

ORDINANCE 2018-04-05-0219

CLOSING, VACATING, AND ABANDONING A 0.517 ACRE IMPROVED SEGMENT OF LEWIS STREET AND WEST RUSSELL PLACE LOCATED IN COUNCIL DISTRICT 1 AS REQUESTED BY CHRIST EPISCOPAL CHURCH FOR A FEE OF \$6,025.00.

* * * * *

WHEREAS, Christ Episcopal Church ("Petitioner") owns all the abutting property surrounding the proposed closure; and

WHEREAS, the rights of way will remain accessible to the general public and emergency vehicles; and

WHEREAS, such closure will alleviate the City of San Antonio from maintenance and other costs; **NOW THEREFORE:**

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

SECTION 1. As an exercise of its discretion, the City Council closes, vacates, and abandons the right of way segment ("Right of Way Segment") identified in Section 2 of this ordinance. The City Manager or her designee, severally, are authorized and directed to execute and deliver all necessary documents and to do all other things conducive to effectuate this closure, abandonment, and vacation.

SECTION 2. Maps and pictures of the Right of Way Segment are set forth on **Exhibit A**. The detailed description of the Right of Way Segment is set forth on **Exhibit B**. Both Exhibit A and B are incorporated into this ordinance for all purposes as if they were fully set forth. Exhibit B controls over any discrepancy between it and Exhibit A.

SECTION 3. Reservation of Utility Rights. All presently existing drainage, sewer, water, recycled water and wastewater lines and facilities, electric transmission and distribution poles, lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this ordinance and may continue to be accessed, used, repaired, enlarged, upgraded, replaced (and realigned within the Right of Way Segment) and maintained in the ordinary course of business. Any person wanting removal or relocation of an existing utility pole, line or facility must negotiate separately with the pertinent utility. Any person building on the Right of Way Segment without first reaching an agreement with a utility having poles, lines or facilities in the segment does so at his own risk. After the date of this ordinance, other than replacement of an existing pole, line or facility, no utility may add additional utility poles, lines or facilities in the Right of Way Segment based on a claim that the Right of Way Segment is public right of way. All drainage rights in the Right of Way Segment are retained by the City. This closure does not give up any right arising other than from the plat or other instrument creating the public street or alley right of way. Neither does this ordinance create new easement rights.

SECTION 4. The Right of Way Segment exists by easement. The underlying fee ownership of the Right of Way Segment by the adjacent lot owners is now unburdened by the rights closed, vacated, and abandoned. For purposes of future conveyance and to better reflect their ownership generally, owners of the adjacent property should replat. No such replat impairs the rights retained by City above, unless in the course of replatting, the owner, at its own expense, otherwise provides for those rights according to platting rules of general applicability.

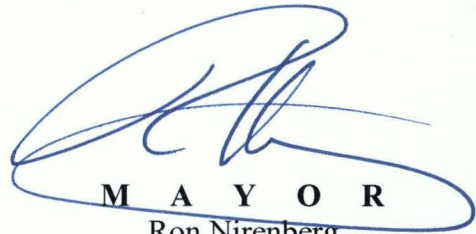
SECTION 5. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253, and General Ledger 4903101.

SECTION 6. The disposition of surplus property must be coordinated through the City's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

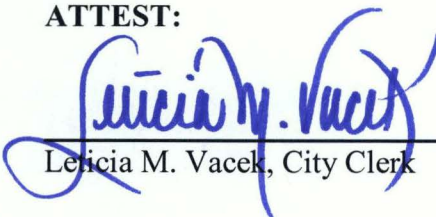
SECTION 7. The financial allocations in this ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 8. This ordinance is effective immediately upon passage by eight affirmative votes; otherwise it is effective on the tenth day after passage.

PASSED and APPROVED this 5th day of April, 2018.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney

Agenda Item:	12 (in consent vote: 5, 6, 7, 8, 9A, 9B, 11, 12, 13, 14, 15, 16A, 16B, 16C, 16D, 16E)						
Date:	04/05/2018						
Time:	10:04:36 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance closing, vacating, and abandoning a 0.517 acre improved segment of Lewis Street and West Russell Place located in Council District 1 as requested by Christ Episcopal Church for a fee of \$6,025.00. [Peter Zaroni, Deputy City Manager; Mike Frisbie, Director, Transportation & Capital Improvements]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor		x				
Roberto C. Treviño	District 1		x			x	
William Cruz Shaw	District 2		x				x
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x				
Shirley Gonzales	District 5		x				
Greg Brockhouse	District 6		x				
Ana E. Sandoval	District 7		x				
Manny Pelaez	District 8		x				
John Courage	District 9		x				
Clayton H. Perry	District 10		x				

LC
04/05/18
Item No. 12

Exhibit A

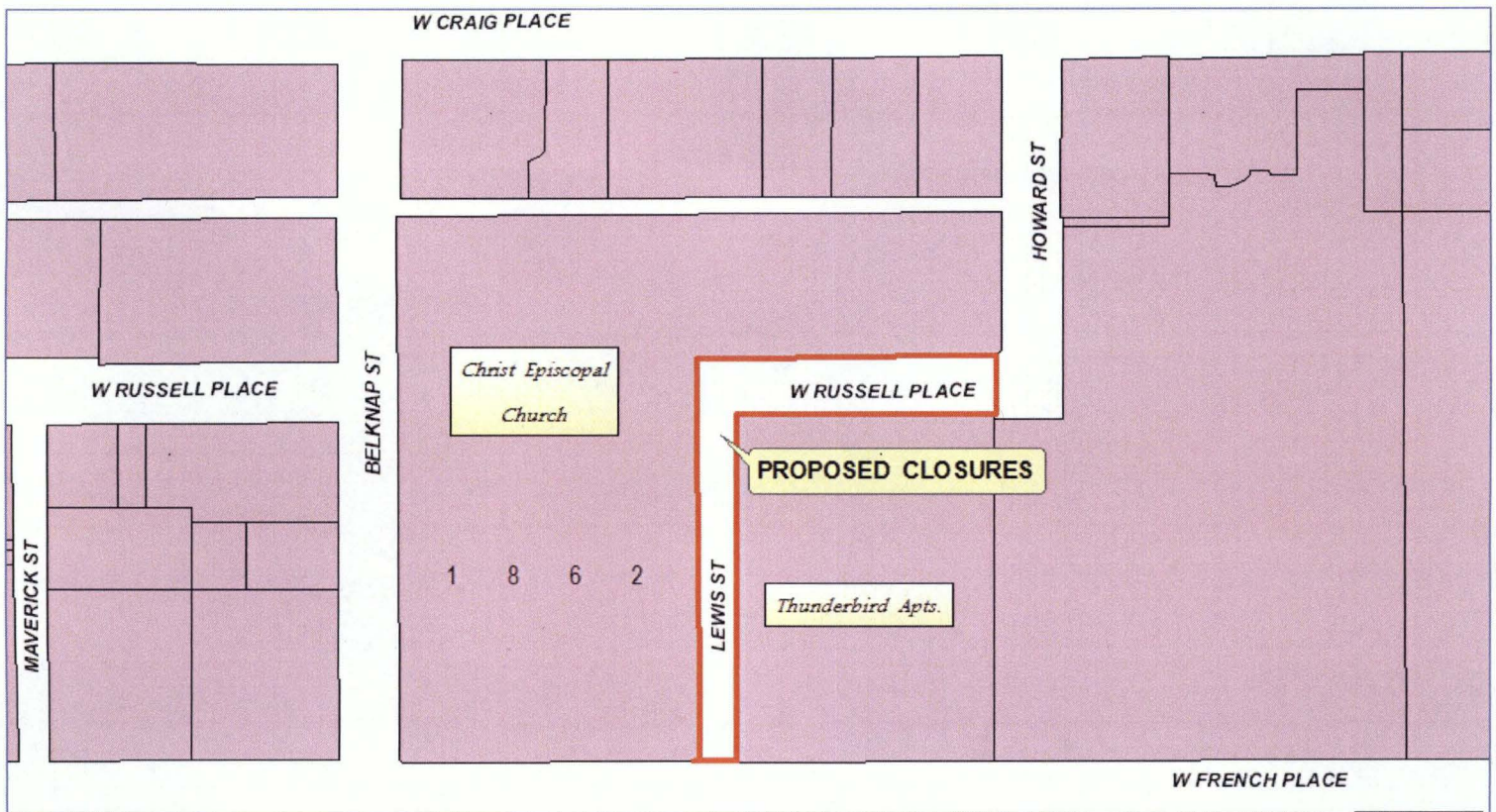


Exhibit A

LC
04/05/18
Item No. 12

Exhibit B



LOCATION MAP

NOT-TO-SCALE

LOT 25, BLOCK 4
N.C.B. 1862
CHRIST EPISCOPAL CHURCH SUBDIVISION
(VOL 9512, PG 114 DPR)

N00°07'19"W 348.53'

LEWIS ST.
(27.8' R.O.W.)

RADIAL BEARING
N00°11'29"W
C2

RUSSELL PL.
(VARIABLE WIDTH R.O.W.)

P.O.B.
S00°31'19"E
55.60'

S89°28'41"W
228.63'

0.517 OF AN ACRE
(22,537 SQUARE FEET MORE OR LESS)

S00°07'19"E
298.08'

CALLED 1.569 AC
DOC # 20050226381 OPR

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	5.00'	89°41'30"	S44°37'56"W	7.05'	7.83'
C2	5.00'	89°55'50"	N44°50'36"E	7.07'	7.85'

S89°48'31"W
32.79'

FRENCH PL.
(55.6' R.O.W.)

**PAPE-DAWSON
ENGINEERS**

2000 NW LOOP 410 | SAN ANTONIO, TEXAS 78213 | PHONE: 210.375.9000
FAX: 210.375.9010

TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470
TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, FIRM REGISTRATION # 10028800

LEGEND:

OPR OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
DPR DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
FIR FOUND 1/2" IRON ROD

NOTES:

1. THE PROFESSIONAL SERVICES PROVIDED HERewith INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.

14.7 ALLEY

N00°12'49"W 120.59'

P.O.C.

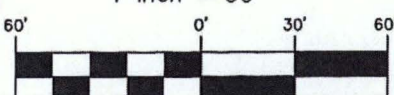
N89°28'41"E 256.04' S89°28'41"W 7.94'

FD. 1/2" I.R.

HOWARD ST.
(55.6' R.O.W.)

LOT 4 NCB 1884
CHANDLER MEMORIAL HOME SUBD
(VOL 9532 PG 50 DPR)

1 inch = 60'



G. E. Buchanan
09/09/2016

EXHIBIT
FOR STREET CLOSURE

A 0.517 OF AN ACRE, OR 22,537 SQUARE FEET MORE OR LESS,
TRACT OF LAND OUT THE LEWIS ST., A 27.8-FOOT
RIGHT-OF-WAY AND THE RUSSELL PL., A 55.6-FOOT
RIGHT-OF-WAY DESCRIBED IN THE CITY ENGINEERS MAP
NO. 10 OF THE CITY OF SAN ANTONIO, BEXAR COUNTY,
TEXAS.

SHEET 1 OF 1

JOB No.: 9053-16



FIELD NOTES
FOR STREET CLOSURE

A 0.517 of an acre, or 22,537 square feet more or less, tract of land out the Lewis St., a 27.8-foot right-of-way and the Russell Pl., a 55.6-foot right-of-way described in the City Engineers Map No. 10 of the City of San Antonio, Bexar County, Texas. Said 0.517 of an acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00;

COMMENCING: At a found ½" iron rod, the north end of the curve return of the north right-of-way line of said Russell Pl. with the west right-of-way line of said Howard St., an east corner of Lot 25, Block 4, N.C.B. (New City Block) 1862 of the Christ Episcopal Church Subdivision recorded in Volume 9512, Page 114 of the Deed and Plat Records of Bexar County, Texas from which a found ½" iron rod, the northeast corner of said Lot 25, bears a bearing and distance of N 00°12'49" W, 120.59 feet;

THENCE: Southwesterly, with the north right-of-way line of Russell Pl., variable width right-of-way at this point, with a tangent curve to the right, said curve having a radius of 5.00 feet, a central angle of 89°41'30", a chord bearing and distance of S 44°37'56" W, 7.05 feet, for an arc length of 7.83 feet to a point;

THENCE: S 89°28'41" W, continuing with the north right-of-way line of said Russell Pl., a distance of 7.94 feet to the POINT OF BEGINNING;

THENCE: S 00°31'19" E, over and across said Russell Pl., a distance of 55.60 feet to a point, the northeast corner of a called 1.569 acre tract described in Document No. 20050226381 of the Official Public Records of Bexar County, Texas, on the south right-of-way line of said Russell Pl.;

THENCE: With the south right-of-way line of said Russell Pl., the following bearings and distances:

S 89°28'41" W, with the north line of said 1.569 acre tract, a distance of 228.63 feet to a point, the northwest corner of said 1.569 acre tract, the southeast corner of the intersection of the east right-of-way line of said Lewis St. with the south right-of-way line of said Russell Pl.;

THENCE: S 00°07'19" E, with the east right-of-way line of said Lewis St., the west line of said 1.569 acre tract, a distance of 298.08 feet to a point, the southwest corner of said 1.569 acre tract, on the north right-of-way line of French Pl, a 55.6-foot right-of-way, the northeast corner of the intersections of the north right-of-way line of said French Pl. with the east right-of-way line of said Lewis St.;

THENCE: S 89°48'31" W, with the north right-of-way line of said French Pl., a distance of 32.79 feet to a point, a south corner of said Lot 25, the west end of the curve return line of the north right-of-way line of said French Pl. with the west right-of-way line of said Lewis St., the beginning of a non-tangent curve to the left;

THENCE: Northeasterly, with the west right-of-way line of said Lewis St., the east line of said Lot 25, with said non-tangent curve to the left, said curve having a radial bearing of N 00°11'29" W, a radius of 5.00 feet, a central angle of 89°55'50", a chord bearing and distance of N 44°50'36" E, 7.07 feet, for an arc length of 7.85 feet to a point, the north end of said curve return;

THENCE: N 00°07'19" W, continuing with the west right-of-way line of said Lewis St., the east line of said Lot 25, a distance of 348.53 feet to a point, a reentrant corner of said Lot 25, on the north right-of-way line of said Russell Pl;

THENCE: N 89°28'41" E, with the north right-of-way line of said Russell Pl., a south line of said Lot 25, a distance of 256.04 feet to the POINT OF BEGINNING and containing 0.517 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 9053-16 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: June 23, 2016
REVISED: September 9, 2016
JOB NO. 9053-16
DOC. ID. N:\Survey16\16-9000\9053-16\Word\9053-16 FN-ROW.docx

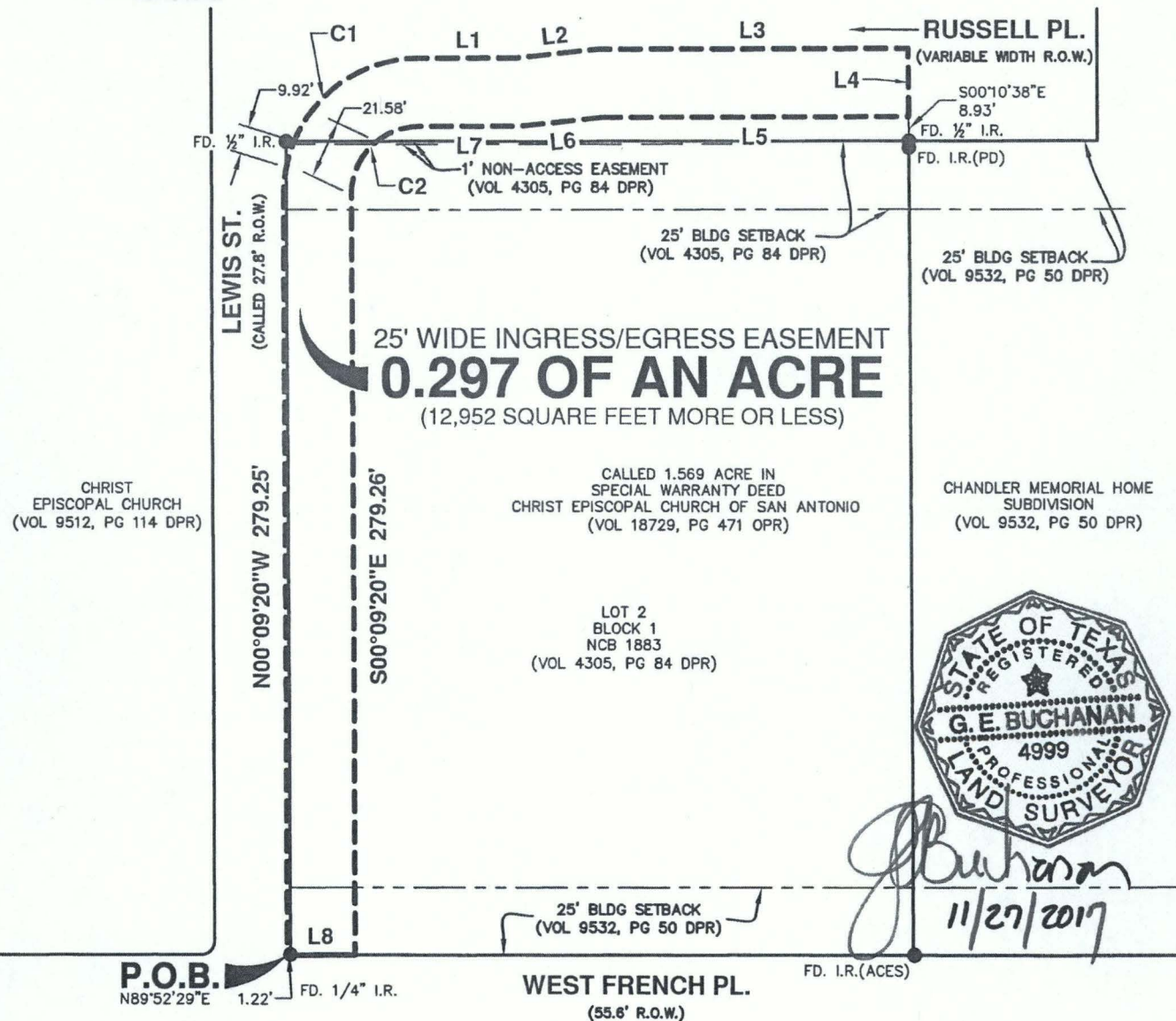
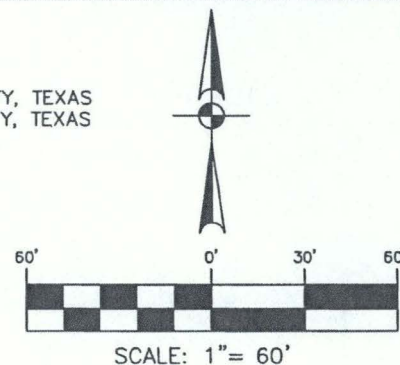


G. E. Bughanan
09/09/2016



DR	DEED RECORDS OF BEXAR COUNTY, TEXAS
OPR	OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS
DPR	DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
FIR	FOUND 1/2" IRON ROD

1. THE PROFESSIONAL SERVICES PROVIDED HEREWITH INCLUDE THE PREPARATION OF A FIELD NOTE DESCRIPTION.
2. THE BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE SOUTH CENTRAL ZONE FROM THE NORTH AMERICAN DATUM OF 1983 NAD 83 (NA2011) EPOCH 2010.00.



11/27/2017



**PAPE-DAWSON
ENGINEERS**

SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10028800

EXHIBIT FOR
25-FOOT WIDE INGRESS/EGRESS EASEMENT
A 0.297 OF AN ACRE, OR 12,295 SQUARE FEET, MORE OR LESS,
EASEMENT TRACT BEING PARTIALLY OUT OF LOT 2, BLOCK 1,
NEW CITY BLOCK 1883 RECORDED IN VOLUME 4305, PAGE 84
OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS
AND PARTIALLY OUT OF LEWIS STREET AND RUSSELL PLACE.

SHEET 1 OF 2

NOVEMBER 27, 2017

JOB No.: 8484-10

LINE TABLE		
LINE	BEARING	LENGTH
L1	N89°50'40"E	35.98'
L2	N83°52'53"E	30.17'
L3	N89°50'38"E	113.75'
L4	S00°13'12"E	25.00'
L5	S89°50'38"W	112.48'
L6	S83°52'53"W	30.17'
L7	S89°50'40"W	37.28'
L8	S89°52'29"W	25.00'

CURVE TABLE					
CURVE	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	50.00'	90°00'00"	N44°50'40"E	70.71'	78.54'
C2	25.00'	90°00'00"	S44°50'40"W	35.36'	39.27'



SAN ANTONIO | AUSTIN | HOUSTON | FORT WORTH | DALLAS
 2000 NW LOOP 410 | SAN ANTONIO, TX 78213 | 210.375.9000
 TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10029800

NOVEMBER 27, 2017

SHEET 2 OF 2
 JOB No.: 8484-10



**METES AND BOUNDS DESCRIPTION
FOR
25' WIDE INGRESS/EGRESS EASEMENT**

A 0.297 of an acre tract, or 12,952 square feet more or less, easement tract being partially out of Lot 2, Block 1 New City Block 1883 recorded in Volume 4305, Page 84 of the Deed and Plat Records of Bexar County, Texas and partially out of Lewis Street and Russell Place. Said 0.297 of an acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00.

BEGINNING: At a point from which a found 1/4" iron rod bears N 89°52'29" E, a distance of 1.22 feet, on the southwest corner of said Lot 2 and at the intersection of West French Place, having a 55.6 foot right-of-way and Lewis Street, having a called 27.8 foot right-of-way;

THENCE: N 00°09'20" W, over and across Lewis Street, a distance of 279.25 feet to a point;

THENCE: Northeasterly, along a tangent curve to the right, over and across the intersection of said Lewis Street and Russell Place, a variable width right-of-way, said curve having a radius of 50.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 44°50'40" E, 70.71 feet, for an arc length of 78.54 feet to a point;

THENCE: N 89°50'40" E, over and across Russell Place, a distance of 35.98 feet to a point;

THENCE: N 83°52'53" E, over and across Russell Place, a distance of 30.17 feet to a point;

THENCE: N 89°50'38" E, over and across Russell Place, a distance of 113.75 feet to a point;

THENCE: S 00°13'12" E, over and across Russell Place, a distance of 25.00 feet to a point from which a found 1/2" iron rod bears S 00°10'38" E, a distance of 8.93 feet;

THENCE: S 89°50'38" W, over and across Russell Place, a distance of 112.48 feet to a point;

0.297 Acre
Job No.: 8484-10

THENCE: S 83°52'53" W, over and across Russell Place, a distance of 30.17 feet to a point;

THENCE: S 89°50'40" W, over and across Russell Place, a distance of 37.28 feet to a point;

THENCE: Southwesterly, over and across said Russell Place and partially over and across said Lot 2, along a tangent curve to the left, said curve having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of S 44°50'40" W, 35.36 feet, for an arc length of 39.27 feet to a point;

THENCE: S 00°09'20" E, continuing over and across said Lot 2, a distance of 279.26 feet to a point on the north right-of-way line of said West French Place;

THENCE: S 89°52'29" W, along and with the common boundary line of said West French Place and said Lot 2, a distance of 25.00 feet to the POINT OF BEGINNING and containing 0.297 of an acre in the City of San Antonio, Bexar County, Texas. Said easement tract being described in accordance with an exhibit prepared under job number 8484-10 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: November 27, 2017
JOB NO. 8484-10
DOC. ID. N:\CIVIL\8484-10\Word\8484-10 ESIE-0.297 AC-R1.docx

