

AN ORDINANCE **2016-06-16-0492**

**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 202.85 acres out of CB 4007 from "OCL" Outside City Limits to "I-2" Heavy Industrial District and "I-2 AHOD" Heavy Industrial 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.

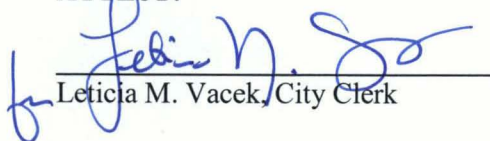
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective June 26, 2016.

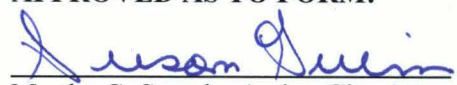
PASSED AND APPROVED this 16th day of June 2016.


M A Y O R
Ivy R. Taylor

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


for Martha G. Sepeda, Acting City Attorney

Agenda Item:	Z-5 (in consent vote: P-2, Z-5)						
Date:	06/16/2016						
Time:	02:09:24 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z2016146 (Council District 3): An Ordinance assigning zoning for property Outside City Limits to "I-2" Heavy Industrial District and "I-2 AHOD" Heavy Industrial Airport Hazard Overlay District on 202.85 acres out of CB 4007, located at 11625 Old Corpus Christi Highway and South IH 37. Staff and Zoning Commission recommend Approval, pending Plan Amendment. (Associated Plan Amendment 16039)						
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				x
Rebecca Viagran	District 3		x			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				

22016146

**SPECIAL WARRANTY DEED WITH VENDOR'S LIEN FILED BY:
PRESIDIO TITLE**

Date: February 16, 2006

Grantor: 37 SOUTH LIMITED, a Texas limited partnership

Grantor's Mailing Address (including county):

7870 Broadway
San Antonio, Bexar County, Texas 78209

Grantee: II SOUTHFORK DEVELOPMENT, LTD., a Texas limited partnership

Grantee's Mailing Address (including county):

1250 N. E. Loop 410, Ste 725
San Antonio, Texas 78209

Consideration:

Cash and a Note of even date that is in the principal amount of \$1,950,000.00, executed by Grantee, payable to the order of TEXAS CAPITAL BANK, NATIONAL ASSOCIATION ("Lender"), a portion of which is for the purchase price of this Property. The Note is secured by a vendor's lien retained in favor of Lender in this deed and by a Deed of Trust of even date from Grantee to JOHN D. HUDGENS, Trustee.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance and Warranty: None.

Exceptions to Conveyance and Warranty:

1. Any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments, protrusions or overlapping of improvements.
2. Standby fees, taxes, and assessments by any taxing authority for the current year and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership.

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 unto Grantee, Grantee's heirs, executors, administrators, successors, or 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 heirs, executors, administrators, successors, and assigns, against every person whomsoever lawfully claiming or to claim the same or any

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part thereof, except as to the reservations from and exceptions to warranty, when the claim is by, through, or under Grantor, but not otherwise.

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


Lender, at Grantee's request, 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 Lender and are transferred to that party without recourse on Grantor.

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

GRANTOR:

37 SOUTH LIMITED,
a Texas limited partnership

By: MANITOU LTD., INC.,
a Texas corporation,
General Partner

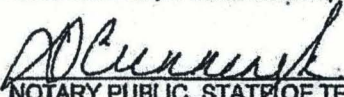
By: 
EDSEL G. JONES, President

STATE OF TEXAS

COUNTY OF BERAR

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This instrument was acknowledged before me on the 17 day of February, 2006, EDSEL G. JONES, President of MANITOU LTD., INC., a Texas corporation, General Partner of 37 SOUTH LIMITED, a Texas limited partnership.


NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:

II SOUTHFORK DEVELOPMENT, LTD.
1250 N. E. Loop 410, Ste 725
San Antonio, Texas 78209



Z2016146

EXHIBIT "A"

149.775 ACRES OF LAND OUT OF THE JUAN MONTES SURVEY NO. 8, ABSTRACT NO. 11, BEXAR COUNTY, TEXAS, BEING THAT SAME 150.73 ACRE TRACT DESCRIBED IN THE DEED TO I-37 PARK, LTD., RECORDED IN VOLUME 3689, PAGE 1675, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: At a 1/2" Iron rod found on the south end of the cutoff of the intersection of the west right-of-way line of Old Corpus Christi Road (60 ft. right-of-way) and the southwest right-of-way line of Donop Road (60 ft. right-of-way) for the southeast corner of this tract;

THENCE: With the southwest right-of-way line of Donop Road, the following courses and distances:
S 34°03'04" W, 478.60 feet to a 1/2" Iron rod found for an angle point;
S 35°43'39" W, 880.43 feet to a 1/2" Iron rod found for the most southerly corner of this tract;

THENCE: Departing the southwest right-of-way line of Donop Road, N 54°05'37" W, 2,708.94 feet to a 5/8" Iron rod found on the east right-of-way line of IH-37 for the southwest corner of this tract;

THENCE: With the east right-of-way line of IH-37, the following courses and distances:
N 04°45'21" W, 468.53 feet to a 1/2" Iron rod found for an angle point;
N 09°30'53" W, 127.00 feet to a 5/8" Iron rod found for an angle point;

THENCE: Departing the east right-of-way line of IH-37, N 31°07'59" E, 1,598.98 feet to a 3/4" pinched pipe for an angle point;

THENCE: N 31°15'52" E, 519.09 feet to a 5/8" Iron rod found on the west right-of-way line of Old Corpus Christi Road (60 ft. right-of-way) for the most northerly corner of this tract;

THENCE: With the west right-of-way line of Old Corpus Christi Road, the following courses and distances:
S 40°43'21" E, 509.70 feet to a 1/2" pinched pipe found for an angle point;
S 40°12'54" E, 1,806.38 feet to a 1/2" pinched pipe found for an angle point;

EXHIBIT "A"

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S 23°33'47" E, 1,122.99 feet to a 1/2" Iron rod found at the north end of the cutoff of the intersection of the west right-of-way line of Old Corpus Christi Road and the north right-of-way line of Donop Road for an angle point;

THENCE:

S 05°06'17" W, 87.28 feet to the POINT OF BEGINNING and containing 149.775 acres of land.

19331-1665
November 29, 2005
SBB/mns

EXHIBIT "A"

- II -

Z2016146

Doc# 20060046330
Pages 5
03/02/2006 09:05:39 AM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERRY RICKHOFF COUNTY CLERK

Fees 28.00

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.
03/02/2006 09:05:39 AM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerry Rickhoff

Z2016146

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date: February 16, 2006

Grantor: DONALD F. CARROLL

Grantor's Mailing Address (including county):

P. O. Box 801
Huntsville, Walker County, Texas 77342

FILED BY:
PRESIDIO TITLE
10549DC

Grantee: II SOUTHFORK DEVELOPMENT, LTD., a Texas limited partnership

Grantee's Mailing Address (including county):

1250 N. E. Loop 410, Ste 725
San Antonio, Texas 78209

Consideration:

Cash and a Note of even date that is in the principal amount of \$1,950,000.00, executed by Grantee, payable to the order of TEXAS CAPITAL BANK, NATIONAL ASSOCIATION ("Lender"), a portion of which is for the purchase price of this Property. The Note is secured by a vendor's lien retained in favor of Lender in this deed and by a Deed of Trust of even date from Grantee to JOHN D. HUDGENS, Trustee.

Property (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

Reservations from Conveyance and Warranty: None.

Exceptions to Conveyance and Warranty:

1. Any discrepancies, conflicts, or shortages in area or boundary lines; any encroachments, protrusions or overlapping of improvements.
2. Electric Line Right-of-Way Agreement as provided by instrument recorded in Volume 2331, Page 449, Deed Records of Bexar County, Texas.
3. Standby fees, taxes, and assessments by any taxing authority for the current year and subsequent years, and subsequent taxes and assessments by any taxing authority for prior years due to change in land usage or ownership.

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 unto Grantee, Grantee's heirs, executors, administrators, successors, or 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 heirs, executors, administrators, successors, and

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assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to warranty, when the claim is by, through, or under Grantor, but not otherwise.

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

Lender, at Grantee's request, 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 Lender and are transferred to that party without recourse on Grantor.

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

GRANTOR:

Donald F. Carroll
DONALD F. CARROLL

STATE OF TEXAS

COUNTY OF

BEXAR

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This instrument was acknowledged before me on the 17 day of February, 2006, DONALD F. CARROLL.

D. Cunningham
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:

II SOUTHFORK DEVELOPMENT, LTD.
1250 N. E. Loop 410, Ste 725
San Antonio, Texas 78209



Z2016146

EXHIBIT "A"

TRACT I:

73.923 ACRES OF LAND OUT OF THE JUAN MONTES SURVEY NO. 6, ABSTRACT NO. 11, COUNTY BLOCK 4007, BEXAR COUNTY, TEXAS, SAID 73.923 ACRES BEING THE SAME PROPERTY DESCRIBED IN EXHIBIT "B" IN DEED RECORDED IN VOLUME 2975, PAGE 497, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING: At a 1/2" iron rod found on the south end of the cutoff of the intersection of the west right-of-way line of Old Corpus Christi Road (60 ft. right-of-way) and the southwest right-of-way line of Donop Road (60 ft. right-of-way);

THENCE: With the southwest right-of-way line of Donop Road, the following courses and distances:

S 34°03'04" W, 478.60 feet to a 1/2" iron rod found for an angle point;

S 35°43'39" W, 880.43 feet to a 1/2" iron rod found for the **POINT OF BEGINNING**, and the northeast corner of this tract;

THENCE: Continuing with the southwest right-of-way line of Donop Road, S 35°46'38" W, 1,467.42 feet to a 1/2" iron rod found for the southeast corner of this tract;

THENCE: N 54°06'03" W, 1,701.07 feet to a 1/2" iron rod found on the east right-of-way line of IH-37 (right-of-way varies) for the southwest corner of this tract;

THENCE: With the east right-of-way line of IH-37, the following courses and distances:

N 02°05'12" E, 1,292.27 feet to a 5/8" iron rod found for an angle point;

N 00°10'44" W, 442.85 feet to a THD concrete monument (broken) for an angle point;

N 04°46'59" W, 47.86 feet to a 5/8" iron rod found for the northwest corner of this tract;

THENCE: Departing the east right-of-way line of IH-37, S 64°05'37" E, 2,708.94 feet to the **POINT OF BEGINNING**, and containing 73.923 acres of land.

19331-1665
November 29, 2005
SBB/mns

EXHIBIT "A"

Z2016146

TRACT II:

A 68.496 ACRE TRACT OF LAND OUT OF THE JUAN MONTES SURVEY NO. 6, ABSTRACT NO. 11, COUNTY BLOCK 4007, BEXAR COUNTY, TEXAS, SAID 68.496 ACRES BEING THE SAME PROPERTY DESCRIBED IN EXHIBIT "B" IN DEED RECORDED IN VOLUME 2975, PAGE 497, REAL PROPERTY RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING: At a THD concrete monument found at the northeast end of the cutoff of the intersection of the south right-of-way line of U.S. Highway 181 (right-of-way varies) and the east right-of-way line of I.H. 37 (right-of-way varies);

THENCE: With the south right-of-way line of U.S. Highway 181, N 87°13'24" E, 1,155.20 feet to a 5/8" iron rod found for the northeast corner of this tract;

THENCE: Departing the south right-of-way line of U.S. Highway 181, S 53°35'05" E, 458.26 feet to a 1/2" iron rod found on the west right-of-way line of Old Corpus Christi Road (60 feet right-of-way) for an angle point;

THENCE: With the west right-of-way line of Old Corpus Christi Road, S 41°05'37" E, 1,052.07 feet to a 5/8" iron rod found for the southeast corner of this tract;

THENCE: Departing the west right-of-way line of Old Corpus Christi Road, S 31°15'52" W, 519.09 feet to a 3/4" pinched pipe found for an angle point;

THENCE: S 31°07'59" W, 1,598.98 feet to a 5/8" iron rod found on the east right-of-way line of IH-37 (right-of-way varies) for the southwest corner of this tract;

THENCE: With the east right-of-way line of IH-37, the following courses and distances:

N 09°40'05" W, 389.05 feet to a 1/2" iron rod found for an angle point;

N 14°44'04" W, 516.26 feet to a THD concrete monument (broken) for an angle point;

N 19°39'34" W, 516.68 feet to a THD concrete monument (broken) for an angle point;

N 24°42'27" W, 516.60 feet to a 5/8" iron rod found for an angle point;

EXHIBIT "A"

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N 29°42'56" W, 516.25 feet to a THD concrete monument found for an angle point;

N 34°50'02" W, 552.40 feet to a 1/2" Iron rod found on the southwest end of the cutoff of the intersection of the south right-of-way line of U.S. Highway 181 and the east right-of-way line of IH-37;

THENCE:

N 26°12'42" E, 90.16 feet to the POINT OF BEGINNING and containing 68.496 acres of land.

19331-1665
November 29, 2005
SBB/mns

EXHIBIT "A"

- III -

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Doc# 20060046363
Pages 6
03/02/2006 09:35:17 AM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERRY RICKHOFF COUNTY CLERK

Fees 32.00

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.
03/02/2006 09:35:17 AM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerry Rickhoff