

ORDINANCE 2019-01-10-0009

AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF 0.4742 OF AN ACRE OF AN IMPROVED PORTION OF PUBLIC RIGHT OF WAY KNOWN AS CHAVANEAUX ROAD LOCATED BETWEEN NEW CITY BLOCKS 11140 AND 11143 AT THE NORTHEAST CORNER OF SOUTH ZARZAMORA STREET AND THE LOOP 410 ACCESS ROAD FOR A FEE OF \$23,433.00 IN COUNCIL DISTRICT 4

* * * * *

WHEREAS, Petitioner QuickTrip Corporation ("QuickTrip") has requested the closure, vacation and abandonment of 0.4742 of an acre of an improved portion of public right of way known as Chavaneaux Road located between New City Blocks 11140 and 11143 at the northeast corner of South Zarzamora Street and the Loop 410 access road, as depicted in **Attachment I** and more accurately described in **Attachment II** ("Property"), in Council District 4; and

WHEREAS, QuickTrip is privately-held chain of convenience stores with retail gas sales based in Tulsa, Oklahoma. It operates approximately 750 stores in 11 states and has been serving the Dallas-Fort Worth market since 1999. QuickTrip plans to expand into the San Antonio market and has purchased nearly 100 acres of property for 60 stores; and

WHEREAS, QuickTrip purchased property at the corner of South Zarzamora Street and the Loop 410 access road in Council District 4 and rezoned the property to Commercial (C-2) and began re-platting the property so it could construct a 4,480 square feet convenience store with retail gas sales; and

WHEREAS, during the re-platting process, the City recommended QuickTrip close a portion of Chavaneaux Road and dedicate property to realign Chavaneaux Road in coordination with City of San Antonio engineering divisions and Texas Department of Transportation to provide access to the Loop 410 access road; and

WHEREAS, in accordance with the requirements of Chapter 37, QuickTrip's request was canvassed throughout all City of San Antonio departments and utilities with no objections. In addition, its request has been coordinated and approved by the Texas Department of Transportation; and

WHEREAS, QuickTrip will dedicate a utility easement on the replat for the relocation of utilities within the right-of-way; and

WHEREAS, pending approval of the final plat, QuickTrip's request to close a portion of Chavaneaux Road can be turned over to construction which is scheduled to begin in January 2019 and complete in June 2019; and

WHEREAS, in accordance with the requirements of Chapter 37, notification signs were posted near the proposed closure, and letters were sent to property owners within a 500 foot radius; and

WHEREAS, fair market value of the Property was determined by averaging the surrounding land value by the Bexar County Appraisal District as provided under Chapter 37 and the total closure fee minus the value of the realignment dedication was valued at \$23,433.00; and

WHEREAS, the City of San Antonio Planning Commission recommended approval of this request at its regular scheduled meeting on October 24, 2018; **NOW THEREFORE**,

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

SECTION 1. The City Council hereby authorizes for a disposition fee of \$23,433.00 the closure, vacation, and abandonment of 0.4742 of an acre of an improved portion of public right of way known as Chavaneaux Road located between New City Blocks 11140 and 11143 at the northeast corner of South Zarzamora Street and the Loop 410 access road, as depicted in **Attachment I** and more accurately described in **Attachment II**, in Council District 4.

SECTION 2. A detailed description of the Right of Way segment is set forth on **Attachment II**. Maps and pictures of the right of way segment are set forth on **Attachment I**. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Attachment II** controls over any discrepancy between it and **Attachment I**.

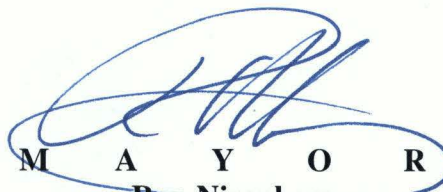
SECTION 3. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 2230000000253 and General Ledger 4903101.

SECTION 4. 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.

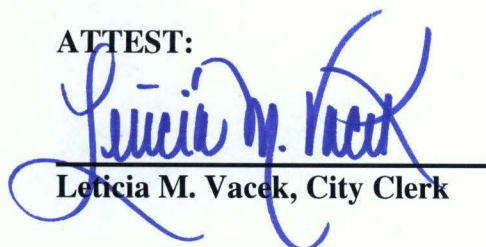
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 6. 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 10th day of January, 2019.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney

Agenda Item:	13 (in consent vote: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23)						
Date:	01/10/2019						
Time:	09:38:33 AM						
Vote Type:	Motion to Approve						
Description:	Ordinance approving the closure, vacation and abandonment of a 0.4742 acre improved portion of Chavaneaux Road at the northeast corner of South Zarzamora Street and the Loop 410 access road, located in Council District 4, as requested by QuikTrip Corporation for a fee of \$23,433.00, which will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget. [Peter Zanoni, Deputy City Manager; Razi Hosseini, Interim 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
	District 2	x					
Rebecca Viagran	District 3		x				
Rey Saldaña	District 4		x			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				

Attachment I

Attachment I



Attachment II





FIELD NOTES FOR A 0.4742 ON ONE ACRE TRACT OF LAND

A 0.4742 OF ONE ACRE TRACT OF LAND, BEING A PORTION OF CHAVANEAUX ROAD, NO RECORD OF DEDICATION FOUND, LOCATED IN THE CITY OF SAN ANTONIO, TEXAS. SAID PORTION OF CHAVANEAUX ROAD IS SHOWN AS A VARIABLE WIDTH RIGHT-OF-WAY ON VOLUME 9576 PAGE 47 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS AND ALSO SHOWN AS A 40' WIDE PUBLIC RIGHT-OF-WAY ON THE MAYFIELD PARK SUBDIVISION PLAT OF RECORD IN VOLUME 980 PAGES 94-96 OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS. SAID **0.4742 OF ONE ACRE TRACT** BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a point at the intersection of the east right-of-way line of South Zarzamora St., a variable width public right-of-way, and the south right-of-way line of Chavaneaux Rd., a variable width public right-of-way, for a northwest corner of Lot 2, New City Block 11143 of the Replat of R.L. Cooper Property Subdivision plat of record in Volume 9576 Page 47 of the Deed and Plat Records of Bexar County, Texas and the southwest corner of the tract described herein, from which a found Texas Department of Transportation right-of-way marker for the southwest corner of a 0.0037 acre right-of-way dedication shown on said Replat bears, S 20° 06' 28" E, a distance of 86.49 feet;

THENCE: Along and with the apparent east right-of-way line of South Zarzamora St. and the apparent westerly right-of-way line of Chavaneaux Rd., the following two (2) courses:

1. **N 20° 06' 28" W**, a distance of **62.19 feet** to a point for an exterior corner of the tract described herein, and
2. **N 00° 30' 53" W**, a distance of **12.34 feet** to a point at the intersection of the east right-of-way line of South Zarzamora St. and the north right-of-way line of Chavaneaux Rd., for the southwest corner of a called 16.246 acre tract of land as conveyed to Quiktrip Corporation of record in Volume 19037 Page 1487 of the Official Public Records of Bexar County, Texas and the northwest corner of the tract described herein, from which a found 1" iron pipe in the east right-of-way line of South Zarzamora St. and for the northwest corner of said 16.246 acre tract bears, N 00° 21' 53" W, a distance of 589.59 feet;

THENCE: **N 89° 35' 31" E**, along and with the south line of said 16.246 acre tract and the north right-of-way line of Chavaneaux Rd., a distance of **448.54 feet** to a point for the northeast corner and a point of curvature of the tract described herein, from which a found ½" iron rod in the north right-of-way line of Chavaneaux Rd., the east line of said 16.246 acre tract and for the southwest corner of a called 6.1964 acre tract of land as conveyed to ADP Properties Ltd., of record in Volume 9062 Page 1177 of the Official Public Records of Bexar County, Texas bears, N 89° 35' 31" E, a distance of 748.39 feet and N 00° 11' 43" E, a distance of 10.00 feet;

THENCE: Into and across Chavaneaux Rd. and with a non-tangent curve to the left having a radius of **115.00 feet**, an arc length of **80.59 feet**, a delta angle of **040° 09' 05"** and a chord bears, **S 49° 50' 26" W**, a distance of **78.95 feet** to a point in the south right-of-way line of Chavaneaux Rd., the north line of said Lot 2 and for the southeast corner of the tract described herein;



THENCE: Along and with the north line of said Lot 2 and the south right-of-way line of Chavaneaux Rd., the following two (2) courses:

1. **S 89° 32' 02" W**, a distance of **352.75 feet** to a point for a point of curvature of the tract described herein, and
2. With a curve to the left having a radius of **15.00 feet**, an arc length of **28.70 feet**, a delta angle of **109° 38' 15"** and a chord bears, **S 34° 42' 47" W**, a distance of **24.52 feet** to the **POINT OF BEGINNING** and containing **0.4742 of one acre** of land, situated in Bexar County, Texas.

Note: The basis of bearing was established using the Trimble VRS Network, NAD (83), Texas State Plane Coordinate System, South Central Zone, 4204, US Survey Foot, Grid. A survey plat was prepared by a separate document.



Job # 17-4104 0.4742 Acres
Date: July 26, 2018