

AN ORDINANCE

2019-03-07-0204

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SAN ANTONIO BY AMENDING CHAPTER 35, UNIFIED DEVELOPMENT CODE, SECTION 35-304, OF THE CITY CODE OF SAN ANTONIO, TEXAS BY CHANGING THE ZONING DISTRICT BOUNDARY OF CERTAIN PROPERTY.

* * * * *

WHEREAS, a public hearing was held after notice and publication regarding this amendment to the Official Zoning Map at which time parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the Zoning Commission has submitted a final report to the City Council regarding this amendment to the Official Zoning Map of the City of San Antonio; **NOW THEREFORE**,

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

SECTION 1. Chapter 35, Unified Development Code, Section 35-304, Official Zoning Map, of the City Code of San Antonio, Texas is amended by changing the zoning district boundary of 0.7053 acres out of NCB 17957 from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District.


SECTION 2. A description of the property recorded in Warranty Deed Volume 18908, Page 1556 of the Official Public Record of Real Property of Bexar County, is attached as **Exhibit "A"** and made a part hereof and incorporated herein for all purposes.

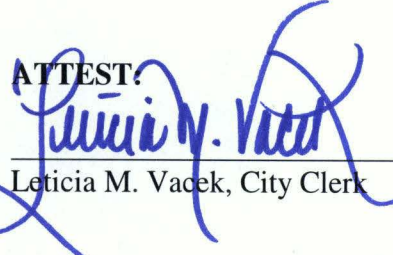
SECTION 3. All other provisions of Chapter 35 except those expressly amended by this ordinance shall remain in full force and effect including the penalties for violations as made and provided for in Section 35-491.

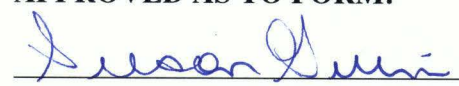
SECTION 4. The Director of Development Services shall change the zoning records and maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

SECTION 5. This ordinance shall become effective March 17, 2019.

PASSED AND APPROVED this 7th day of March 2019.


M A Y O R
Ron Nirenberg

ATTEST:

Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:

for Andrew Segovia, City Attorney

Agenda Item:	Z-9 (in consent vote: 25, 26, P-1, Z-1, Z-2, P-2, Z-3, P-3, Z-4, P-4, Z-5, Z-6, Z-8, Z-9, Z-10, P-5, Z-12)						
Date:	03/07/2019						
Time:	02:18:28 PM						
Vote Type:	Motion to Approve						
Description:	ZONING CASE # Z-2018-900063 (Council District 7): Ordinance amending the Zoning District Boundary from "R-6 AHOD" Residential Single-Family Airport Hazard Overlay District to "C-2 AHOD" Commercial Airport Hazard Overlay District on 0.7053 acres out of NCB 17957, located at 8373 Eckhert Road. Staff and Zoning Commission recommend Approval.						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Ron Nirenberg	Mayor	x					
Roberto C. Treviño	District 1		x				x
Art A. Hall	District 2		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			x	
Clayton H. Perry	District 10		x				

EXHIBIT “A”

Alamo Title Co. GF # 4000411701334 | JS

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF 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.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date: December 20, 2017

Grantor: BETTY J. KRAHN and BRUCE WAYNE KRAHN

Grantor's Mailing Address:

6932 Country View
San Antonio, Texas 78240-2707
Bexar County

Grantee: RUM CAY, LLC

Grantee's Mailing Address:

5602 W. Hausman Road, Suite 201
San Antonio, Texas 78249-4881
Bexar County

Consideration: Cash and a note of even date executed by Grantee and payable to the order of FIRST LOCKHART NATIONAL BANK in the principal amount of FOUR HUNDRED EIGHTY THOUSAND AND 00/100THS DOLLARS (\$480,000.00) which represents part payment of the purchase price of the property. The note is secured by a first and superior vendor's lien and superior title retained in this deed in favor of FIRST LOCKHART NATIONAL BANK and by a first-lien deed of trust of even date from Grantee to J. ROLAND VELVIN, Trustee.

Property (including any improvements):

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN FOR ALL PURPOSES.

Reservations from and Exceptions to Conveyance and Warranty:

Validly existing easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property; and taxes for 2018, which Grantee assumes and agrees to pay, and subsequent assessments for that and prior years due to change in land usage, ownership, or both, the payment of which Grantee assumes.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds Grantor and Grantor's heirs and successors to

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN
PAGE 1 OF 2

Exhibit "A"

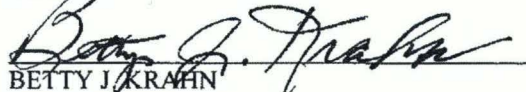
warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.


The vendor's lien against and superior title to the Property are retained until each note described is fully paid according to its terms, at which time this deed will become absolute.

FIRST LOCKHART NATIONAL BANK, at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the Property that is evidenced by the note. The first and superior vendor's lien against and superior title to the Property are retained for the benefit of FIRST LOCKHART NATIONAL BANK and are transferred to FIRST LOCKHART NATIONAL BANK without recourse against Grantor.

When the context requires, singular nouns and pronouns include the plural.

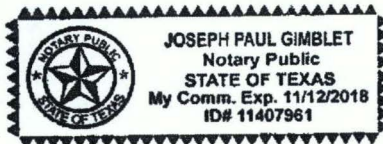
GRANTOR:

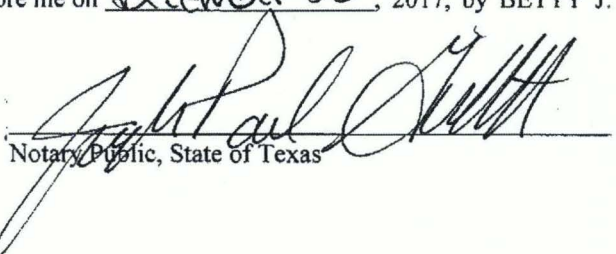

BETTY J. KRAHN


BRUCE WAYNE KRAHN

STATE OF TEXAS)
COUNTY OF BEXAR)

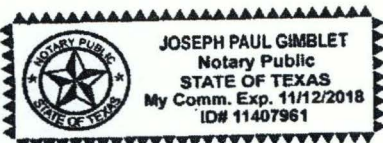
This instrument was acknowledged before me on December 20, 2017, by BETTY J. KRAHN.

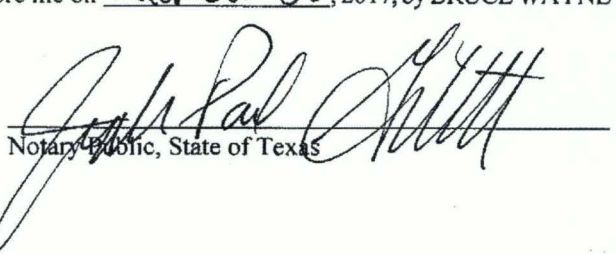



Notary Public, State of Texas

STATE OF TEXAS)
COUNTY OF BEXAR)

This instrument was acknowledged before me on December 20, 2017, by BRUCE WAYNE KRAHN.




Notary Public, State of Texas

AFTER RECORDING RETURN TO:
RUM CAY, LLC
5602 W. Hausman Road, Suite 201
San Antonio, Texas 78249-4881

EXHIBIT "A"

A TRACT OR PARCEL OF LAND CONTAINING 0.7053 ACRES OF LAND, (30,723 SQUARE FEET), BEING A PORTION OF LOT 5, BLOCK 6, NEW CITY BLOCK 17957, JOHN MARSHALL, UNIT-1B, A SUBDIVISION IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 7900, PAGE 177, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, ALONG WITH AND IN ADDITION TO A PORTION OF LOT 6, BLOCK 6, NEW CITY BLOCK 17957, JOHN MARSHALL, UNIT-5, A SUBDIVISION IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 8500, PAGE 179, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS, SAID 0.7053 ACRE TRACT OF LAND BEING THAT CERTAIN TRACT OF LAND AS CONVEYED TO BRUCE WAYNE KRAHN BY INSTRUMENT RECORDED IN DOCUMENT CF NO. 20160094250 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE ACCURATELY DESCRIBED AS A 0.724 ACRE TRACT OF LAND BY INSTRUMENT RECORDED IN VOLUME 3167, PAGE 13, OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, SAVE AND EXCEPT THAT CERTAIN CALLED 0.018 ACRE TRACT OF LAND AS CONVEYED TO THE STATE OF TEXAS BY INSTRUMENT RECORDED IN VOLUME 6037, PAGE 147, OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, SAID 0.7053 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: (BEARING BASIS: VOLUME 7900, PAGE 177, OF THE DEED AND PLAT RECORDS OF BEXAR COUNTY, TEXAS).

BEGINNING at a $\frac{1}{2}$ " iron rod found on the north right-of-way line of Connie Mack Drive, (60.00 Foot Right-of-Way), same being the common line of said Lot 6, for the southeast corner of that certain tract of land being the remainder of said Lot 6 as conveyed to George Justin Robbins by instrument recorded in Document CF No. 20130047116 of the Official Public Records of Bexar County, Texas, same being the most westerly corner and POINT OF BEGINNING of the herein described tract; Thence, N 35°23'23" E, across said Lot 6, along the common line of said Robbins Tract, a distance of 207.83 feet to a calculated point on the common line of Lot 37, Block 1, Abe Lincoln Road Subdivision, a subdivision in the City of San Antonio, Bexar County, Texas, according to the map or plat thereof recorded in Volume 9527, Page 172, of the Deed and Plat Records of Bexar County, Texas, same being the common line of said Lot 6, for the northeast corner of said Robbins Tract, same being the northwest corner of the herein described tract, from which a fence corner post found bears, S 06°12'36" W, a distance of 1.77 feet;

Thence, N 89°52'49" E, along the common line of said Lot 37, same being the common line of said Lots 6 and 5, a distance of 217.43 feet to a calculated point on the northwesterly right-of-way line of Eckhert Road, (Right-of-Way Varies), for the southeast corner of said Lot 37, same being the northeast corner of said Lot 5, same being the northeast corner of the herein described tract, from which a fence corner post found bears, N 56°57'42" E, a distance of 1.55 feet;

Thence, S 35°23'23" W, along the northwesterly right-of-way line of Eckhert Road, same being the common line of said Lot 5, a distance of 140.42 feet to an 80d nail found for the north corner of said 0.018 Acre State of Texas Tract, same being a point of curvature of a curve to the left, same being a corner of the herein described tract;

Thence, Southwesterly, along the northwesterly right-of-way line of Eckher Road, same being the common line of said 0.018 Acre Tract, with the arc of said curve to the left, having an included angle of $08^{\circ}7'29''43$ ", a radius of 622.96 feet, a chord that bears, $S 44^{\circ}7'50''52$ " W, a chord distance of 92.28 feet, for an arc distance of 92.37 feet to a capped iron rod found for the west corner of said 0.018 Acre Tract, same being the east corner of the remainder of Lot 4 Block 6, John Marshall, Unit 1A, a subdivision in the

City of San Antonio, Bexar County, Texas, according to the map or plat thereof recorded in Volume 7600, Page 96, of the Deed and Plat Records of Bexar County, Texas, same being the east corner of the remainder of that certain tract of land as conveyed to Norm M. Kamdar by instrument recorded in Document CF No. 20020241501 of the Official Public Records of Bexar County, Texas, same being a corner of the herein described tract;

Thence, $N 54^{\circ}7'36''37$ " W, along the common line of said Lots 4 and 5, same being the common line of said Kamdar Tract, a distance of 144.84 feet to a capped iron rod found on the common line of said Lot 6 for the west corner of said Lot 5, same being the north corner of said Lot 4, same being the north corner of said Kamdar Tract, same being a corner of the herein described tract;

Thence, $S 35^{\circ}7'23''23$ " W, along the common line of said Lots 4 and 6, same being the common line of said Kamdar Tract, a distance of 101.11 feet to a calculated point on the north right-of-way line of Connie Mack Drive, on the arc of a curve to the left, for the west corner of said Kamdar Tract, same being the west corner of said Lot 4, same being the south corner of said Lot 6, same being a corner of the herein described tract, from which a $\frac{1}{2}$ " iron rod found bears, $N 12^{\circ}7'29''18$ " E, a distance of 0.64 feet;

Thence, Northwesterly, along the north right-of-way line of Connie Mack Drive, same being the common line of said Lot 6, with the arc of said curve to the left, having an included angle of $02^{\circ}7'16''24$ ", a radius of 430.00 feet, a chord that bears, $N 59^{\circ}7'51''46$ " W, a chord distance of 17.06 feet, for an arc distance of 17.06 feet to the POINT OF BEGINNING and containing 0.7053 acres of land, (30,723 square feet) more or less.

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Pages 5
12/21/2017 11:47AM
e-Filed & e-Recorded in the
Official Public Records of
BEXAR COUNTY
GERARD C. RICKHOFF
COUNTY CLERK
Fees \$38.00

STATE OF TEXAS
COUNTY OF BEXAR
This is to Certify that this document
was e-FILED and e-RECORDED in the Official
Public Records of Bexar County, Texas
on this date and time stamped thereon.
12/21/2017 11:47AM
COUNTY CLERK, BEXAR COUNTY TEXAS



Gerard C. Rickhoff