

AN ORDINANCE 2017-04-06-0198

DECLARING AN UNIMPROVED 0.004 ACRE TRACT OF CITY OWNED REAL PROPERTY LOCATED AT THE INTERSECTION OF MOON STREET, PROBANDT STREET, AND GLENN AVENUE IN COUNCIL DISTRICT 3 AS SURPLUS AND AUTHORIZING ITS SALE TO FRANK AND PAULETTE HALVORSON FOR \$3,517.00.

* * * * *

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

SECTION 1. The City Manager and her designee, jointly or severally, are authorized and directed to sell to Frank and Paulette Halvorson the 0.004 acre tract, more or less, as shown and described in **Attachment I**, which is incorporated herein for all purposes as if fully stated, for \$3,517.00. The City Manager and her designee, severally, are authorized and directed to execute and deliver on behalf of the city a deed without warranty, substantially in the form shown in **Attachment II**, conveying the above-described property. The City Manager and her designee, severally, are authorized to take all additional actions reasonably necessary or convenient to effectuate the transaction, including executing and delivering all instruments and agreements conducive to effectuating the transaction.

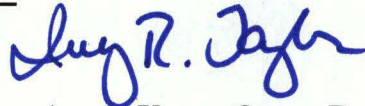
SECTION 2. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

SECTION 3. The disposition of property must be coordinated through the City's Finance Department to assure the removal of these assets out of the City's financial records and to record the proper accounting transactions.

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. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

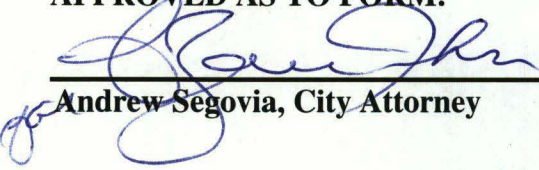
PASSED AND APPROVED this 6th day of April, 2017.


M A Y O R
Ivy R. Taylor

ATTEST:

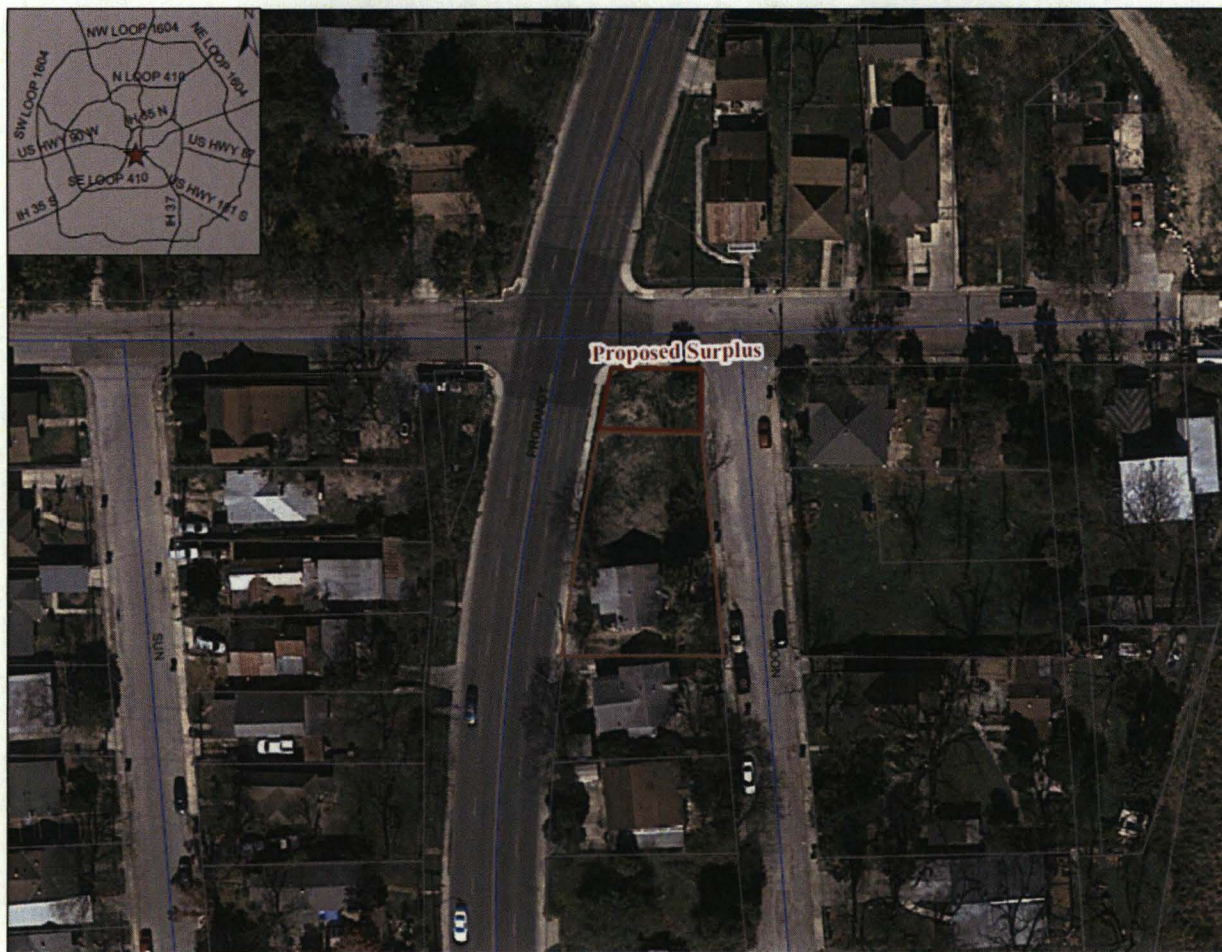

Leticia M. Vacek, City Clerk

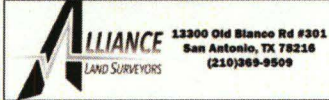
APPROVED AS TO FORM:


Andrew Segovia, City Attorney

Agenda Item:	6 (in consent vote: 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16)						
Date:	04/06/2017						
Time:	09:51:51 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance declaring an unimproved 0.04 acre tract of real property located at the intersection of Moon Street, Probandt Street and Glenn Avenue in Council District 3 as surplus and authorizing its sale to Frank and Paulette Halvorson for a price of \$3,517.00. [Peter Zanoni, Deputy City Manager, Mike Frisbie, Director, Transportation & Capital Improvements]						
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				

Attachment I





Borrower/Owner: **
Address: MOON ST. GF No. **
SAN ANTONIO, TX 78204

LEGAL DESCRIPTION

0.04 ACRES (1605 SQ.FT.) OF LAND, EAST PORTION OF LOT 22, BLOCK 11, NEW CITY BLOCK 2909,
IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

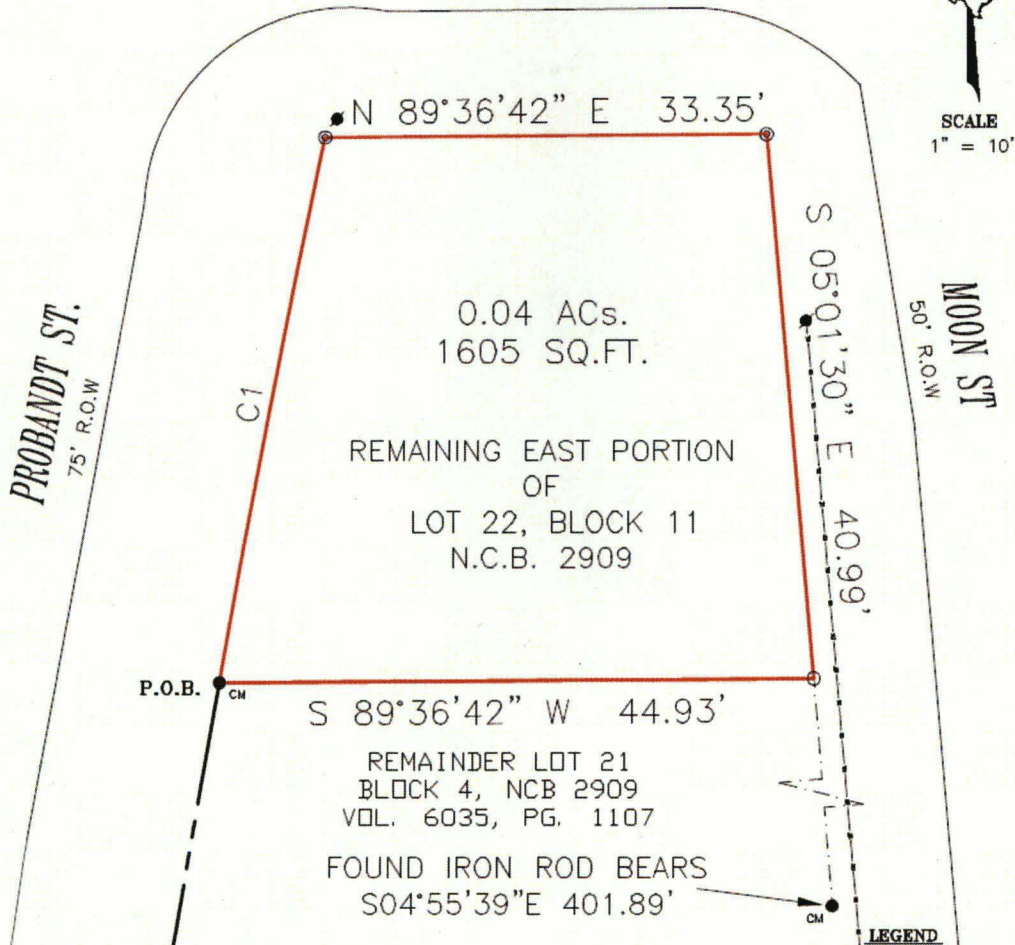
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	41.69'	1108.42'	2°09'18"	N 11°02'41" E	41.69'

GLENN AVE.

50' R.O.W



SCALE
1" = 10'

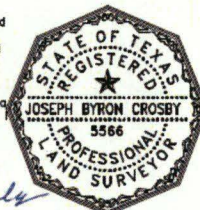


NOTES

1. BEARINGS AND DISTANCES BASED ON TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83, SOUTH CENTRAL ZONE.

- LEGEND**
- BOUNDARY
 - MISC-CONCRETE
 - ADJOINER
 - OVERHEAD ELECTRIC
 - FOUND IRON ROD
 - ⊙ SET IRON ROD
 - CALCULATED POINT
 - CONTROL MONUMENT
 - CM
 - PP (POWER POLE)

I, Joseph Byron Crosby, a Registered Professional Land Surveyor do hereby certify that the above plat represents an actual on the ground survey performed under my direct supervision and is true and correct to the best of my knowledge and belief and that there are no visible encroachments, overlapping of improvements and no discrepancies, shortages of area and conflicts in the boundary lines except as shown. I further certify that this survey meets the minimum standards established by the Texas Board of Professional Land Surveying.



SURVEY: JL	DATE 09/26/16
DRAWN BG	
CHECKED JBC	
APPD JBC	
SCALE 1"=10'	PAGE 1 OF 1
JOB NO. 160700124	
TEXAS FIRM #10194244	

JOSEPH BYRON CROSBY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 5566



13300 OLD BLANCO ROAD
SAN ANTONIO, TEXAS 78216
FIRM #10194224

FIELD NOTE DESCRIPTION
0.04 ACRES (1605 SQ. FT.)
EAST PORTION OF LOT 22
BLOCK 11, NCB 2909
CITY OF SAN ANTONIO
BEXAR COUNTY, TEXAS.

BEING A 0.04 ACRE TRACT (1605 SQ. FT.) OF LAND, THE REMAINING PORTION OF LOT 22, BLOCK 11, NEW CITY BLOCK (NCB) 2909 CITY OF SAN ANTONIO BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 1/2 INCH STEEL REBAR IN CURRENT EAST RIGHT-OF-WAY LINE OF PROBANDT STREET (75' R.O.W.) AT THE SOUTHWEST CORNER OF THIS TRACT HEREIN DESCRIBED, SAID POINT BEING SOUTHWEST CORNER OF A TRACT OF LAND IN THE NAME OF CITY OF SAN ANTONIO PER SAID NCB 2909, SAME BEING THE NORTHWEST CORNER OF A CALLED 0.13 ACRES CONVEYED TO AMADOR NINO AND ELIDA R. NINO BY DEED RECORDED IN VOLUME 6035, PAGE 1107, OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS;

THENCE IN A NORTHEASTERLY DIRECTION ALONG THE EAST RIGHT OF WAY LINE OF PROBANDT STREET (75' R.O.W.), AND A CURVE TO THE RIGHT HAVING A RADIUS OF 1108.42 FEET, AN ARC LENGTH OF 41.69 FEET AND A CHORD THAT BEARS N 11° 02' 41" E A DISTANCE OF 41.69 FEET TO A SET 1/2" INCH STEEL REBAR WITH PLASTIC CAP MARKED ALLIANCE FOR THE NORTHWEST CORNER OF THIS TRACT, BEING ON THE SOUTH RIGHT OF WAY LINE OF GLENN STREET (50' R.O.W.);

THENCE N 89° 36' 42" E WITH THE NORTH LINE OF SAID CITY OF SAN ANTONIO TRACT A DISTANCE OF 33.35 FEET TO A SET 1/2 INCH STEEL REBAR WITH PLASTIC CAP MARKED ALLIANCE IN THE WEST RIGHT-OF-WAY LINE OF MOON STREET (50' ROW) FOR THE NORTHEAST CORNER HEREOF;

THENCE S 05° 01' 30" E WITH THE WEST RIGHT-OF-WAY LINE OF MOON STREET AND THE EAST LINE OF SAID LOT 22, A DISTANCE OF 40.99 FEET TO A SET 1/2" STEEL REBAR WITH PLASTIC CAP MARKED ALLIANCE FOR THE NORTHEAST CORNER OF SAID 0.13 ACRES TRACT AND THE SOUTHEAST CORNER HEREOF;

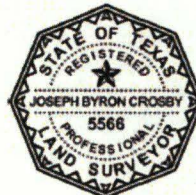
THENCE S 89° 36' 42" W ALONG THE SOUTH LINE OF SAID LOT 22 AND THE NORTH LINE OF SAID 0.13 A DISTANCE 44.93 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.04 ACRES (1605 SQ. FT.) OF LAND.

BEARINGS AND DISTANCES BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM NAD-83 TEXAS SOUTH CENTRAL ZONE.

THIS SURVEY WAS PREPARED FROM AN ON THE GROUND SURVEY PERFORMED UNDER MY DIRECT SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Joe B Crosby

JOE B. CROSBY
RPLS # 5566
10/04/2016



Attachment II: Form of Deed

Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All 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.

State of Texas }
 }
County of Bexar }

Deed Without Warranty

Authorizing Ordinance:

Statutory Authority: Local Government Code § 272.001(a) or Texas Local Government Code §253.014

SP No./Parcel:

Grantor: City of San Antonio

Grantor's Mailing Address: City Of San Antonio, P.O. Box 839966, San Antonio, Texas 78283-3966 (Attn: City Clerk)

Grantor's Street Address: City Hall, 100 Military Plaza, San Antonio, Texas 78205 (Bexar County)

Grantee:

Grantee's Mailing Address:

Consideration: \$_____ in hand paid and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged.

Property: All of the following real property situated within the corporate limits of the City of San Antonio, Bexar County, Texas, being described as follows: _____ as recorded in Volume _____, Page _____, Deed and Plat Records of Bexar County Texas.

Grantor, for the Consideration, Grants, Bargains, and Conveys to Grantee, all of Grantor's right, title, interest, and estate, both at law and in equity, as of the date hereof, in and to the Property,

together with all and singular the rights and appurtenances thereto in anywise belonging, To Have and To Hold unto Grantee, Grantee's successors and assigns forever, **Without Any Express Or Implied Warranty Whatsoever, Including But Not Limited to Warranties of Title, Condition, or Character.**

The Property is conveyed together with any and all improvements, structures and fixtures located thereon, and with all rights, privileges, rights of way, and easements appurtenant thereto, unless reserved unto other parties herein.

Reservations, Restrictions, Exceptions, And Conditions To Conveyance: This conveyance is explicitly subject to the following:

- A. Reservations:** All recorded reservations.
- B. Easements:** All recorded and unrecorded easements, whether or not open and obvious.
- C. Restrictions:** All covenants and restrictions affecting the Property.
- D. Exceptions:** All instruments affecting the Property, whether or not recorded.
- E. Conditions:** All conditions affecting the Property.

This conveyance does not relieve Grantee of any building, zoning, or other city-imposed requirements, or other land use restrictions applicable to the Property or the obligation to pay any real estate taxes that may otherwise be due.

Grantor expressly disclaims any and all warranties arising by common law, statute (including without limitation the implied warranties of § 5.023, Texas Property Code or any successor statute), or otherwise.

Setting Out The Specific Reservations And Disclaimers Does Not Imply That The Property Is Free Of Other Encumbrances Or Adverse Claims Or Conditions. Grantor Specifically Disclaims Any Such Implication.

In Witness Whereof, Grantor has caused its representative to set its hand:

Grantor:

City of San Antonio, a Texas municipal corporation

By: _____

Printed
Name: _____

Title: _____

Date: _____

Approved As To Form:

By: _____
City Attorney

The State of Texas }

County of Bexar }

Before me, the undersigned authority, this instrument was this day acknowledged by _____, of and for the City of San Antonio, a Texas municipal corporation, on behalf of that entity in the capacity stated.

Date: _____

Notary Public, State of Texas

My Commission Expires: _____

After Recording, Return To: