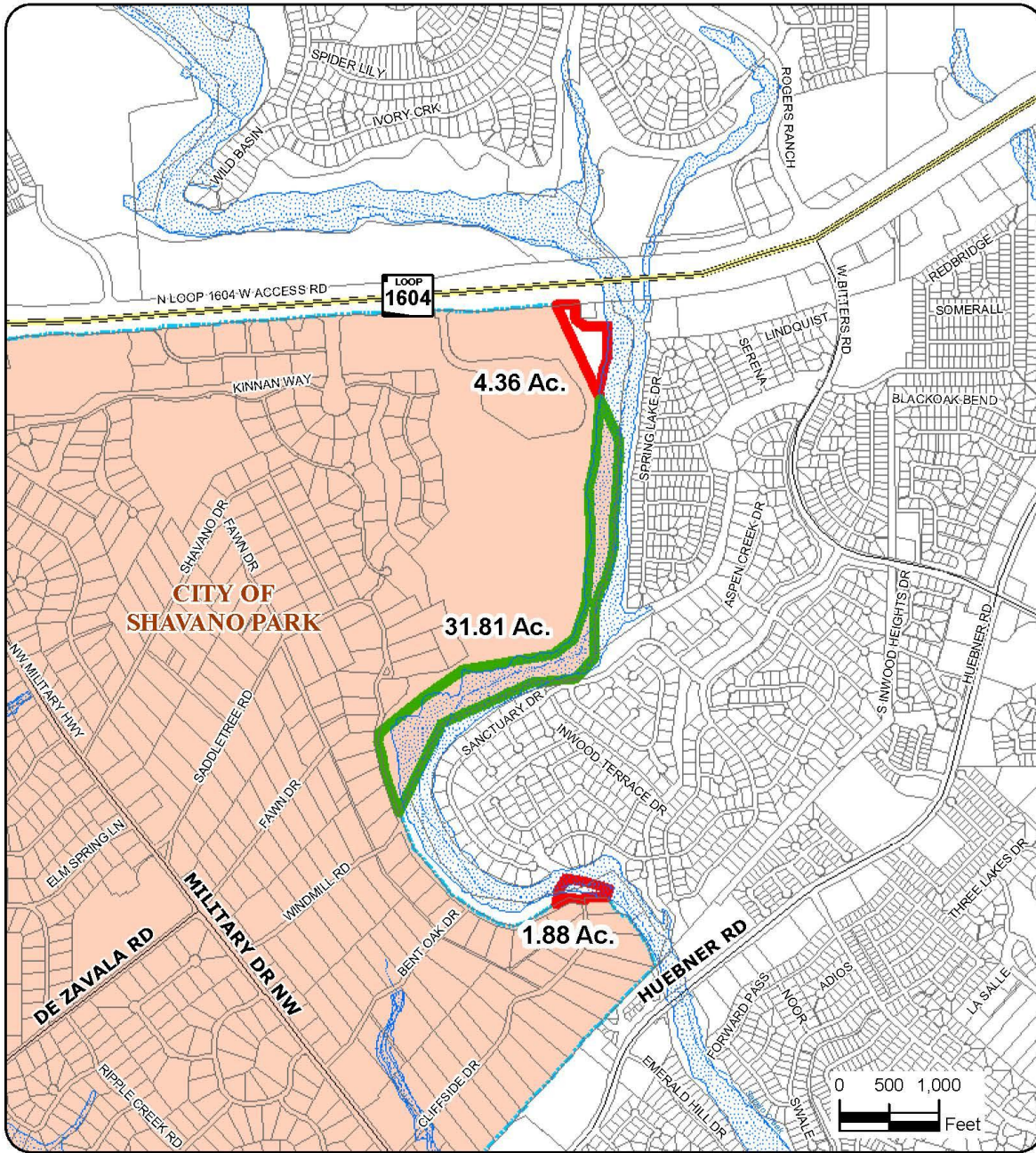
THENCE: S 25°07'00" E, along and with the existing City Limits Line, over and across said 479.37 acre tract, a distance of 578.62 feet to the POINT OF BEGINNING, and containing 31.81 acres in Bexar County, Texas.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

PREPARED BY: Pape-Dawson Engineers, Inc.
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TBPE Firm Registration #470
TBPLS Firm Registration #100288-00



Exhibit B:



	Release to City of Shavano Park		City of San Antonio		Expressways
	Release to City of San Antonio		Cities and Towns		Creeks

City of San Antonio

City of Shavano Park Municipal Boundary Adjustment

City of San Antonio
 GIS/Map Development and
 Business Services Center
 913.784.5566
 San Antonio, TX 78203-3906

Data Source: City of San Antonio Enterprise GIS, Bear Metro 911, Bear Approval District
 The information on this map was prepared by the City of San Antonio, GIS/Map Development and Business Services Center. The City of San Antonio, GIS/Map Development and Business Services Center is not responsible for any errors or omissions on this map. The City of San Antonio, GIS/Map Development and Business Services Center is not responsible for any errors or omissions on this map. The City of San Antonio, GIS/Map Development and Business Services Center is not responsible for any errors or omissions on this map.
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 Map File Location: C:\GIS\Projects\Shavano_Park_Boundary_Adjustment
 Map Last Edited: Oct. 28, 2015
 PDF Filename: 13102011.pdf