

AN ORDINANCE 2014-11-06-0889

**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 2.56 acres out of NCB 15837 from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District.

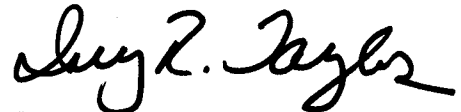
**SECTION 2.** The property is described in the deed recorded in Volume 14057, Page 379 of the Bexar County Deed Records, a copy of which is attached as **Attachment "A"** and made a part hereof and incorporated herein for all purposes.

**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.

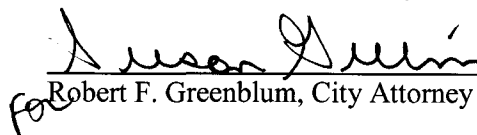
**SECTION 4.** The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

**SECTION 5.** This ordinance shall become effective November 16, 2014.

**PASSED AND APPROVED** this 6th day of November 2014.

  
M A Y O R  
Ivy R. Taylor

ATTEST  
  
Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:  
  
for Robert F. Greenblum, City Attorney

<b>Agenda Item:</b>	Z-23 ( in consent vote: 21, P-1, Z-1, 22, Z-2, 24, P-3, Z-5, Z-6, Z-7, P-4, Z-8, P-5, Z-9, P-6, Z-10, Z-12, Z-13, Z-14, Z-15, Z-16, Z-20, Z-21, Z-23 )						
<b>Date:</b>	11/06/2014						
<b>Time:</b>	02:13:28 PM						
<b>Vote Type:</b>	Motion to Approve						
<b>Description:</b>	ZONING CASE # Z2014275 (District 10): An Ordinance amending the Zoning District Boundary from "O-2 AHOD" High-Rise Office Airport Hazard Overlay District and "MF-33 AHOD" Multi-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 2.56 acres out of NCB 15837 located on a portion of the 12600 Block of Scarsdale. Staff recommends approval. Zoning Commission recommendation pending the November 4, 2014 public hearing.						
<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				
Diego Bernal	District 1	x					
Keith Toney	District 2		x				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				
Joe Krier	District 9		x				
Michael Gallagher	District 10		x			x	

ATC-<sup>32</sup>STONE OAK Ordinance No. 2009-06-11-0492  
05009204

Parcel: No. 18318

**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**

**SPECIAL WARRANTY DEED**

72014275

**DATE:** Effective as of June 30, 2009

**GRANTOR:** W.F. Partnership, Ltd., a Texas limited partnership and D.F. Partnership, Ltd., a Texas limited partnership

**GRANTOR'S MAILING ADDRESS (including county):** c/o Lloyd A. Denton, Jr., 11 Lynn Batts Lane, Suite 100, San Antonio, Bexar County, Texas 78218

**GRANTEE:** The City of San Antonio, Texas, a municipal corporation

**GRANTEE'S MAILING ADDRESS (including county):** P.O. Box 839966, San Antonio, Bexar County, Texas 78283-3966

**CONSIDERATION:** Ten and No/100 Dollars (\$10.00), and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

**PROPERTY (including any improvements):** 2.56 acres, more or less, in the City of San Antonio, Bexar County, Texas, described in Exhibit A attached hereto and incorporated herein.

**RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:**

1. Standby fees, taxes and assessments by any taxing authority for the current year and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership occurring after the date hereof, the payment of which Grantee assumes. Grantor shall not be responsible for any currently outstanding and/or future imposed rollback taxes, if any, attributable to any period of time prior to the date hereof resulting from any exemption or special use valuation. Grantee acknowledges and agrees that the Property will be used by Grantee for public purposes.

2. The matters set forth in Exhibit B attached hereto and incorporated herein, and all other validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; and all presently recorded and validly existing restrictions, reservations, covenants, conditions, oil and gas leases, mineral interests and water interests outstanding, to the extent same currently exist and affect the Property or any portion thereof.

3. EXCEPT FOR THE SPECIAL WARRANTY OF TITLE CONTAINED HEREIN, GRANTOR HEREBY SPECIFICALLY DISCLAIMS ANY REPRESENTATIONS, WARRANTIES, PROMISES,

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COVENANTS, AGREEMENTS, OR GUARANTIES OF ANY KIND OR CHARACTER, WHETHER EXPRESS OR IMPLIED, ORAL OR WRITTEN, PAST, PRESENT OR FUTURE, OF, AS TO, CONCERNING OR WITH RESPECT TO THE PROPERTY, INCLUDING, WITHOUT LIMITATION, (1) THE WATER, SOIL, AND GEOLOGY OR THE PRESENCE OR ABSENCE OF ANY POLLUTANT, HAZARDOUS WASTE, GAS OR SUBSTANCE OR SOLID WASTE ON OR ABOUT THE PROPERTY (2) THE INCOME TO BE DERIVED FROM THE PROPERTY; (3) THE SUITABILITY OF THE PROPERTY FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE INTENDS TO CONDUCT THEREON, (4) THE COMPLIANCE OF OR BY THE PROPERTY OR ITS OPERATION WITH ANY LAWS, RULES, ORDINANCES OR REGULATIONS OF ANY GOVERNMENTAL AUTHORITY OR BODY HAVING JURISDICTION, INCLUDING, WITHOUT LIMITATION, ALL APPLICABLE SUBDIVISION AND ZONING LAWS, AND (5) THE HABITABILITY, MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OF THE PROPERTY. GRANTEE SHALL NOT SEEK RECOURSE AGAINST GRANTOR ON ACCOUNT OF ANY LOSS, COST OR EXPENSE SUFFERED OR INCURRED BY GRANTEE WITH REGARD TO ANY OF THE MATTERS DESCRIBED ABOVE, AND GRANTOR SHALL NOT BE LIABLE FOR ANY SPECIAL, DIRECT, INDIRECT, CONSEQUENTIAL, OR OTHER DAMAGES RESULTING OR ARISING FROM THE OWNERSHIP, USE, CONDITION, MAINTENANCE, REPAIR OR OPERATION OF THE PROPERTY.

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 anywise belonging, to have and hold the Property to Grantee, and Grantee's successors and assigns forever. Grantor hereby binds Grantor and Grantor's 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 thereof, when the claim is by, through or under Grantor, but not otherwise, except as to the Reservations From and Exceptions to Conveyance and Warranty.

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

**EXHIBITS:**

Exhibit A – Property Description

Exhibit B – Reservations From and Exceptions To Conveyance and Warranty

**AFTER RECORDING, RETURN TO:**

City of San Antonio

P.O. Box 839966

San Antonio, Texas 78283-3966

Attn: Kevin Sadler, Real Estate Specialist

Capital Improvements Management Services

M:\DDC\NORTHERN HILLS\COSA\ISWD.2.DOC

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**GRANTOR:**

**W.F. PARTNERSHIP, LTD.,** a Texas limited partnership

By Its Sole General Partner:  
**W.F. REAL ESTATE, L.L.C.,** a Texas limited liability company

By: *Ann Denton Wells*  
Ann Denton Wells, President

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on *June 3*, 2009, by Ann Denton Wells, President of W.F. Real Estate, L.L.C., a Texas limited liability company, the sole General Partner of W.F. Partnership, Ltd., a Texas limited partnership, on behalf of said limited partnership.



*Sarah Daniel*  
Notary Public, State of Texas

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**GRANTOR:**

**D.F. PARTNERSHIP, LTD.,** a Texas limited partnership

By Its Sole General Partner:  
**D.F. REAL ESTATE, L.L.C.,** a Texas limited liability company

By:   
Lloyd A. Denton, Jr., President

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on June 3, 2009, by Lloyd A. Denton, Jr., President of D.F. Real Estate, L.L.C., a Texas limited liability company, the sole General Partner of D.F. Partnership, Ltd., a Texas limited partnership, on behalf of said limited partnership.



  
Notary Public, State of Texas

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**GRANTEE:**

**THE CITY OF SAN ANTONIO, TEXAS**, a municipal corporation

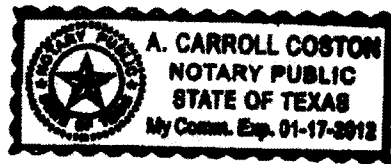
By: *Steven F. Hodges*  
Name: Steven F. Hodges  
Title: R.E. Manager

STATE OF TEXAS

COUNTY OF BEXAR

This instrument was acknowledged before me on June 26, 2009, by Steven F. Hodges, R.E. Manager, of The City of San Antonio, Texas, a municipal corporation, on behalf of said municipal corporation.

*A. Carroll Coston*  
Notary Public, State of Texas



22014275

EXHIBIT A  
PROPERTY DESCRIPTION

City of San Antonio Parcel No. 18318

FIELD NOTES  
FOR  
CITY OF SAN ANTONIO PARCEL No. 18318  
2.56 ACRES

BEING 2.56 acres out of a called 6.236 acre tract situated within the Louis Kneipp Survey No. 11, Abstract No. 391, County Block 5014, NCB 15837, as recorded in Volume 6262, Page 1713 of the Real Property Records of Bexar County, Texas, in the City of San Antonio, Bexar County, Texas, said 2.56 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a set 1/2" iron rod with "ACES" cap on the west right-of-way line of Soarsdale, a variable width right-of-way as recorded in Volume 9300, Page 168 of the Deed and Plat Records of Bexar County, Texas for the northeast corner of the remaining portion of Lot 2, Soarsdale Subdivision as recorded in Volume 9300, Page 168 of the Deed and Plat Records of Bexar County, Texas and the northwest corner of the herein described tract;

THENCE Along and with said right-of-way, the following courses:

Along a curve to the left having a radius of 260.49 feet, a central angle of 51° 31' 16", a chord bearing and distance of South 13° 34' 20" East, 226.42 feet and a curve length of 234.24 feet to a found 1/2" iron rod for a point of tangency;

South 39° 19' 58" East, a distance of 404.65 feet to a found 1/2" iron rod for a point of curvature;

Along a curve to the right having a radius of 288.33 feet, a central angle of 29° 24' 29", a chord bearing and distance of South 24° 37' 44" East, 146.37 feet and a curve length of 147.99 feet to a found 1/2" iron rod for a point of compound curvature;

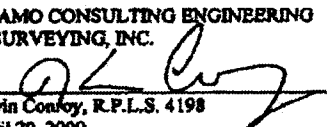
Along a curve to the right having a radius of 200.00 feet, a central angle of 18° 22' 26", a chord bearing and distance of South 00° 44' 16" East, 63.86 feet and a curve length of 64.14 feet to a found 1/2" iron rod for a point of tangency and the south corner of the herein described tract;

THENCE North 47° 16' 51" West, departing said right-of-way and crossing said 6.236 acres, a distance of 833.15 feet to a found 1/2" iron rod on the south line of said remaining portion of Lot 2 for the southwest corner of the herein described tract;

THENCE North 55° 36' 05" East, a distance of 291.68 feet to the POINT OF BEGINNING and containing 2.56 acres of land, more or less in the City of San Antonio, Bexar County, Texas.

Plat of survey provided.

ALAMO CONSULTING ENGINEERING  
& SURVEYING, INC.

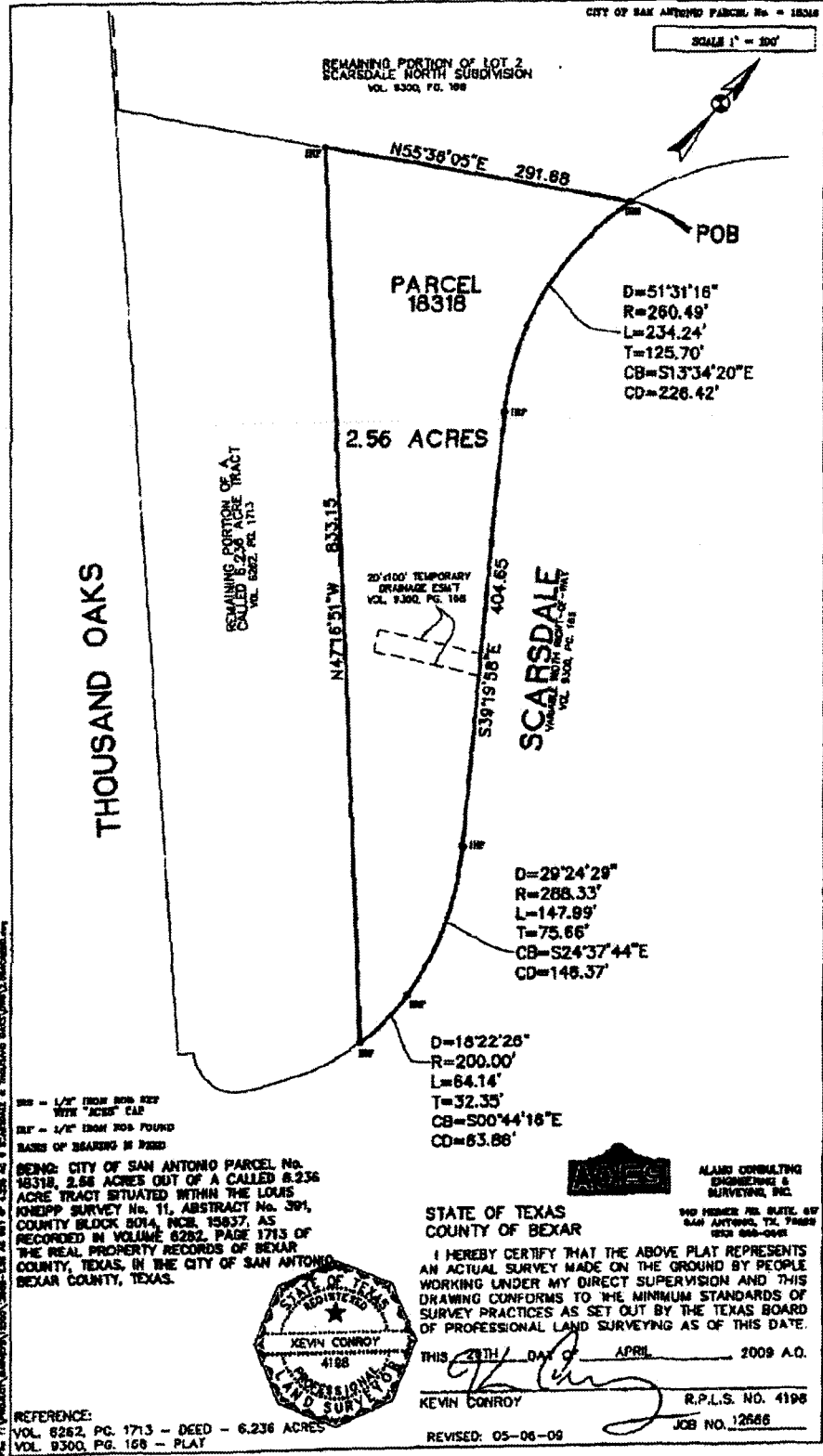
  
Kevin Conroy, R.P.L.S. 4198  
April 20, 2009  
Revised: 05-06-09  
Job File No. 12666



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**Z2014275**

**EXHIBIT B**

**RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY**

1. Pole Line Right-Of-Way Agreement, for a utility easement undefined over acreage, granted to the City of San Antonio, recorded in Volume 1799, Page 323, Deed Records of Bexar County, Texas.
2. Temporary drainage easement, along Scarsdale Drive, as shown on plat recorded in Volume 6500, Page 151, Deed and Plat Records of Bexar County, Texas, and depicted on survey dated April 20, 2009, revised May 6, 2009, by Kevin Conroy, RPLS No. 4198.

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# Pages 9  
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e-Filed & e-Recorded in the  
Official Public Records of  
BEXAR COUNTY  
GERARD RICKHOFF COUNTY CLERK  
  
Fees 44.00

STATE OF TEXAS  
COUNTY OF BEXAR  
This is to Certify that this document  
was e-FILED and e-RECORDED in the Official  
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on this date and time stamped thereon.  
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COUNTY CLERK, BEXAR COUNTY TEXAS



*Gerard Rickhoff*