

ORDINANCE 2018-04-12-0271

RELEASING A CITY STORM WATER DRAINAGE EASEMENT WHICH IS APPROXIMATELY 0.492 OF AN ACRE LOCATED NEAR THE INTERSECTION OF HIGGINS ROAD AND STAHL ROAD IN COUNCIL DISTRICT 10, AS REQUESTED BY ACL CREEK VENTURES, LLC.

* * * * *

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

SECTION 1. The City Manager, or her designee, is authorized to execute and deliver a release of the following drainage easement:

A. An approximately 0.492-acre drainage easement described by metes and bounds on **Attachment I**.

SECTION 2. All attachments to this ordinance are incorporated into it by reference for all purposes as if fully set forth. The City Manager, or her designee, is further authorized to execute and deliver all other documents necessary or convenient to effect the transactions contemplated in the above agreement; and otherwise to do all things necessary or convenient to effectuate the transaction.

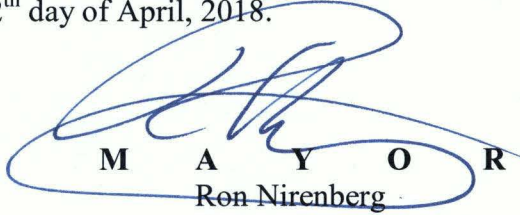
SECTION 3. The disposition of property must be coordinated through the City's Finance Department to assure the removal of these assets out of the City's financial records and to record the proper accounting transactions, if any.

SECTION 4. All presently existing water and wastewater lines and facilities, electric transmission and distribution 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 used, repaired, enlarged, and maintained in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. Any person building on the released utility easements without first reaching an agreement with a utility having lines or facilities in the segment does so at his own risk. After the date of this Ordinance, no utility may add additional utility lines or facilities in the released utility easements.

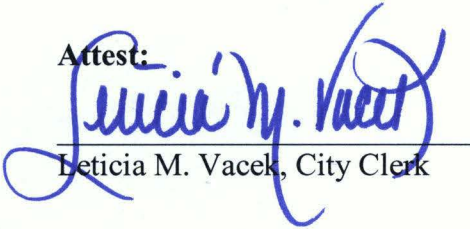
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific SAP Fund Numbers, SAP Project Definitions, 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 6. This Ordinance shall become effective immediately upon passage by eight or more affirmative votes; otherwise it shall become effective on the tenth day after passage.

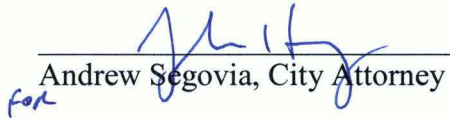
PASSED AND APPROVED this 12th day of April, 2018.


M A Y O R
Ron Nirenberg

Attest:


Leticia M. Vacek, City Clerk

Approved As To Form:


for Andrew Segovia, City Attorney

Agenda Item:	18 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19A, 19B, 20, Z-1, Z-2, 21, Z-3)						
Date:	04/12/2018						
Time:	09:21:34 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance releasing a City Storm Water drainage easement which is approximately 0.492 of an acre located near the intersection of Higgins Road and Stahl Road in Council District 10, as requested by ACL Creek Ventures LLC. [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				

JH
4/12/2018
Item No. 18

Attachment I



FIELD NOTES
FOR A 0.492 OF AN ACRE
"VARIABLE WIDTH DRAINAGE EASEMENT"

Being 0.492 of an acre tract of land located in the City of San Antonio, Bexar County, Texas, N.C.B. 15688, out of the J. M. Watson Survey No. 320, Abstract No. 801, and being out of Lots 14 and 15 of Clearcreek Subdivision Unit 2, as recorded in Volume 9714, Page 136 of the Deed and Plat Records of Bexar County, Texas, and out of a portion of the remainder of a 10.475 acre tract of land as described in Volume 17607, Page 973 of the Official Public Records of Bexar County, Texas, and being that same tract of land as described in Volume 9948 Page 1014 of the Official Public Records of Bexar County, Texas and said 0.492 acres being more particularly described by metes and bounds as follows:

COMMENCING: At ½" iron pin found for the Northerly corner of said Clearcreek Subdivision Unit 2, the Easterly corner of a remainder of 65.033 acres of land as recorded in Volume 10844, Page 1607 of the Official Public Records of Bexar County, Texas;

THENCE: With the Northwest line of said Clearcreek Unit 2, the Southeasterly line of said remainder of 65.033 acres of land, S 71° 19' 29" W a distance of 57.37 feet to a point in said Southeasterly line of said 65.033 acre tract of land and the POINT OF BEGINNING;

THENCE: Departing the Northwesterly line of said Clearcreek Subdivision Unit 2, and across and through said Clearcreek Subdivision Unit 2, and said 10.475 acres of land the following calls:

S 46° 49' 38" W, a distance of 94.98 feet to a point;

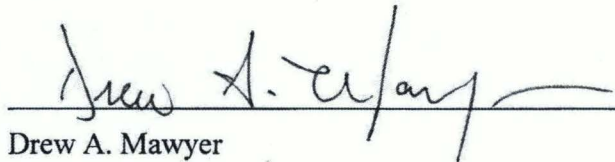
S 57° 34' 35" W, a distance of 77.00 feet to a point for the Southwesterly corner of this herein described 0.492 of an acre tract of land;

And N 35° 32' 55" W, a distance of 134.03 feet to a point in the Southeasterly line of said remainder of 65.033 acres of land, the Northwesterly line of said Clearcreek Subdivision Unit 2;

THENCE: With the Northwest line of said Clearcreek Unit 2, the Southeasterly line of said remainder of 65.033 acres of land, N 71° 19' 29" E a distance of 311.56 feet to the POINT OF BEGINNING and containing this herein described 0.492 of an acre tract of land;

Bearings based on the Texas State Plane Coordinates System, Texas South Central Zone (4204).

Exhibit prepared this the 14th day of December, 2017



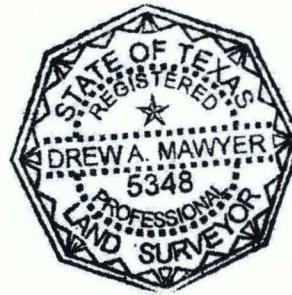
Drew A. Mawyer

Registered Professional Land Surveyor No. 5348

TBPLS Firm Registration No. 10191500

5151 W SH 46, New Braunfels, Texas 78132

BRD174-Clearcreek San Swr Esmt -0.492 Ac. M&B





SCALE: 1"=60'

BEING 0.492 OF AN ACRE TRACT OF LAND LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, N.C.B. 15688, OUT OF THE J. M. WATSON SURVEY NO. 320, ABSTRACT NO. 801, AND BEING OUT OF LOTS 14 AND 15 OF CLEARCREEK SUBDIVISION UNIT 2, AS RECORDED IN VOLUME 9714, PAGE 136 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND OUT OF A PORTION OF THE REMAINDER OF A 10.475 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 17607, PAGE 973 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING THAT SAME TRACT OF LAND AS DESCRIBED IN VOLUME 9948 PAGE 1014 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

SYDNEY P. DUBOSE JR.
VOL. 10844, PG. 1607

16' SANITARY SEWER EASEMENT
(VOL. 9524, PGS. 196-197)

0.492 AC

CITY OF SAN ANTONIO
EXISTING PERMANENT EASEMENT
(VOL. 9948, PG. 1014)

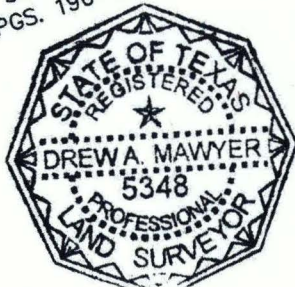
10.475 AC
ACL CREEK VENTURES LLC
VOL. 17607, PG. 973

50' INGRESS/EGRESS, DRAINAGE
AND SANITARY SEWER EASEMENT
(PERMEABLE)

16' SANITARY SEWER EASEMENT
(VOL. 9714, PG. 132)

120' DIA. OFF-LOT TURN-A-ROUND
EASEMENT TO EXPIRE UPON INCORPORATION
INTO PLATTED PUBLIC STREET
RIGHT-OF-WAY
(VOL. 9714, PG. 136)

16' SANITARY SEWER EASEMENT
(VOL. 9524, PGS. 196-197)



D. MAWYER
LAND SURVEYING
5151 W. SH 46
NEW BRAUNFELS, TX 78132
ph: 830.730.4449
drewm@dam-bx.com
FIRM #0101500

DATE: DECEMBER 2017 JOB BRD190

0.224 AC
CITY OF SAN ANTONIO
(VOL. 8748, PG. 1222)
P.O.C.
IRF
P.O.B.

0.224 AC
CITY OF SAN ANTONIO
(VOL. 9948, PG. 1010)

LOT 13
LOT 12

LOT 14
10' GAS, ELEC., TELE. &
C.A.T.V. EASEMENT
(VOL. 9714, PG. 136)

CLEARCREEK
SUBDIVISION
UNIT 2
VOL. 9714, PG. 136

MARTY NICOLE

10' GAS, ELEC., TELE. &
C.A.T.V. EASEMENT
(VOL. 9714, PG. 136)

LOT 15
BLOCK 43
N.C.B. 16958

MEGAN LEE

LEGEND:

○ = (IPS) SET 1/2" IRON PIN W/ A PLASTIC
CAP STAMPED "DAM #5348 PROP. COR."
UNLESS OTHERWISE NOTED

● = (IRF) FND 1/2" IRON PIN
UNLESS OTHERWISE NOTED

P.O.C. = POINT OF COMMENCEMENT

P.O.B. = POINT OF BEGINNING

NOTES:

1. BEARING BASED ON THE TEXAS STATE PLANE
COORDINATE SYSTEM, TEXAS SOUTH CENTRAL
ZONE (4204), NORTH AMERICAN DATUM 1983.

STATE OF TEXAS
COUNTY OF COMAL

THIS 14 DAY OF December 2017

DREW A. MAWYER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5348