

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY THE CITY COUNCIL**

ORDINANCE

**AUTHORIZING A PROPERTY EXCHANGE OF APPROXIMATELY
0.1254 ACRES OR 5,461 SQUARE FEET BETWEEN THE CITY OF SAN
ANTONIO AND CPS ENERGY FOR TRACTS OF EQUAL VALUE TO
FACILITATE THE HISTORICAL USE AND MAINTANANCE
ALLOCATION NECESSARY FOR THE NEW CPS HEADQUARTERS IN
COUNCIL DISTRICT 1.**

* * * * *

WHEREAS, CPS Energy acquired the former AT&T building near McCullough, Brooklyn Avenue, Avenue B, and the San Antonio River which will serve as a single headquarters site for the San Antonio Public Utility ("Property"); and

WHEREAS, currently, 5,461 square feet of City property abuts McCullough Avenue but is not located in the adjacent roadway and, as part of the renovation plan, this area will serve as an entryway into the Property; it has been curbed and landscaped for decades as the entry way for the McCullough towers, which was constructed by Valero and occupied by AT&T and is currently maintained by the owners of the Property; and

WHEREAS, CPS proposes providing the City with a total 5,461 square feet of CPS-owned property, as depicted in **Attachment I** and further described in detail in **Attachment II**, along three tracts that are improved and used as part of the Museum Reach river improvements, which are currently being maintained by the San Antonio River Authority and the City; this area includes improvements such as staircases, sidewalks, retaining walls, and green space; and

WHEREAS, the proposed property exchange will rectify these discrepancies and align ownership with the actual operation, maintenance, and control of these tracts; and

WHEREAS, the proposed properties being exchanged are of equal size and value; and

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

SECTION 1. The City Manager or designee, severally, are authorized to exchange property of approximately 0.1254 acres or 5,461 square feet between the City of San Antonio and CPS Energy, for tracts of land of equal value, to facilitate the historical use and maintenance allocation necessary for the new CPS Headquarters in Council District 1.

SECTION 2. All attachments to this ordinance are incorporated into it by reference for all purposes as if fully set forth. **Attachment II** controls over any discrepancy between it and **Attachment I**. The City Manager, or designee, is further authorized to execute and deliver all other documents necessary or convenient to effect the transactions contemplated in the above agreement; and other 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 into the City's financial records and to record the proper accounting transactions.

SECTION 4. 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 5. 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 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 ____ day of June, 2019.

M A Y O R
Ron Nirenberg

Attest:

Approved As To Form:

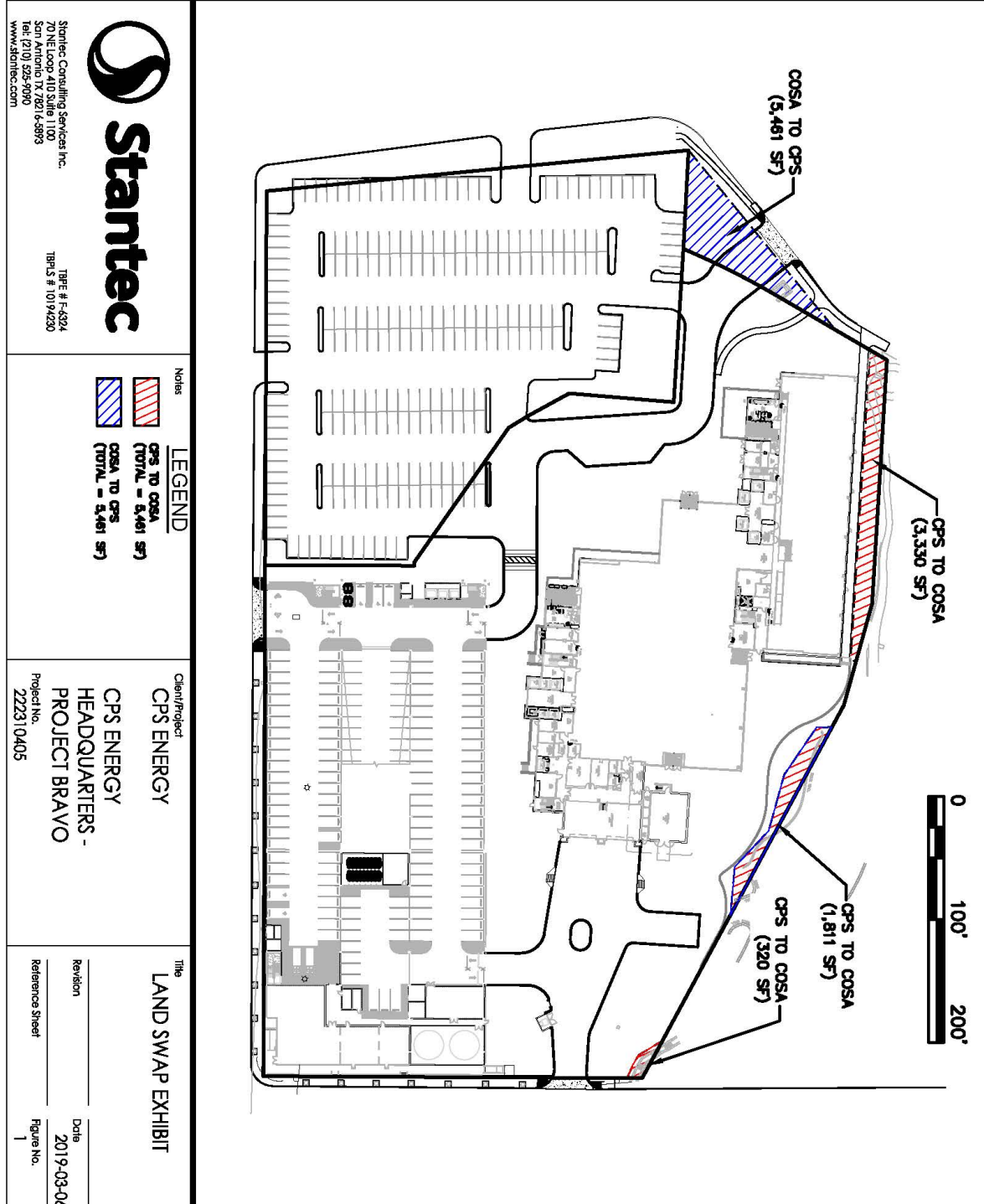
Leticia M. Vacek, City Clerk

Andrew Segovia, City Attorney

Attachment I

2019.03.06 8:32:55 AM

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Attachment II



0.0764Acres
(3330 Sq. Ft.)
2223-10405ex12.dwg

FN NO. 2223-10405-12
September 19, 2018
JOB NO. 2223-10405

FIELD NOTE DESCRIPTION

Being 0.0764 acres situated in San Antonio, Bexar County, Texas and being out of Lot 14, New City Block 1760, Callway River Subdivision, as recorded in volume 8900, Page 194 of the Deed and Plat Records of Bexar County, Texas; said 0.0764 acres being more particularly described by Metes and Bounds as follows with all bearings being referenced to the North American Datum 1983, Texas Coordinate System, South Central Zone:

Beginning, at a found 1/2-inch iron rod on the Northeast right-of-way line of McCullough Avenue (variable width R.O.W.) and being the most westerly corner of said Lot 14 and the Southeasterly line of the San Antonio River as conveyed from the State of Texas to the City of San Antonio by Article 7467a, Vernon Civil Statutes, by Act of the 39th Legislature in 1925, Chapter 155, Page 366;

Thence, along the Northwest line of said Lot 14 and the Southeasterly line of said San Antonio River as follows:

- N 48° 07' 04" E, 198.15 feet, to a found 1/2-inch iron rod for an angle point;
- N 60° 14' 55" E, 49.81 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;

Thence, leaving the Southeast line of said San Antonio River, into and through said Lot 14 as follows:

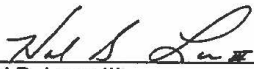
- S 04° 17' 54" W, 5.99 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;
- S 48° 14' 35" W, 249.60 feet, to a set 1/2-inch iron rod with Stantec Cap on the Northeast right-of-way line of McCullough Avenue for the Southwest corner of the herein described tract;

Attachment II

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Thence, N 15° 11' 02" W, 15.75 feet, to the **Point of Beginning**, containing 0.0764 acres (3330 square feet) of land, more or less.

Note: Survey plat of even date to accompany this Field Note Description.

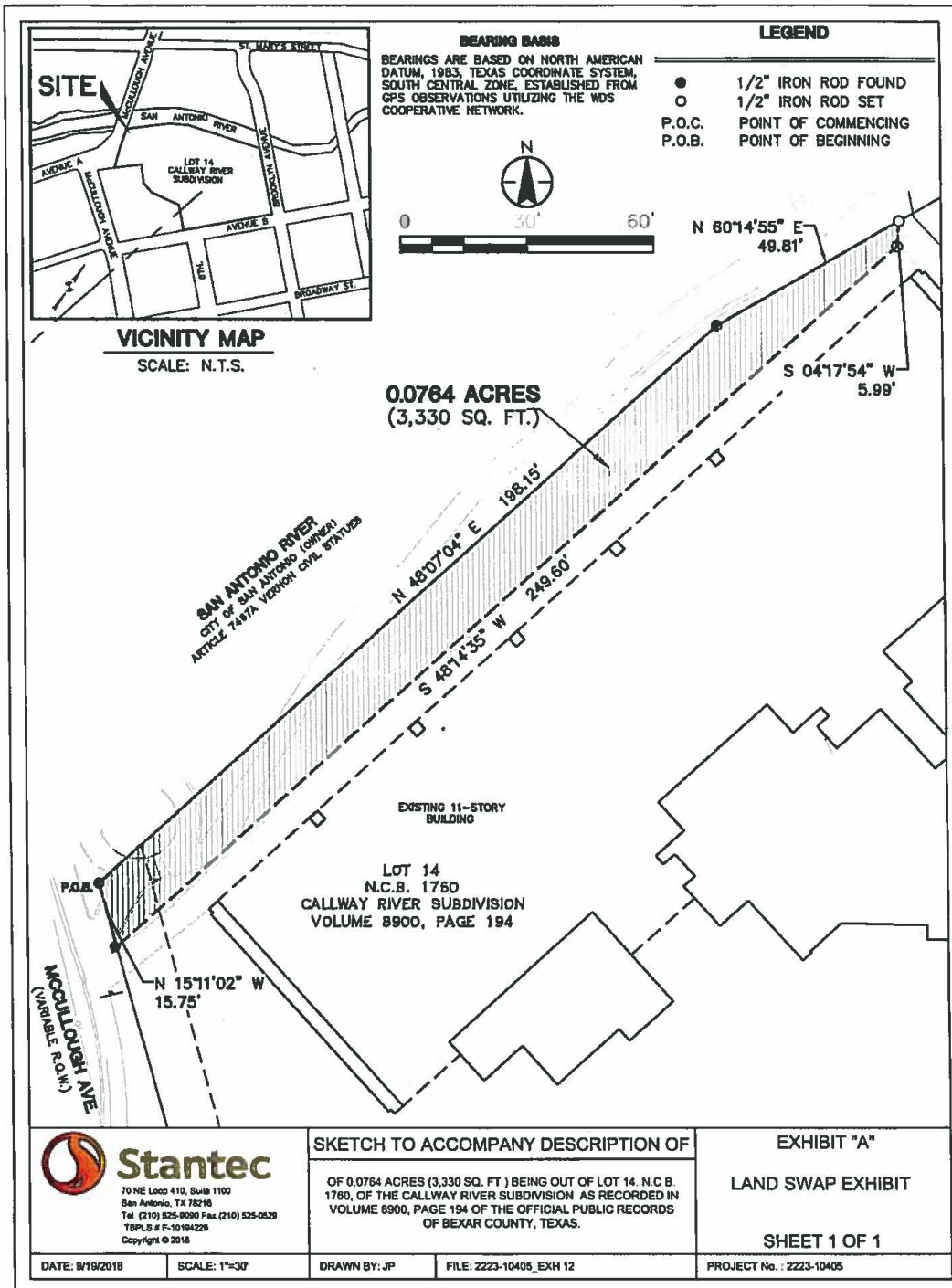


Hal B. Lane III
Registered Professional Land Surveyor
Texas Registration Number 4690
Stantec Consulting Services, Inc.
70 NE Loop 410, Suite 1100
San Antonio, Texas 78216
210/525-9090
TBPLS Firm No.: 10194228

9/19/18
DATE



Attachment II



Attachment II



0.0416 Acres
(1811 Sq. Ft.)
2223-10405ex13.dwg

FN NO. 2223-10405-13
September 19, 2018
JOB NO. 2223-10405

FIELD NOTE DESCRIPTION

Being 0.0416 acres situated in San Antonio, Bexar County, Texas and being out of Lot 14, New City Block 1760, Callway River Subdivision, as recorded in volume 8900, Page 194 of the Deed and Plat Records of Bexar County, Texas; said 0.0416 acres being more particularly described by Metes and Bounds as follows with all bearings being referenced to the North American Datum 1983, Texas Coordinate System, South Central Zone:

Commencing, at a set 1/2-inch iron rod on the Southwest right-of-way line of Brooklyn Avenue (58-foot R.O.W.) and being the most Northerly corner of said Lot 14 and the Southeasterly line of the San Antonio River, as conveyed from the State of Texas to the City of San Antonio by Article 7467a, Vernon Civil Statutes, by Act of the 39th Legislature in 1925, Chapter 155, Page 366;

Thence, S 73° 01' 30" W, 150.40 feet, to a set 1/2-inch iron rod with Stantec Cap for the **Point of Beginning** of the herein described tract of land;

Thence, leaving the Southeast line of the San Antonio river, into and through said Lot 14 as follows:

- S 50° 00' 59" W, 39.58 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;
- S 87° 56' 45" W, 40.18 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;
- S 60° 01' 52" W, 47.26 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;
- S 79° 03' 04" W, 46.64 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;

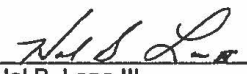
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- N 45° 31' 56" W, 12.36 feet, to a set 1/2-inch iron rod with Stantec Cap on the Northwest line of said Lot 14 and the Southeast line of the San Antonio River for corner;

Thence, N 73° 01' 30" E, 173.59 feet along the Southeast line of said San Antonio river and the Northwest line of said Lot 14, to the **Point of Beginning**, containing 0.0416 acres (1811 square feet) of land, more or less.

Note: Survey plat of even date to accompany this Field Note Description.

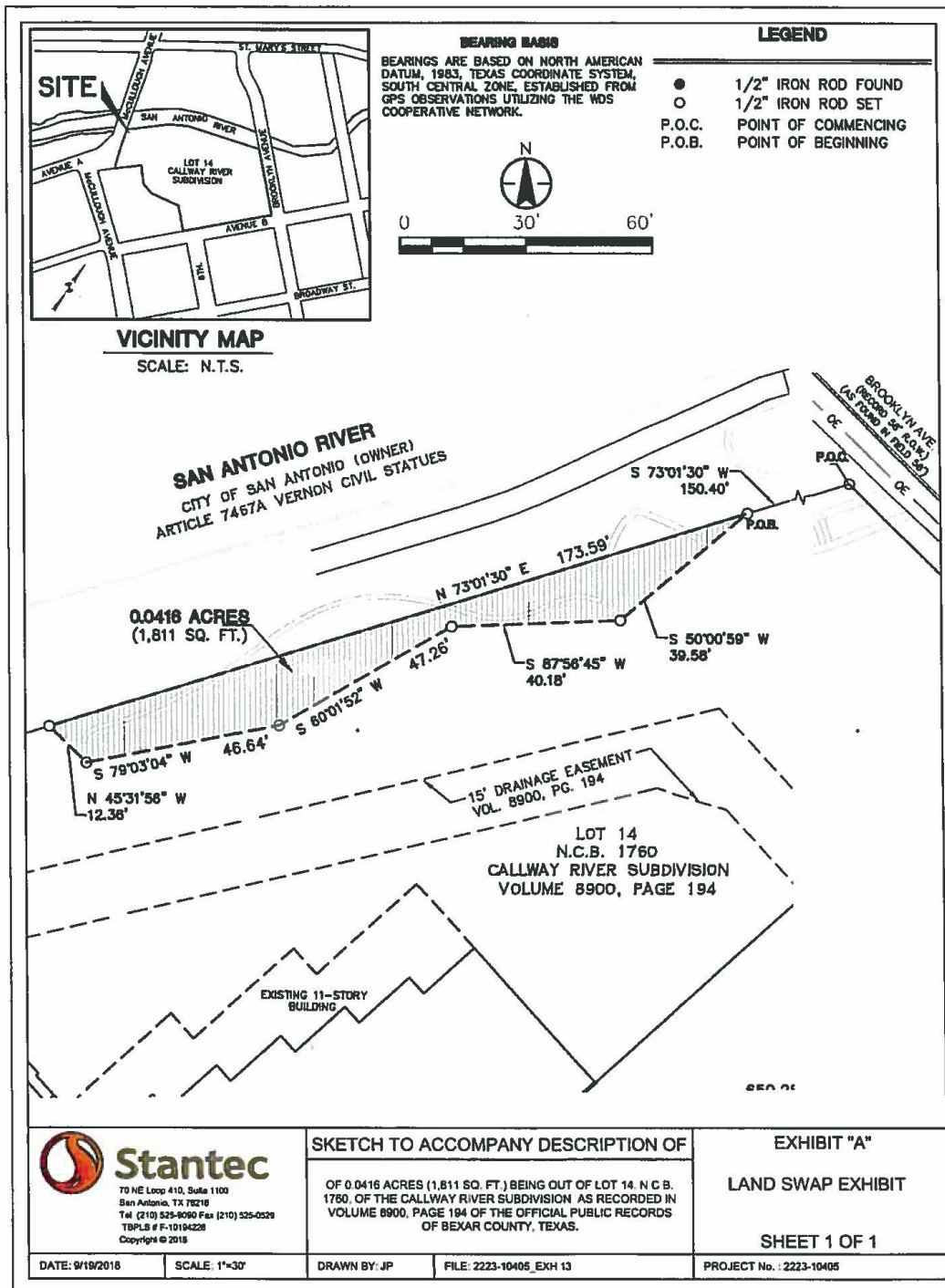


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Attachment II



Attachment II



0.0073 Acres
(320 Sq. Ft.)
2223-10405ex14.dwg

FN NO. 2223-10405-14
September 19, 2018
JOB NO. 2223-10405

FIELD NOTE DESCRIPTION

Being 0.0073 acres situated in San Antonio, Bexar County, Texas and being out of Lot 14, New City Block 1760, Callway River Subdivision, as recorded in volume 8900, Page 194 of the Deed and Plat Records of Bexar County, Texas; said 0.0073 acres being more particularly described by Metes and Bounds as follows with all bearings being referenced to the North American Datum 1983, Texas Coordinate System, South Central Zone:

Beginning, at a set 1/2-inch iron rod on the Southwest right-of-way line of Brooklyn Avenue (58-foot R.O.W.) and being the most Northerly corner of said Lot 14 and the Southeasterly line of the San Antonio River, as conveyed from the State of Texas to the City of San Antonio by Article 7467a, Vernon Civil Statutes, by Act of the 39th Legislature in 1925, Chapter 155, Page 366;

Thence, S 45° 06' 17" E, 12.42 feet, along the Northeast line of Lot 14 and the Southwest right-of-way line of Brooklyn Avenue, to a set 1/2-inch iron rod with Stantec Cap for the East corner of the herein described tract of land;

Thence, leaving the Southwest right-of-way line of Brooklyn Avenue, crossing said Lot 14 as follows:

- S 68° 51' 32" W, 11.95 feet, to a set 1/2-inch iron rod with Stantec Cap for corner;
- S 75° 05' 54" W, 8.93 feet, to a set 1/2-inch iron rod with Stantec for corner;
- N 76° 31' 43" W, 22.68 feet, to a set 1/2-inch iron rod with Stantec Cap on the Northwest line of Lot 14 and the Southeast line of the San Antonio River for corner;

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Thence, N 73° 01' 30" E, 34.54 feet along the Southeast line of said San Antonio river and the Northwest line of said Lot 14, to the **Point of Beginning**, containing 0.0073 acres (320 square feet) of land, more or less.

Note: Survey plat of even date to accompany this Field Note Description.

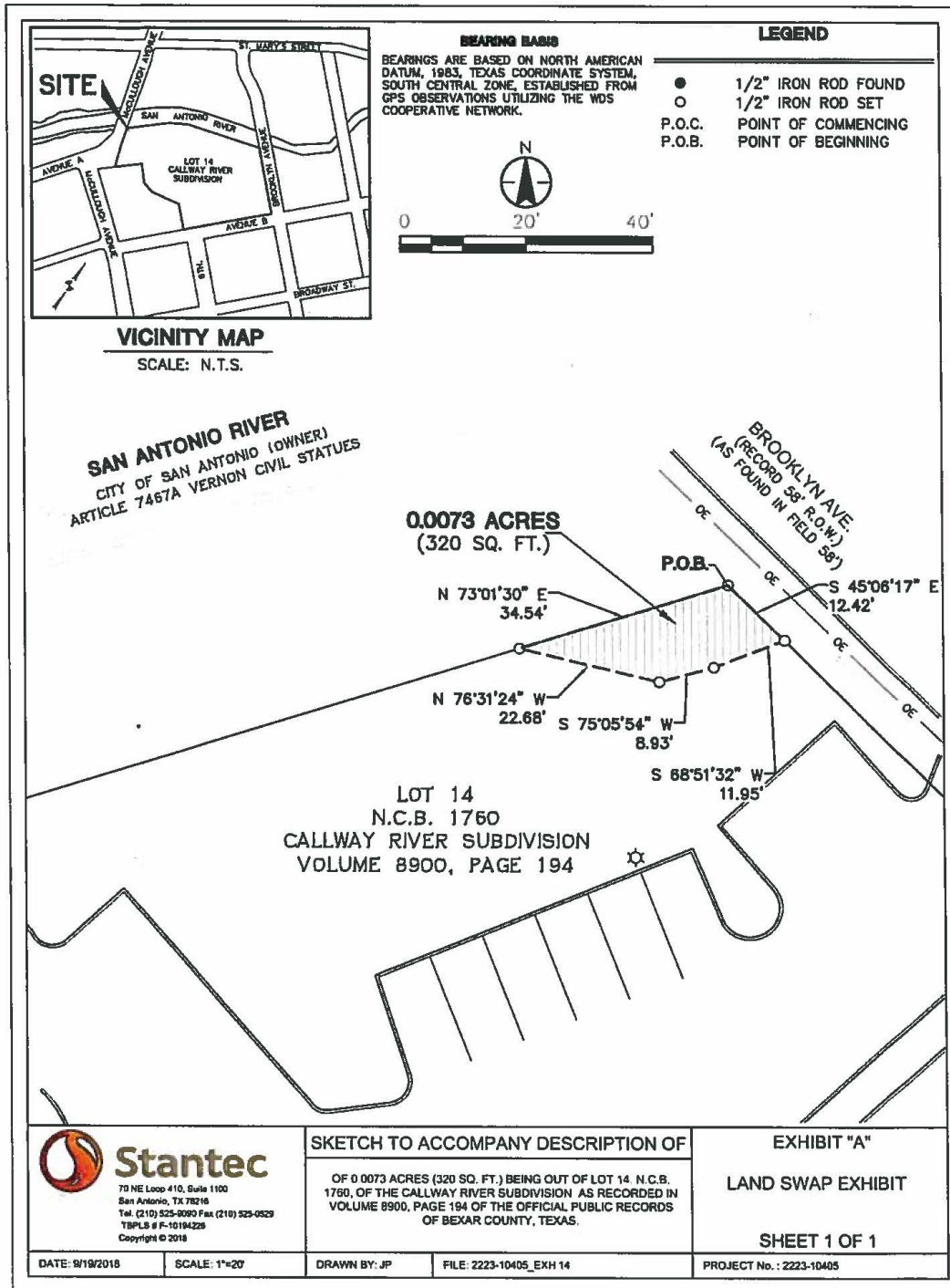


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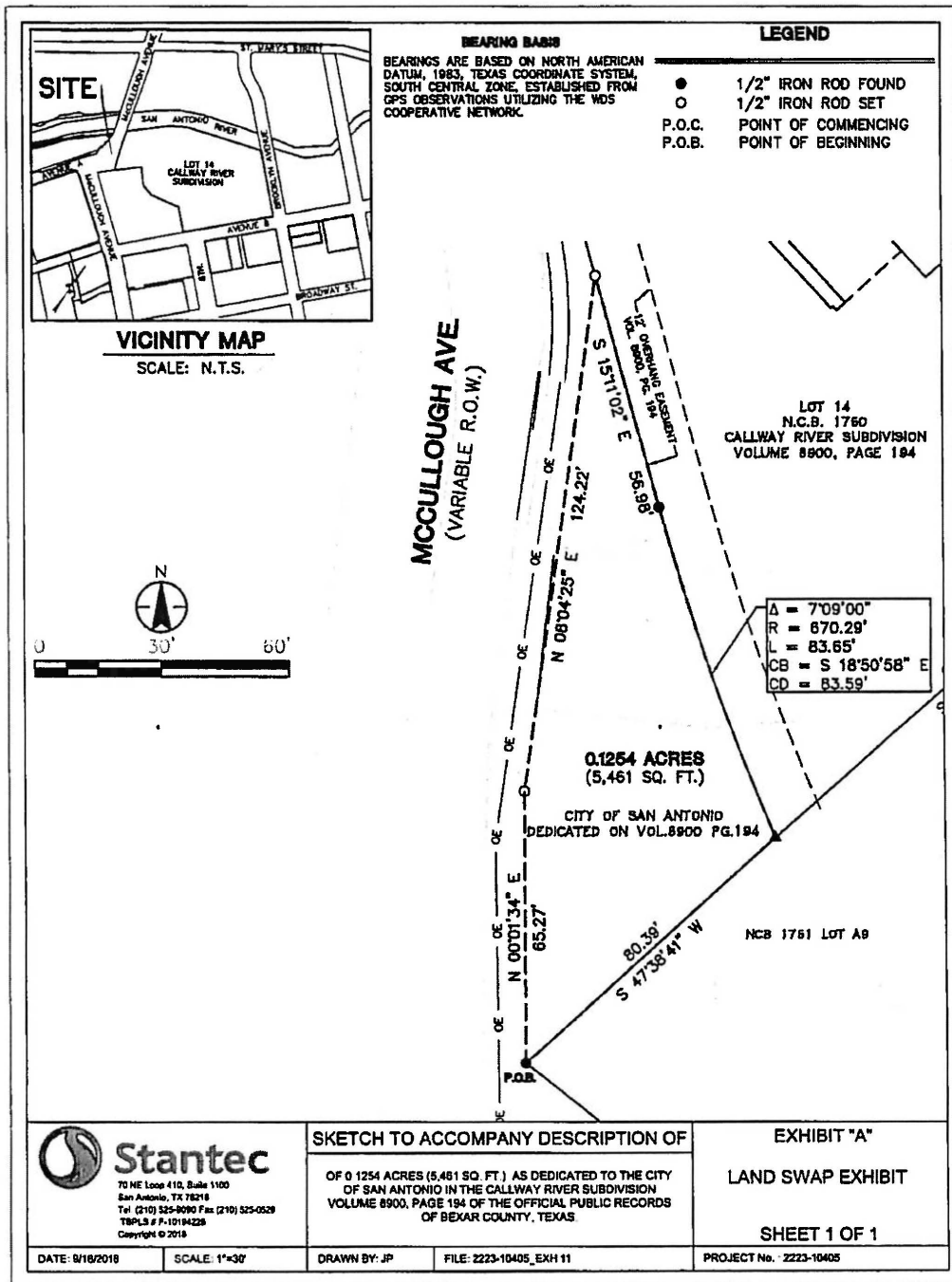
9/19/18
DATE



Attachment II



Attachment II



Attachment II



0.1254 Acres
(5461 Sq. Ft.)
2223-10405ex11.dwg

FN NO. 2223-10405-11
September 19, 2018
JOB NO. 2223-10405

FIELD NOTE DESCRIPTION

Being 0.1254 acres situated in San Antonio, Bexar County, Texas and being out of Lot 14, New City Block 1760; and being the same 0.1254 acres conveyed to the City of San Antonio by Plat of Callway River Subdivision recorded in Volume 8900, Page 194, and being more particularly described by Metes and Bounds as follows with all bearings being referenced to the North American Datum 1983, Texas Coordinate System, South Central Zone:

Beginning, at a found 1/2-inch iron rod on the East right-of-way line of McCullough Avenue (variable width R.O.W.) and being the most Westerly corner of Lot 14, New City Block 1760, Callaway River Subdivision, as recorded in Volume 8900, Page 194 of the Deed and Plat Records of Bexar County, Texas;

Thence, N 00° 01' 34" E, 65.27 feet, along the East right-of-way line of McCullough Avenue to a set 1/2-inch iron rod with Stantec Cap for corner;

Thence, N 08° 04' 25" E, 124.22 feet, along the East right-of-way line of McCullough Avenue to a set 1/2-inch iron rod with Stantec Cap for corner;

Thence, crossing said Lot 14 as follows:

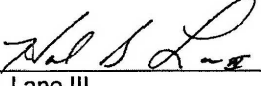
- S 15° 11' 02" E, 56.98 feet, to a found 1/2-inch iron rod for corner;
- Along the arc of a curve to the left, having a chord of S 18° 50' 58" E, 83.59 feet, a radius of 670.29 feet and a central angle of 07° 09' 00", a distance of 83.65 feet, to a found PK nail for corner;

Thence, S 47° 38' 41" W, 80.39 feet, to the **Point of Beginning**, containing 0.1254 acres (5461 square feet) of land, more or less.

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