

AN ORDINANCE **2016-04-14-0276**

AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATION OR CONDEMNATION OF INTERESTS IN APPROXIMATELY 0.138 ACRES OF PRIVATELY-OWNED REAL PROPERTY IN NCB 789, LOTS 11 AND 12, AND DECLARING IT TO BE A PUBLIC USE PROJECT FOR AND AUTHORIZING UP TO \$450,000.00 PAYABLE TO THE SELECTED TITLE COMPANY, FOR LAND, LITIGATION EXPENSES AND ASSOCIATED TITLE FEES.

* * * * *

WHEREAS, the City of San Antonio ("City") requires the acquisition of approximately 0.138 acres out of portions of 3 parcels of privately-owned real property by negotiation or condemnation, if necessary, for the construction of the Downtown Streets Reconstruction Project; and

WHEREAS, the reconstruction of the intersection at the junction of San Pedro, North Main, Navarro, Buffalo Run, Camden and Soledad, is one of the five areas included in Downtown Streets Reconstruction project; and

WHEREAS, it is necessary to obtain and acquire the privately owned real property as part of the Project as further described in SECTION 1 below; and

WHEREAS, the intersection design consists of a roundabout which improves navigation, removes angle accidents, provides enhanced gateway opportunities for visitors to the downtown area and creates green space; and

WHEREAS, funds for the property acquisitions are available within the Downtown Streets Reconstruction project from previously authorized 2012-2017 Bond Program funds and are included in the 2016-2021 Capital Improvements Program Budget; **NOW THEREFORE**,

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

SECTION 1. A public use and necessity is hereby declared for the City of San Antonio to acquire right of way interests of approximately 0.138 acres of privately owned real property in Council District 1, by negotiation or condemnation, as part of the Downtown Streets Reconstruction Project of the following:

| Parcel Number | Legal Description |
|---------------|---|
| 19440 | 0.030 acre (1,309 square feet) out of a 0.4911 acre tract, New City Block 789, called Parcel II |
| 19441 | 0.024 acre (1,044 square feet) out of Lot 11, Block 1, New City Block 789, Jackson Subdivision |
| 19442 | 0.084 acre (3,656 square feet) out of Lot 12, Block 1, New City Block 789, Jackson Subdivision |

The Project is depicted in **Exhibit A** and more particularly described by metes and bounds in **Exhibits B through D** and incorporated herein for all purposes. Collectively, the properties may be referred to as the "Property."

SECTION 2. The City Manager, or her designee, is hereby authorized to direct the City Attorney to institute and prosecute to conclusion all necessary proceedings to condemn such properties if the City of San Antonio is unable to acquire through negotiation by reason of its inability to agree with the owners thereof as to the value of such property, or for any other reason, and to take any other legal action deemed necessary by the City Attorney to accomplish these purposes.

SECTION 3. Payment in the amount of the \$450,000.00 is authorized for payment for negotiation or condemnation in SAP Fund 45099000, General Obligation Capital Projects, SAP Project Definition 40-00300, Downtown Streets Reconstruction, is authorized to be encumbered and made payable to the selected title company, for land, relocation, litigation expenses and associated title fees of approximately .138 acres of privately owned real property located in NCB 789, lots 11 and 12 in Council District 1 in Bexar County, Texas.

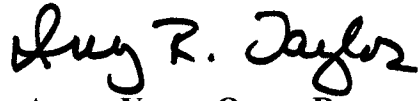
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 5. The City staff is hereby directed to negotiate with the owner(s) of the respective parcels for the acquisition of the Property at fair market value, to execute sales agreements purchasing the property from the owners as the owners are identified by a Commitment for Issuance of Title Insurance issued by a title insurance company authorized to conduct such practice in the State of Texas and in Bexar County or by Order of a Court of competent jurisdiction and to finalize such purchases on behalf of the City of San Antonio. The City Council finds that it is in the best interest to obtain the Property from whomever holds legal and equitable title as identified according to the procedure adopted through this Ordinance and the Director of Finance is directed to disburse funds in accordance herewith.

SECTION 6. In the event that the City negotiations fail and staff is unable to acquire one or more parcels from the property owner by negotiation or for any other reason, the City Manager, through the City Attorney and/or designated special counsel under the direction of the City Attorney, are hereby authorized and directed to institute and prosecute to conclusion all necessary proceedings to condemn the property. The City Attorney is hereby authorized to retain the services of any law firm selected by the City Attorney as special counsel, as may be needed from time to time, and to pay for the services rendered from the appropriations set aside herein or such other appropriations as may be made for the purpose.

SECTION 7. This Ordinance shall be effective immediately upon passage by eight or more affirmative votes; otherwise, it shall be effective on the tenth day after passage.

PASSED and **APPROVED** this 14th day of April, 2016.



M A Y O R
Ivy R. Taylor

ATTEST:



Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

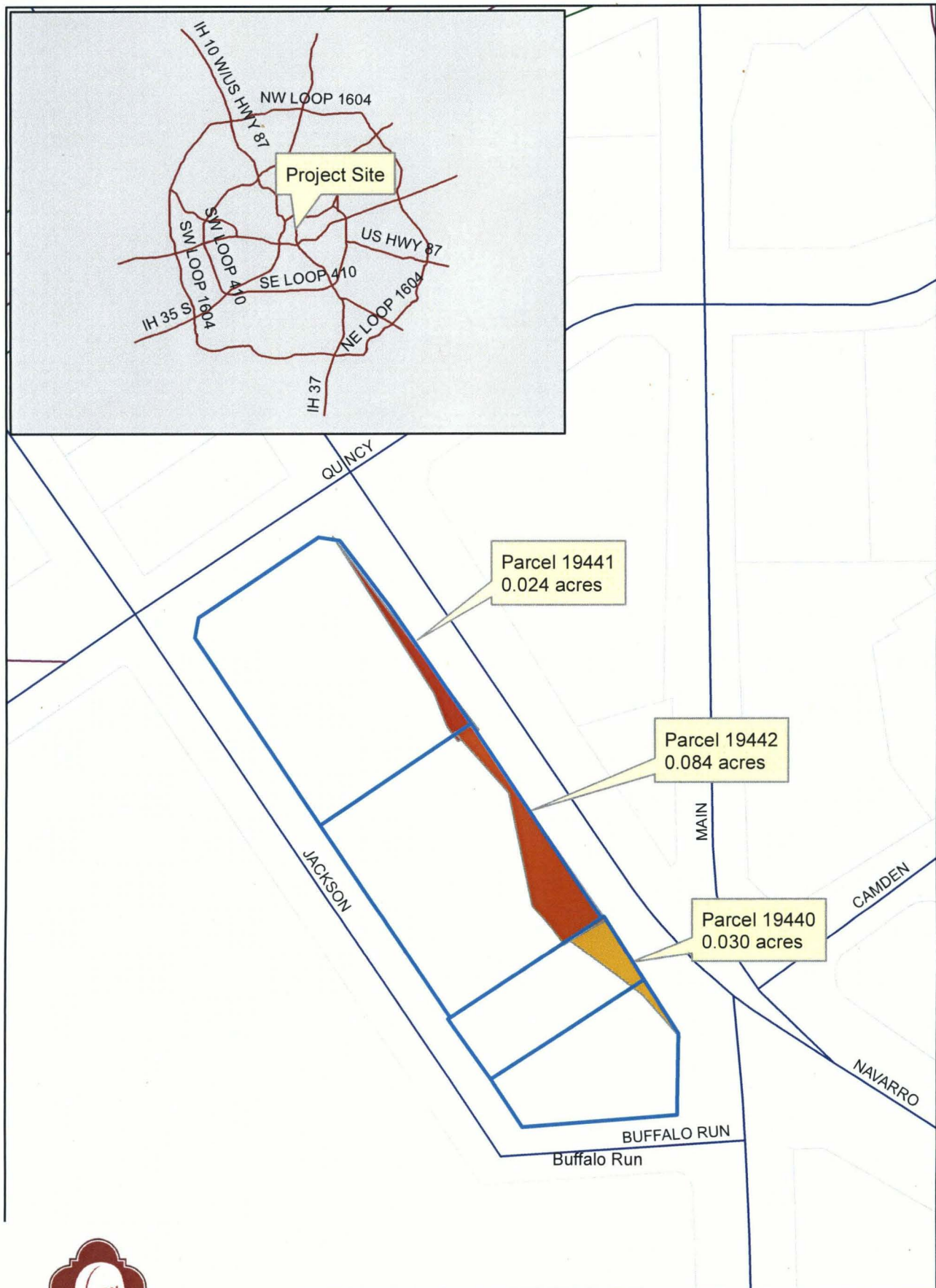


Martha G. Sepeda, Acting City Attorney



| | | | | | | | |
|---------------------|---|--------------------|------------|------------|----------------|---------------|---------------|
| Agenda Item: | 11A | | | | | | |
| Date: | 04/14/2016 | | | | | | |
| Time: | 09:37:00 AM | | | | | | |
| Vote Type: | Motion to Approve | | | | | | |
| Description: | An Ordinance authorizing the acquisition, through negotiation or condemnation of interests, in approximately 0.138 acres of privately-owned real property in NCB 789, Lots 11 and 12, and declaring it to be a public use project for and authorizing up to \$450,000.00 payable to the selected title company, for land, litigation expenses and associated title fees | | | | | | |
| Result: | Passed | | | | | | |
| Voter | Group | Not Present | Yea | Nay | Abstain | Motion | Second |
| Ivy R. Taylor | Mayor | | x | | | | |
| Roberto C. Treviño | District 1 | | x | | | x | |
| Alan Warrick | 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 | | | | |

Downtown Streets Reconstruction Project



Not drawn to scale

EXHIBIT "A"



**THE STATE OF TEXAS:
COUNTY OF BEXAR:**

**Project Name: Downtown Streets
Main / San Pedro / Navarro Project
Project Number: 40-00300**

Parcel No. 19440

BEING A 0.030 OF AN ACRE (1,309 SQ. FT.) TRACT OF LAND, OUT OF A 0.4911 OF AN ACRE TRACT, OUT OF N.C.B. 789, CALLED PARCEL II, CONVEYED TO AMERICAN PAYROLL INSTITUTE PROPERTIES, INC., RECORDED ON JANUARY 5, 2000 IN VOLUME 8259, PAGE 1530 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS, AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at found chiseled "X" in concrete, (N: 13,707,879.86; E: 2,129,798.92), in the existing west Right of Way line of San Pedro Avenue, a variable width right of way, for the north corner of said 0.4911 of an acre tract and of the herein described tract;

THENCE, S. 34°13'41" E., 112.83 feet, with the east line of said 0.4911 of an acre tract and the existing west Right of Way line of said San Pedro Avenue, to a point in the proposed west Right of Way line of said San Pedro Avenue, at the intersection of the existing west Right of Way line of said San Pedro Avenue and the existing west Right of Way line of North Main Avenue, a variable width right of way, for the east corner of said 0.4911 of an acre tract and of the herein described tract;

THENCE, S. 01°20'11" E., 0.84 feet, with the east line of said 0.4911 of an acre tract and the west Right of Way line of said North Main Avenue, to a set nail in concrete, in a non-tangent curve to the left of the proposed west Right of Way line of said San Pedro Avenue, for the south corner of the herein described parcel;

THENCE, an arc length of 105.72 feet, crossing said 0.4911 acre tract, with the proposed west Right of Way line of said San Pedro Avenue, along said non-tangent curve to the left having a radius of 184.00 feet, a tangent of 54.37 feet, a delta of 32°55'15", and a chord bearing and distance of N. 49°29'28" W., 104.27 feet, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for a point of reverse curvature of said proposed west Right of Way line of said San Pedro Avenue and of the herein described parcel;

THENCE, an arc length of 14.65 feet, continuing across said 0.4911 acre tract, with the proposed west Right of Way line of said San Pedro Avenue, along said reverse curve to the right having a radius of 81.00 feet, a tangent of 7.35 feet, a delta of 10°21'47", and a chord bearing and distance of N. 60°46'12" W., 14.63 feet, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", in the north line of said 0.4911 acre tract and the south line of Lot 12, Block 1 of the Jackson Subdivision, N.C.B. 789, recorded in Volume 9592, Page 136 of the Deed and Plat Records of Bexar County, Texas, for the west corner of the herein described parcel;

EXHIBIT "B"

THENCE, N. 56°01'19" E., 34.44 feet, leaving the proposed west Right of Way line of San Pedro Avenue with the north line of said 0.4911 of an acre tract and the south line of said Lot 12, to the Point of Beginning and containing 0.030 of an acre (1,309 sq. ft.) of land more or less.

| <u>Tract</u> | <u>Acreage</u> |
|--------------|---------------------|
| Parent Tract | 0.4911 Acres (Deed) |
| Parcel 19440 | <u>0.030 Acres</u> |
| Remainder | 0.4611 Acres |

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

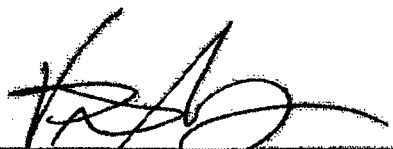
All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 16th, day of March, 2015.

Plat Prepared by Bain Medina Bain, Inc.




Victor Mendez Jr. R.P.L.S. 6056
REVISED July 7, 2015

JACKSON SUBDIVISION
VOL 9592, PG 136
D.P.R.B.C.T.
LOT 12
BLOCK 1
N.C.B. 789
SA DOWNTOWN TMC, LTD.
VOL 13598, PG 1940
JUL 21, 2008
O.P.R.R.P.B.C.T.

NATURAL
GROUND/
BROKEN
ASPHALT

POINT OF
BEGINNING
N 137°07'59.86"
E 21°25'58.92"
CHISELED 1/2"
CONCRETE

SAN PEDRO AVENUE
(Vol. 8165, PG. 416)
(VARIABLE WIDTH R.O.W.)
(ASPHALT PAVEMENT)

NORTH MAIN AVENUE

PARCEL NO. 19440
0.030 OF AN ACRE
1,309 SQ. FT.

AMERICAN PAYROLL INSTITUTE
PROPERTIES, INC.
0.4911 OF AN ACRE TRACT,
PARCEL II
VOL 8259, PG 1530
JAN. 05, 2000
O.P.R.R.P.B.C.T.

SEE
DETAIL A

S01°20'11"E
0.84'

NORTH MAIN AVENUE
(VARIABLE WIDTH R.O.W.)
(ASPHALT PAVEMENT)

BUFFALO RUN
(55' R.O.W.)
(ASPHALT PAVEMENT)

| CURVE | ARC | RADIUS | TANGENT | DELTA | BEARING | CHORD |
|-------|---------|---------|---------|-----------|---------------|---------|
| C1 | 105.72' | 184.00' | 54.37' | 32°55'15" | N 49°29'28" W | 104.27' |
| C2 | 14.65' | 81.00' | 7.35' | 10°21'47" | N 60°46'12" W | 14.63' |

PLAT SHOWING:

BEING A 0.030 OF AN ACRE (1,309 SQ. FT.) TRACT OF
LAND, OUT OF A 0.4911 OF AN ACRE TRACT, OUT OF N.C.B.
789, CALLED PARCEL II, CONVEYED TO AMERICAN PAYROLL
INSTITUTE PROPERTIES, INC., RECORDED ON JANUARY 5, 2000
IN VOLUME 8259, PAGE 1530 OF THE OFFICIAL PUBLIC
RECORDS OF REAL PROPERTY OF BEXAR COUNTY, TEXAS

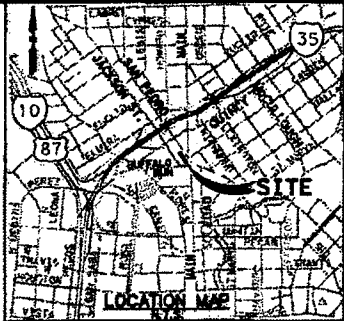
PREPARED BY:



BAIN MEDINA BAIN
ENGINEERS & SURVEYORS
7078 San Pedro
San Antonio, Texas 78216
210-494-7223
TYPE NO. F-1712
TL&F REG. NO. 108209-00

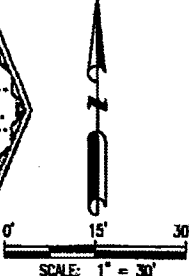
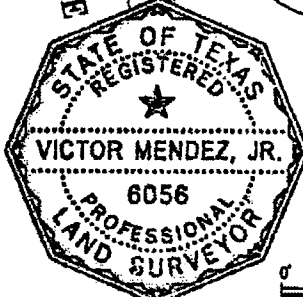
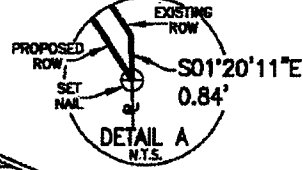
| TRACT | ACREAGE |
|--------------|---------------------|
| PARENT TRACT | 0.4911 ACRES (DEED) |
| PARCEL 19440 | 0.030 ACRES |
| REMAINDER | 0.4611 ACRES |

THIS DRAWING IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND SHALL NOT
BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN
AUTHORIZED REPRESENTATIVE OF BAIN MEDINA BAIN, INC. BAIN MEDINA BAIN, INC.
ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS DRAWING FOR ANY
PURPOSE AFTER ONE MONTH FROM THE DATE ISSUED ON THIS DRAWING.
ALL RIGHTS RESERVED. COPYRIGHT © 2015. BAIN MEDINA BAIN, INC.



- LEGEND**
- EXISTING PROPERTY LINE
 - EXISTING RIGHT OF WAY
 - PARCEL BOUNDARY
 - OVERHEAD ELECTRIC
 - POWER POLE WITH LIGHT
 - POWER POLE
 - LIGHT POLE
 - SET 1/2" IRON ROD W/
ORANGE PLASTIC CAP STAMPED
"BAIN MEDINA BAIN INC"
 - FOUND IRON ROD
 - TREE
 - TELEPHONE MANHOLE
 - WATER METER
 - WATER VALVE
 - VALVE (MISCL)
 - GAS VALVE
 - FIRE HYDRANT
 - STORM SEWER MANHOLE
 - TRAFFIC CONTROL BOX
 - TELEPHONE PEDESTAL
 - TRAFFIC SIGNAL LIGHT POLE
 - ELECTRIC MANHOLE
 - SAN SEWER MANHOLE
 - SIGN
 - GUYWIRE
 - D.P.R.B.C.T. - DEED AND PLAT RECORDS OF
BEXAR COUNTY, TEXAS
 - O.P.R.R.P.B.C.T. - OFFICIAL PUBLIC RECORDS OF
REAL PROPERTY OF BEXAR
COUNTY, TEXAS

NOTES:
A METES AND BOUNDS DESCRIPTION OF
EVEN DATE HEREWITH ACCOMPANIES
THIS SURVEY PLAT.
BEARING SOURCE:
NAD 83/93 TEXAS SOUTH CENTRAL ZONE
ALL DISTANCES ARE GRID.
SCALE FACTOR: 1.0017



STATE OF TEXAS
BEXAR COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 15TH DAY OF MARCH, 2015 A.D.
VICTOR MENDEZ, JR. RPLS 6056

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT
DOWNTOWN STREETS - MAIN / SAN PEDRO / NAVARRO PROJECT

PARCEL NO. 19440

REVISED: 07-07-2015

DRWN. BY: RA JOB NO.: S-5497 PROJECT NO.: 40-00300 DATE: 03-18-2015
PAGE 3 OF 3

**THE STATE OF TEXAS:
COUNTY OF BEXAR:**

**Project Name: Downtown Streets
Main / San Pedro / Navarro Project
Project Number: 40-00300**

Parcel No. 19441

BEING A 0.024 OF AN ACRE (1,044 SQ. FT.) TRACT OF LAND, OUT OF LOT 11, BLOCK 1, N.C.B. 789, JACKSON SUBDIVISION AS SHOWN IN VOLUME 9592, PAGE 136, DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND CONVEYED IN A SPECIAL WARRANTY DEED TO JACKSON DOWNTOWN RETAIL, LP., RECORDED ON JULY 21, 2008 IN VOLUME 13598, PAGE 1938 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY TEXAS, AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found 1/2" iron rod, (N: 13,708,036.65; E: 2,129,688.47), on the existing west Right of Way line of San Pedro Avenue, a variable width right of way, as shown on said plat of Jackson Subdivision for the east corner of said Lot 11 and the north corner of Lot 12, Block 1 of said Jackson Subdivision, and the east corner of the herein described tract;

THENCE, S. 55°42'14" W., 10.15 feet, leaving the existing west Right of Way line of said San Pedro Avenue, with the common line of said Lots 11 and 12, to a set 1/2" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for a point on a non tangent curve to the right of the proposed west Right of Way line of said San Pedro Avenue and for the south corner of the herein described tract;

THENCE, departing the north line of said Lot 12, and crossing said Lot 11, along the proposed west Right of Way line of said San Pedro Avenue, an arc length of 27.11 feet, having a radius of 445.00 feet, a tangent of 13.56 feet, a delta of 03°29'26" and a chord bearing and distance of N. 38°13'00" W., 27.11 feet, along said curve to the right, to a set 1/2" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for an angle point of the herein described tract;

THENCE, N. 24°53'57" W., 41.29 feet, continuing across said Lot 11, along the proposed west Right of Way of said San Pedro Avenue, to a set 1/2" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for an angle point of the herein described tract;

THENCE, N. 34°01'59" W., 115.77 feet, continuing across said Lot 11, along the proposed west Right of Way line of said San Pedro Avenue, to a found 1/2" iron rod at the beginning of a cut back, at the end of the proposed west Right of Way line of said San Pedro Avenue at the intersection of the existing west Right of Way line of said San Pedro Avenue and the existing south Right of Way line of West Quincy Street, 57.8 foot Right of Way, as shown on said plat of Jackson Subdivision, for a northeast corner of said Lot 11 and the north corner of the herein described tract;

EXHIBIT "C"

THENCE, along the existing west Right of Way line of said San Pedro Avenue and the east line of said Lot 11, the following 2 bearings and distances;

S. 38°01'20" E., 67.95 feet, to an angle point of the herein described parcel;

S. 34°27'07" E., 115.75 feet, to the Point of Beginning and containing 0.024 of an acre (1,044 sq. ft.) of land more or less.

| <u>Tract</u> | <u>Acreage</u> |
|--------------|--------------------|
| Parent Tract | 0.650 Acres (Plat) |
| Parcel 19441 | <u>0.024 Acres</u> |
| Remainder | 0.626 Acres |

Bearing based on NAD 83(93), South Central Zone

No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 16th, day of March, 2015.

Plat Prepared by Bain Medina Bain, Inc.




Victor Mendez Jr. R.P.L.S. 6056

WEST QUINCY ST.
(57.8' R.O.W.)
(VOL. 9592, PG. 136)
(ASPHALT PAVEMENT)

SAN PEDRO AVENUE
(VOL. 9569, PG. 191)
(VOL. 9592, PG. 136)
(VARIABLE WIDTH R.O.W.)
(ASPHALT PAVEMENT)

LOT 11
BLOCK 1
N.C.B. 789

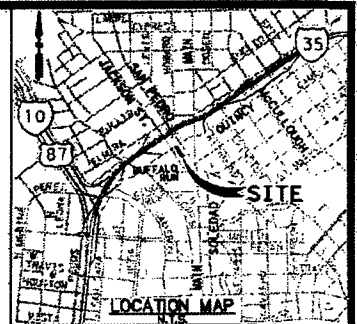
JACKSON DOWNTOWN
RETAIL, LP.
0.650 OF AN ACRE
(28,314 SQ. FT.)
VOL. 13598, PG. 1938
JUL. 21, 2008
O.P.R.R.P.B.C.T.

PARCEL NO. 19441
0.024 OF AN ACRE
1,044 SQ. FT.

JACKSON SUBDIVISION
VOL. 9592, PG. 136
D.P.R.B.C.T.

LOT 12
BLOCK 1
N.C.B. 789

SA DOWNTOWN TMC, LTD.
VOL. 13598, PG. 1940
JUL. 21, 2008
O.P.R.R.P.B.C.T.



- LEGEND**
- EXISTING PROPERTY LINE
 - EXISTING RIGHT OF WAY
 - PARCEL BOUNDARY
 - OVERHEAD ELECTRIC
 - POWER POLE WITH LIGHT
 - POWER POLE
 - LIGHT POLE
 - SET 1/2" IRON ROD W/
ORANGE PLASTIC CAP STAMPED
"BAIN MEDINA BAIN INC"
 - FOUND IRON ROD
 - TREE
 - TELEPHONE MANHOLE
 - WATER METER
 - WATER VALVE
 - VALVE (MISCL)
 - GAS VALVE
 - FIRE HYDRANT
 - STORM SEWER MANHOLE
 - TRAFFIC CONTROL BOX
 - TELEPHONE PEDESTAL
 - TRAFFIC SIGNAL LIGHT POLE
 - ELECTRIC MANHOLE
 - SAN SEWER MANHOLE
 - SIGN
 - GUYWIRE
 - D.P.R.B.C.T. = DEED AND PLAT RECORDS OF
BEXAR COUNTY, TEXAS
 - O.P.R.R.P.B.C.T. = OFFICIAL PUBLIC RECORDS OF
BEXAR COUNTY, TEXAS

NOTES:
A METES AND BOUNDS DESCRIPTION OF
EVEN DATE HERewith ACCOMPANIES
THIS SURVEY PLAT.
BEARING SOURCE:
NAD 83/93 TEXAS SOUTH CENTRAL ZONE
ALL DISTANCES ARE GRID.
SCALE FACTOR: 1.0017

0' 15' 30'
SCALE: 1" = 30'



| CURVE | ARC | RADIUS | TANGENT | DELTA | BEARING | CHORD |
|-------|--------|---------|---------|-----------|---------------|--------|
| CI | 27.11' | 445.00' | 13.56' | 03°29'26" | N 38°13'00" W | 27.11' |

PLAT SHOWING:
BEING A 0.024 OF AN ACRE (1,044 SQ. FT.) TRACT
OF LAND, OUT OF LOT 11, BLOCK 1, N.C.B. 789,
JACKSON SUBDIVISION AS SHOWN IN VOLUME 9592,
PAGE 136, DEED AND PLAT RECORDS OF BEXAR
COUNTY, TEXAS, AND CONVEYED IN A SPECIAL
WARRANTY DEED TO JACKSON DOWNTOWN RETAIL,
LP., RECORDED ON JULY 21, 2008 IN VOLUME 13598,
PAGE 1938 OF THE OFFICIAL PUBLIC RECORDS OF
REAL PROPERTY OF BEXAR COUNTY TEXAS

PREPARED BY:
BAIN MEDINA BAIN
ENGINEERS & SURVEYORS
7072 San Pedro
San Antonio, Texas 78216
210-484-7223
TBPE NO. F-1712
TLSF REG. NO. 100200-00

| TRACT | ACREAGE |
|--------------|--------------------|
| PARENT TRACT | 0.650 ACRES (PLAT) |
| PARCEL 19441 | 0.024 ACRES |
| REMAINDER | 0.626 ACRES |

THIS SURVEY IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND SHALL NOT
BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN
AUTHORIZED AGENT OF BAIN MEDINA BAIN, INC. BAIN MEDINA BAIN, INC.
ACCEPTS NO RESPONSIBILITY FOR THE LOSS OF THIS SURVEY FOR ANY
PURPOSE AFTER BEING ISSUED FROM THE DATE INDICATED ON THE SURVEY.
ALL RIGHTS RESERVED. COPYRIGHT 2015, BAIN MEDINA BAIN, INC.

STATE OF TEXAS
BEXAR COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.
THIS 16TH DAY OF MARCH, 2015 A.D.
VICTOR MENDEZ, JR. RPLS 6056

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT
DOWNTOWN STREETS - MAIN / SAN PEDRO / NAVARRO PROJECT
PARCEL NO. 19441

| | | | |
|--------------|-----------------|-----------------------|------------------|
| DRWN. BY: RA | JOB NO.: S-5467 | PROJECT NO.: 40-00300 | DATE: 03-16-2015 |
| | | | PAGE 3 OF 3 |

S:\5-5467 Downtown Streets - Main / San Pedro / Navarro Project - NO. 19441.dwg, 5/1/2015 10:35:54 AM

**THE STATE OF TEXAS:
COUNTY OF BEXAR:**

**Project Name: Downtown Streets
Main / San Pedro / Navarro Project
Project Number: 40-00300**

Parcel No. 19442

BEING A 0.084 OF AN ACRE (3,656 SQ. FT.) TRACT OF LAND, OUT OF LOT 12, BLOCK 1, N.C.B. 789 OF THE JACKSON SUBDIVISION RECORDED IN VOLUME 9592, PAGE 136, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND CONVEYED IN A SPECIAL WARRANTY DEED TO SA DOWNTOWN TMC, LTD., RECORDED ON JULY 21, 2008 IN VOLUME 13598, PAGE 1940 OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY TEXAS, AS SHOWN ON THE ACCOMPANYING PARCEL PLAT, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at a found 1/2" iron rod, (N: 13,708,036.65; E: 2,129,688.47), in the existing west Right of Way line of San Pedro Avenue, recorded in Volume 9592, Page 136, Plat Records of Bexar County, Texas, for the east corner of Lot 11, Block 1, N.C.B. 789 of said Jackson Subdivision, and for the north corner of said Lot 12, and for the northeast corner of the herein described parcel;

THENCE, S. 34°27'12" E., 191.74 feet, with the existing west Right of Way line of said San Pedro Avenue and the east line of said Lot 12, to a found mag nail, for the east corner of said Lot 12, in the northwest line of a 0.4911 of an acre tract, called Parcel II, conveyed in a special warranty deed, recorded on January 5, 2000 in Volume 8259, Page 1530, Official Public Records of Real Property of Bexar County, Texas, for the southeast corner of the herein described parcel;

THENCE, S. 56°01'19" W., 32.07 feet, leaving the existing west Right of Way line of said San Pedro Avenue with the south line of said Lot 12 and the northwest line of said 0.4911 of an acre tract, to a set 1/2" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for a point in a non-tangent curve to the right of the proposed west Right of Way line of said San Pedro Avenue, for the southwest corner of the herein described parcel;

THENCE, an arc length of 70.21 feet, leaving the northwest line of said 0.4911 of an acre tract and crossing said Lot 12, with the proposed west Right of Way line of said San Pedro Avenue, along said non-tangent curve to the right, having a radius of 81.00 feet, a tangent of 37.48 feet, a delta of 49°39'59", and a chord bearing and distance of N. 30°45'20" W., 68.04 feet, to a set 1/2" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for a point of reverse curvature of said proposed west Right of Way line of said San Pedro Avenue and the herein described parcel;

EXHIBIT "D"

THENCE, an arc length of 9.25 feet, continuing across said Lot 12, with the proposed west Right of Way line of said San Pedro Avenue, along said reverse curve to the left, having a radius of 84.00 feet, a tangent of 4.63 feet, a delta of 06°18'41", and a chord bearing and distance of N. 09°04'41" W., 9.25 feet, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for an angle point of the herein described parcel;

THENCE, N. 12°14'01" W., 44.62 feet, continuing across said Lot 12, with the proposed west Right of Way line of said San Pedro Avenue, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for the POC of a tangent curve to the left of the proposed west Right of Way line of said San Pedro Avenue and of the herein described parcel;

THENCE, an arc length of 31.42 feet, continuing across said Lot 12, with the proposed west Right of Way line of said San Pedro Avenue, along said tangent curve to the left, having a radius of 54.00 feet, a tangent of 16.17 feet, a delta of 33°20'32", and a chord bearing and distance of N. 28°54'17" W., 30.98 feet, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc.", for a point of reverse curvature of said proposed west Right of Way line of said San Pedro Avenue and of the herein described parcel;

THENCE, an arc length of 43.60 feet, continuing across said Lot 12, with the proposed west Right of Way line of said San Pedro Avenue, along said reverse curve to the right having a radius of 445.00 feet, a tangent of 21.82 feet, a delta of 05°36'50", and a chord bearing and distance of N. 42°46'08" W., 43.58 feet, to a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain Inc." on the northwest line of said Lot 12 and the southeast line of said Lot 11, for the northwest corner of the herein described parcel;

THENCE, N. 55°46'56" E., 10.15 feet, leaving the proposed west Right of Way line of said San Pedro Avenue, with the common line of said Lots 11 and 12, to the Point of Beginning and containing 0.084 of an acre (3,656 sq. ft.) of land more or less.

| <u>Tract</u> | <u>Acreage</u> |
|--------------|--------------------|
| Parent Tract | 0.650 Acres (Plat) |
| Parcel 19442 | <u>0.084 Acres</u> |
| Total | 0.566 Acres |

Bearing based on NAD 83(93), South Central Zone


No part of this Parcel has been dedicated previously by Plat or Replat

All coordinates are surface using a scale factor of: 1.00017

Plat prepared this day.

Surveyed on the ground 16th, day of March, 2015.
Plat Prepared by Bain Medina Bain, Inc.




Victor Mendez Jr. R.P.L.S. 6056

LOT 11
BLOCK 1
N.C.B. 789
JACKSON DOWNTOWN
RETAIL, LP
VOL. 13598, PG. 1938
JUL. 21, 2008
O.P.R.R.P.B.C.T.

JACKSON SUBDIVISION
VOL. 9592, PG. 136
D.P.R.B.C.T.

PARCEL NO. 19442
0.084 OF AN ACRE
3,656 SQ. FT.

LOT 12
BLOCK 1
N.C.B. 789
SA DOWNTOWN TMC, LTD.
0.650 OF AN ACRE
(28,314 SQ. FT.)
VOL. 13598, PG. 1940
JUL. 21, 2008
O.P.R.R.P.B.C.T.

POINT OF
BEGINNING
N 137°08'36.65"
E 212°96'58.47"
FOUND
IRON ROD

SAN PEDRO AVENUE
(VOL. 8165, PG. 476)
(VOL. 9592, PG. 136)
(VARIABLE WIDTH R.O.W.)
(ASPHALT PAVEMENT)

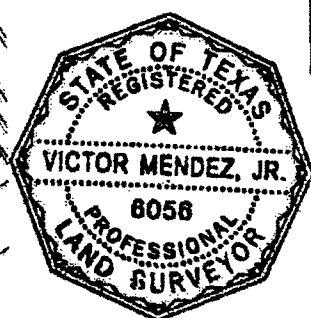


- LEGEND**
- EX. ROW
 - EX. ROW
 - ONE
 - PP/L
 - PP/R
 - LP
 - SET 1/2" IRON ROD W/
ORANGE PLASTIC CAP STAMPED
"BAIN MEDINA BAIN INC"
 - FOUND IRON ROD
 - TREE
 - MHT
 - WM
 - WV
 - GV
 - FI
 - TS
 - TP
 - TS
 - MHT
 - MHT
 - GUYMIRE
- D.P.R.B.C.T. = DEED AND PLAT RECORDS OF
BEXAR COUNTY, TEXAS
- O.P.R.R.P.B.C.T. = OFFICIAL PUBLIC RECORDS OF
REAL PROPERTY OF BEXAR
COUNTY, TEXAS

NOTES:
A METES AND BOUNDS DESCRIPTION OF
EVEN DATE HEREWITH ACCOMPANIES
THIS SURVEY PLAT.

BEARING SOURCE:
NAD 83/93 TEXAS SOUTH CENTRAL ZONE
ALL DISTANCES ARE GRID.
SCALE FACTOR: 1.0017

0' 15' 30'
SCALE: 1" = 30'



| CURVE | ARC | RADIUS | TANGENT | DELTA | BEARING | CHORD |
|-------|--------|---------|---------|-----------|---------------|--------|
| C1 | 70.21' | 81.00' | 37.48' | 49°39'59" | N 30°45'20" W | 68.04' |
| C2 | 9.25' | 84.00' | 4.63' | 06°18'41" | N 09°04'41" W | 9.25' |
| C3 | 31.42' | 54.00' | 16.17' | 33°20'32" | N 28°54'17" W | 30.98' |
| C4 | 43.80' | 445.00' | 21.82' | 05°36'50" | N 42°46'08" W | 43.58' |

PLAT SHOWING:
BEING A 0.084 OF AN ACRE (3,656 SQ. FT.) TRACT OF LAND, OUT
OF LOT 12, BLOCK 1, N.C.B. 789 OF THE JACKSON SUBDIVISION
RECORDED IN VOLUME 9592, PAGE 136, OF THE DEED AND PLAT
RECORDS OF BEXAR COUNTY, TEXAS AND CONVEYED IN A SPECIAL
WARRANTY DEED TO SA DOWNTOWN TMC, LTD., RECORDED ON
JULY 21, 2008 IN VOLUME 13598, PAGE 1940 OF THE OFFICIAL
PUBLIC RECORDS OF REAL PROPERTY OF BEXAR COUNTY TEXAS

PREPARED BY:
BAIN MEDINA BAIN
ENGINEERS & SURVEYORS
7073 San Pedro
San Antonio, Texas 78216
210-494-7223
TBPEN. F-1712
TLBP REG. NO. 100200-00

| TRACT | ACREAGE |
|--------------|--------------------|
| PARENT TRACT | 0.650 ACRES (PLAT) |
| PARCEL 19442 | 0.084 ACRES |
| REMAINDER | 0.566 ACRES |

THIS DRAWING IS THE PROPERTY OF BAIN MEDINA BAIN, INC. AND SHALL NOT
BE USED FOR ANY PURPOSE WITHOUT THE WRITTEN CONSENT OF AN
AUTHORIZED AGENT OF BAIN MEDINA BAIN, INC. BAIN MEDINA BAIN, INC.
ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS DRAWING FOR ANY
PURPOSE OTHER THAN THAT FOR WHICH IT WAS DESIGNED OR FOR THE
ALL RIGHTS RESERVED. COPYRIGHT 2015, BAIN MEDINA BAIN, INC.

STATE OF TEXAS
BEXAR COUNTY
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
SURVEY MADE ON THE GROUND UNDER MY SUPERVISION.

THIS 16TH DAY OF MARCH, 2015 A.D.

VICTOR MENDEZ, JR. RPLS 6056

CITY OF SAN ANTONIO
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT
DOWNTOWN STREETS - MAIN / SAN PEDRO / NAVARRO PROJECT
PARCEL NO. 19442

DRWN. BY: RA JOB NO.: S-5497 PROJECT NO.: 40-00300 DATE: 03-16-2015
PAGE 4 OF 4

S:\S-5497 Downtown Streets (CDM Smith)\SAC\CDM Smith\PARCEL NO. 19442.dwg, 4/30/2015 3:20:01 PM