

ORDINANCE 2019-01-31-0102

**AUTHORIZING THE CLOSURE, VACATION, AND  
ABANDONMENT OF .312 ACRE OF AN IMPROVED PORTION OF  
ROGERS AVENUE PUBLIC RIGHT-OF-WAY BETWEEN QUITMAN  
AND EAST CARSON STREET FOR A FEE OF \$45,135.00 IN  
COUNCIL DISTRICT 2**

\* \* \* \* \*

**WHEREAS**, Petitioner SA Quad Ventures, L.L.C. ("Petitioner") has requested the closure, vacation and abandonment of 0.312 of an acre, an improved portion of public right of way, known as Rogers Avenue located between Quitman and East Carson Streets, adjacent to New City Blocks 1257 and 1259, as depicted in **Attachment II** and **Attachment III** and more accurately described in **Attachment I**, in Council District 2; and

**WHEREAS**, the above-mentioned area of Rogers Avenue is the only portion of the street that does not align with the remaining blocks of Rogers Avenue, causing traffic and potential safety concerns; and

**WHEREAS**, Petitioner owns all adjoining parcels to the east, west and north of the subject block and, if approved, Petitioner plans to assemble its abutting properties for future redevelopment; and

**WHEREAS**, in accordance with the requirements of Chapter 37, Petitioner's request was canvassed throughout all City departments and utilities with standard conditions, which have been reviewed and accepted by the Petitioner, notification signs were posted near the proposed street closure, and letters were sent to property owners within a 500 feet radius, and Government Hill Alliance Neighborhood Association supports the petitioner's request; and

**WHEREAS**, the City of San Antonio Planning Commission recommended approval of this request at its regular scheduled meeting on November 28, 2018; and

**WHEREAS**, the original disposition fee established for this request was \$61,200.00, which is the fair market value as determined by an independent appraiser. The disposition fee has been reduced by 25% and the \$815.00 petition fee in accordance with the Inner City Reinvestment/Infill Policy (ICRIP) waiver, approved by Center City Development Office. A credit of \$15,300.00 has been applied. With the administrative recording costs of \$50.00, the established disposition fee totals \$45,135.00. The revenue will be deposited into the General Fund in accordance with the FY 2019 Adopted Budget; **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 \$45,135.00 the closure, vacation, and abandonment of 0.312 acre of improved portion of right of way known as Rogers

Avenue between Quitman and East Carson Street, as requested by SA Quad Ventures, L.L.C. in Council District 2.

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

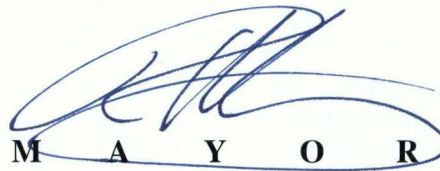
**SECTION 3.** Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

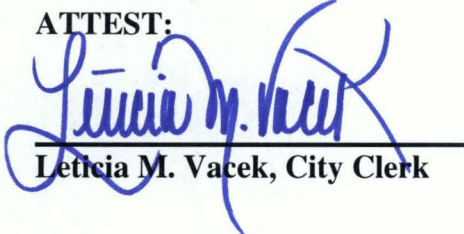
**SECTION 4.** The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

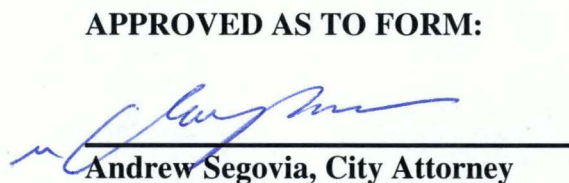
**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal 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 31<sup>st</sup> 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

|                     |  |                    |            |            |                |               |               |
|---------------------|--|--------------------|------------|------------|----------------|---------------|---------------|
| <b>Agenda Item:</b> | <b>11 ( in consent vote: 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21 )</b>  |                    |            |            |                |               |               |
| <b>Date:</b>        | 01/31/2019   |                    |            |            |                |               |               |
| <b>Time:</b>        | 09:57:54 AM  |                    |            |            |                |               |               |
| <b>Vote Type:</b>   | Motion to Approve  |                    |            |            |                |               |               |
| <b>Description:</b> | Ordinance approving the closure, vacation, and abandonment of 0.312 of an acre of improved Right of Way known as Rogers Avenue between Quitman and East Carson Street in Council District 2 as requested by SA Quad Ventures, LLC., Owner, for a fee of \$45,135.00 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] |                    |            |            |                |               |               |
| <b>Result:</b>      | Passed   |                    |            |            |                |               |               |
| <b>Voter</b>        | <b>Group</b>   | <b>Not Present</b> | <b>Yea</b> | <b>Nay</b> | <b>Abstain</b> | <b>Motion</b> | <b>Second</b> |
| Ron Nirenberg       | Mayor  |                    | x          |            |                |               |               |
| Roberto C. Treviño  | District 1   |                    | x          |            |                | x             |               |
| Art A. Hall         | 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          |            |                |               |               |

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## **Attachment I**

## Attachment I



**RICKMAN LAND SURVEYING**

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### 0.312 ACRE TRACT

FIELD NOTES OF A 0.312 ACRE (13,597 SQUARE FEET MORE OR LESS) TRACT OF LAND, BEING ALL OF ROGERS AVENUE, SOUTH OF QUITMAN STREET AND NORTH OF E. CARSON STREET, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
NOTE: (BASIS OF BEARING IS TEXAS CENTRAL ZONE, NAD83.)

**BEGINNING:** At a 1/2" iron rod found for the south corner of the northeast cut back between Rogers Avenue and E. Carson Street, for the southwest corner of Lot 30, N.C.B. 1257, N.B.F.S.H. Subdivision recorded in Volume 6900, Page 136, Deed and Plat Records, Bexar County, Texas, the southeast corner of This Tract and the POINT OF BEGINNING;

**THENCE:** S 89°36'24" W, departing the west line of Lot 30, across Rogers Avenue, with the north right of way line of E. Carson Street and the south line of This Tract, a distance of 72.81 feet to a 1/2" iron rod with cap stamped "RICKMAN RPLS 5826" set in the west right of way line of Rogers Avenue and the east line of Lot 62, N.C.B. 1259, from which the southeast corner of Lot 62 bears S 00°16'36" E, a distance of 2.9 feet;

**THENCE:** With the west right of way line of Rogers Avenue and This Tract, the following calls and distances:

N 00°16'36" W, at a distance of 59.71 feet passing the northeast corner of Lot 62 and the southeast corner of Lot 61, N.C.B. 1259, at a distance of 122.31 feet passing the northeast corner of Lot 61 and the southeast corner of the Remainder of Lot 60, N.C.B. 1259, continuing for a total distance of 172.91 feet to a 1/2" iron rod found for the northeast corner of the Remainder of Lot 60, an angle point in the west right of way line of Rogers Avenue and This Tract;

S 89°36'24" W, with the north line of the Remainder of Lot 60, a distance of 2.22 feet to a 1/2" iron rod found for the southeast corner of Lot 63, N.C.B. 1259 according to National Bank of Fort Sam Houston Subdivision No. 2 recorded in Volume 8700, Page 60, Deed and Plat Records, Bexar County, Texas;

N 00°16'36" W, with the east line of Lot 63, a distance of 58.49 feet to a 1/2" iron rod with cap stamped "RICKMAN RPLS 5826" set for the northwest corner of This Tract, from which a 1/2" iron rod found at the south corner of the southwest cut back between Quitman Street and Rogers Avenue, bears N 00°16'36" W, a distance of 10.1 feet;

THENCE: N 89°36'24" E, departing the east line of Lot 63, across Rogers Avenue, with the south line of Quitman Street and the north line of This Tract, a distance of 74.97 feet to a ½" iron rod found for the north corner of the southeast cut back between Quitman Street and Rogers Avenue, the northerly northwest corner of Lot 30 and the northeast corner of This Tract;

THENCE: Departing the south right of way line of Quitman Street, with the west line of Lot 30, the east right of way line of Rogers Avenue and This tract, the following calls and distances:

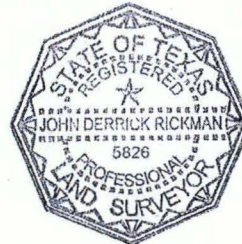
Southwesterly with the arc of a curve to the left having a radius of 15.00 feet, a delta angle of 89°52'41" and an arc length of 23.53 feet, and a chord that bears S 44°39'45" W, a distance of 21.19 feet to a ½" iron rod found for a point of tangency;

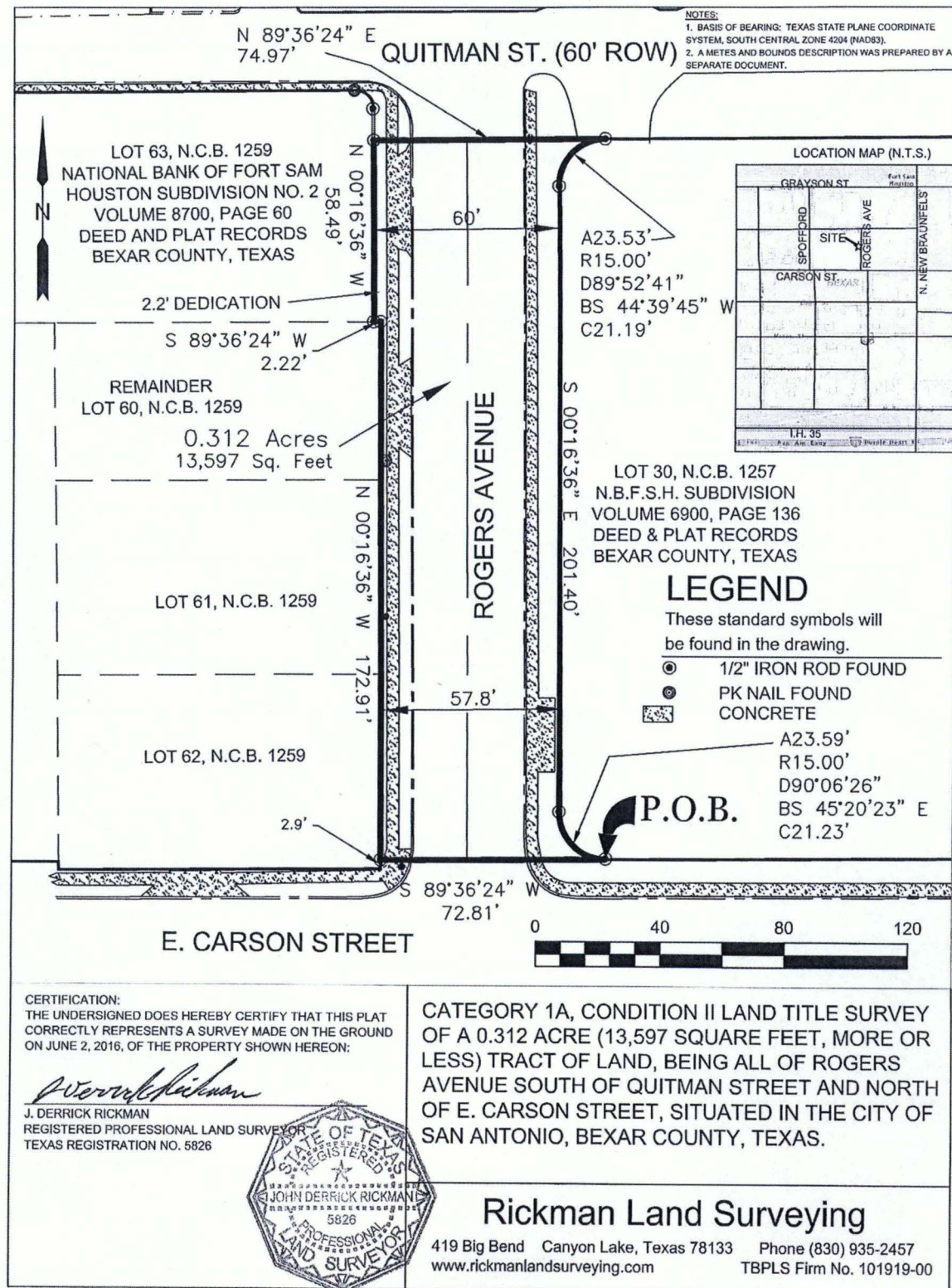
S 00°16'36" E, a distance of 201.40 feet to a ½" iron rod found for the north corner of the northeast cut back between Rogers Avenue and E. Carson Street;

Southeasterly with the arc of a curve to the left having a radius of 15.00 feet, a delta angle of 90°06'26", an arc length of 23.59 feet, and a chord that bears S 45°20'23" E, a distance of 21.23 feet to the POINT OF BEGINNING and containing 0.312 of an acre of land in the City of San Antonio, Bexar County, Texas, according to a survey on the ground on June 2, 2016 by Rickman Land Surveying.



J. Derrick Rickman  
Registered Professional Land Surveyor # 5826





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## **Attachment II**

## Attachment II



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## **Attachment III**

### Attachment III

