

ORDINANCE 2019-06-13-0526

AUTHORIZING THE PARTIAL RELEASE OF A DRAINAGE EASEMENT LOCATED ON LOT 3, BLOCK 1 OF THE SUMMIT AUTOMATIVE SUBDIVISION, NEW CITY BLOCK 17930 IN COUNCIL DISTRICT 7 AS REQUESTED BY D & C ENTERPRISES, L.L.C.

* * * * *

WHEREAS, Petitioner, D & C Enterprises, L.L.C., ("Petitioner") has requested the partial release of a City-owned drainage easement; and

WHEREAS, the 2007 plat, attached hereto and incorporated as **Attachment I**, reserved the entire tract of the Petitioner's property as a drainage easement and Petitioner is requesting the release in order to be granted the proper building permits needed to replace a metal storage building; and

WHEREAS, Petitioner paid for a flood study which was reviewed by the Transportation & Capital Improvement's ("TCI") Storm Water division which confirmed that the proposed metal storage building will not impact the existing floodplain; and

WHEREAS, TCI conducted a full canvass through City departments and utilities and it was approved with standard conditions; **NOW THEREFORE:**

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

SECTION 1. The City Manager or designee, severally, are authorized to partially release 0.1673 of an acre of a the drainage easement located in Lot 3, Block 1 of the Summit Automotive Subdivision, New City Block 17930 as shown in and described by **Attachment II**, located in Council District 7, as requested by Petitioner D & C Enterprises, L.L.C.

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 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. 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

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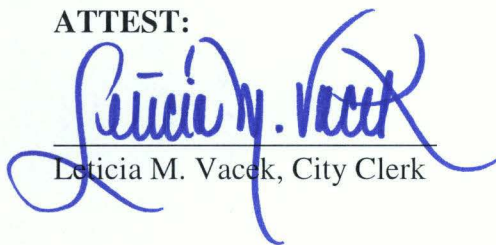
easements without first reaching an agreement with a utility having lines or facilities in the segment does so at his own risk. After the date of this Ordinance, no utility may add additional utility lines or facilities in the released utility easements.

SECTION 5. 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 13th day of June, 2019.


M A Y O R
Ron Nirenberg

ATTEST:


Leticia M. Vacek, City Clerk

APPROVED AS TO FORM:


Andrew Segovia, City Attorney

Agenda Item:	50 (in consent vote: 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21A, 21B, 22, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47, 49, 48, 50, 51A, 51B, 52)
Date:	06/13/2019
Time:	10:10:52 AM
Vote Type:	Motion to Approve
Description:	Ordinance approving the partial release of a drainage easement being 0.1673 of an acre (7,285.8 square feet), at 9444 Bandera Road in Council District 7 as requested by D & C Enterprises, L.L.C., Petitioner. [Roderick Sanchez, Assistant 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	
Art A. Hall	District 2		x				
Rebecca Viagran	District 3		x				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				

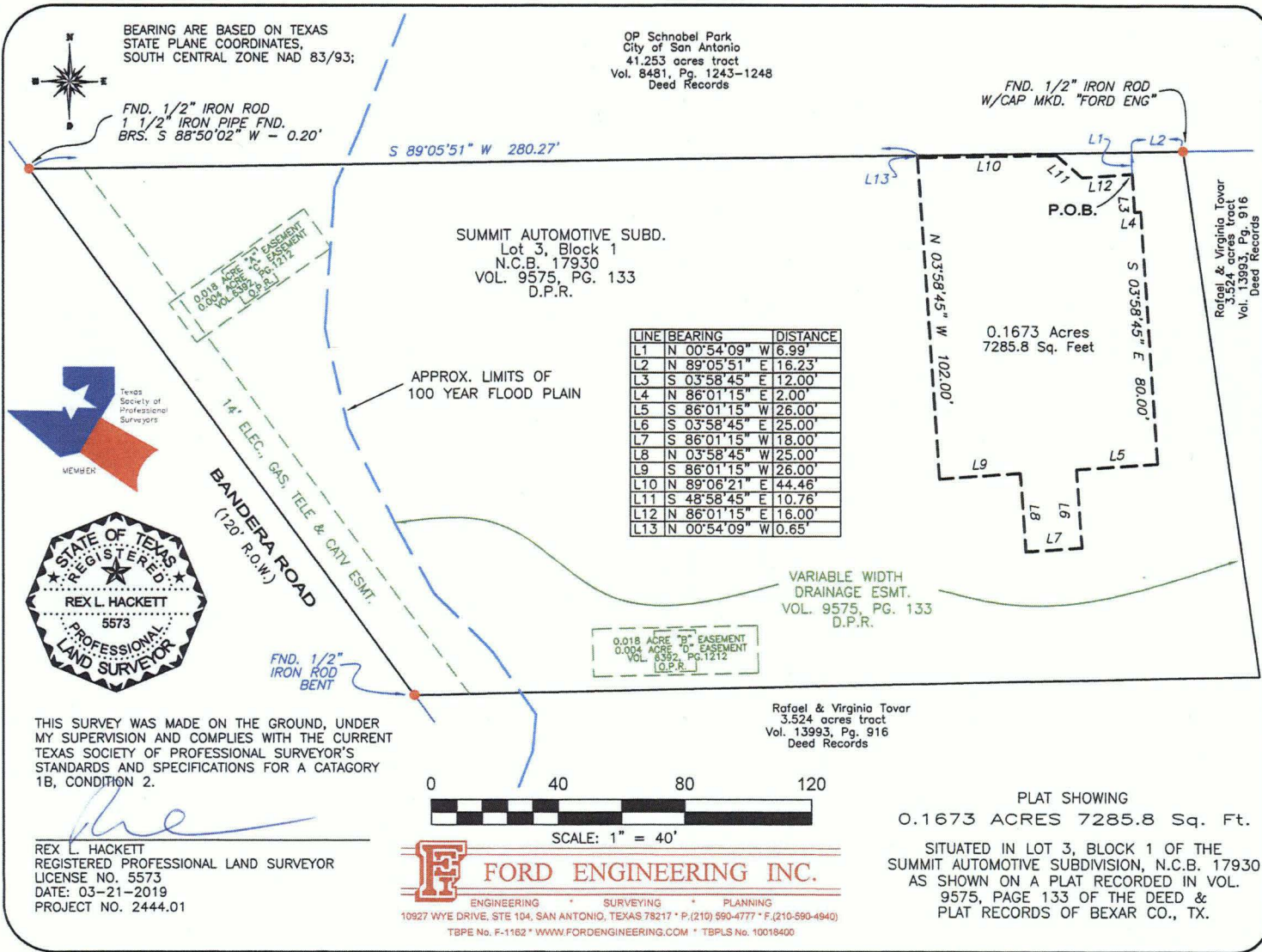
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ATTACHMENT I

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ATTACHMENT II

Attachment II





FORD ENGINEERING, INC

Date: March 21, 2019
Project No: 2444.01

FIELD NOTES DESCRIPTION 0.1673 ACRES (7285.8 Sq. Ft.)

A 0.1673 acre (7285.8 sq. ft.) tract of land, situated in Lot 3, Block 1 of the Summit Automotive Subdivision, N.C.B. 17930 as shown on a plat recorded in Volume 9575, Page 133 of the Deed and Plat Records of Bexar County, Texas; being more particularly described as follows:

BEGINNING: at a point for the Northeastern corner of this tract of land, from which a ½ inch iron rod with cap marked "Ford Eng Inc" found for the Northeast corner of the said Summit Automotive Subdivision, a Northwestern corner of that certain 3.524 acre tract of land conveyed to Rafael & Virginia Tovar in Volume 13993, Page 916 of the Official Public Records of Bexar County, Texas bears N 00°54'09" W – 6.99 feet and N 89°05'51" E – 16.23 feet;

THENCE: S 03°58'45" E – 12.00 feet across the said Summit Automotive Subdivision to a point for corner;

THENCE: N 86°01'15" E – 2.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: S 03°58'45" E – 80.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: S 86°01'15" W – 26.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: S 03°58'45" E – 25.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: S 86°01'15" W – 18.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: N 03°58'45" W – 25.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: S 86°01'15" W – 26.00 feet continuing across the said Summit Automotive Subdivision to a point for corner;

Attachment II



FORD ENGINEERING, INC

THENCE: N 03°58'45" W – 102.00 feet continuing across the said Summit Automotive Subdivision to a point for the Northwestern corner of this tract, from which a ½ inch iron rod found on the Northeastern line of Bandera Road (120' R.O.W.) for the Northwestern corner of the said Summit Automotive Subdivision bears N 00°54'09" W – 0.65 feet and S 89°05'51" W – 280.27 feet;

THENCE: N 89°06'21" E – 44.46 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: S 48°58'45" E – 10.76 feet continuing across the said Summit Automotive Subdivision to a point for corner;

THENCE: N 86°01'15" E – 16.00 feet continuing across the said Summit Automotive Subdivision to a point for corner; to the **POINT OF BEGINNING** and containing 0.1673 acres (7285.8 sq. ft.) of land, *according to a survey made on the ground under my supervision*

Corresponding plat prepared.
244401 Building Drainage Removal.docx

**BEARINGS ARE BASED ON TEXAS STATE PLANE COORDINATES, SOUTH
CENTRAL ZONE NAD 83/93;**



Rex L. Hackett, R.P.L.S.
Registered Professional Land Surveyor
License Number 5573