

ORDINANCE

2020-08-13-0520

**AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT
OF A PORTION OF DIGNOWITY AVENUE PUBLIC RIGHT OF WAY
LOCATED WITHIN NEW CITY BLOCKS 1199 AND 1200 AS
REQUESTED BY WESTON COMPANY, LLC FOR A FEE OF
\$40,150.00 IN COUNCIL DISTRICT 2**

* * * * *

WHEREAS, Weston Company, LLC ("Petitioner") is requesting to close, vacate and abandon an improved portion of the Dignowity Avenue Public Right-of-Way located within New City Blocks 1199 and 1200 in Council District 2 as shown in **Exhibit A**; and

WHEREAS, the proposed closure of the public right-of-way consists of 0.307 acres (13,365 square feet) ("Subject Area") and Petitioner owns all property adjacent to the Subject Area; the adjoining property owner, Lloyd Jary at 2423 Dignowity Avenue, has given consent to the proposed closure by signing the petition and the Subject Area is surrounded by parcels zoned for industrial uses; and

WHEREAS, the Petitioner utilizes its current site as an equipment and material storage yard; if approved, Petitioner plans to assemble its abutting property with the Subject Area to have a more contiguous site that can be better secured and continue its use as a storage yard; and

WHEREAS, there was no opposition to the closures by City departments or utilities during the canvassing process; the Government Hill Neighborhood Association has no objections to the closure; and

WHEREAS, the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on July 22, 2020; **NOW THEREFORE:**

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

SECTION 1. The City Council hereby authorizes, for a Final Closure Fee of \$40,150.00 (which includes the assessed value of the public right-of-way in the amount of \$40,000.00 plus \$150.00 for administrative costs) the closure, vacation, and abandonment of the City's right-of-way interests to the area as shown and described in **Exhibit A**.

SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth.

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

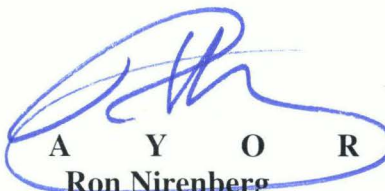
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City

VS
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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. 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 August, 2020.

M  A Y O R
Ron Nirenberg

ATTEST:



Tina Flores, Acting City Clerk

APPROVED AS TO FORM:



Andrew Segovia, City Attorney



City of San Antonio

City Council
August 13, 2020

Item: 16

Enactment Number:
2020-08-13-0520

NAME	MOTION	SECOND	ABSTAIN	AYE	NAY	ABSENT
Ron Nirenberg Mayor				√		
Roberto Treviño Council District 1				√		
Jada Andrews-Sullivan Council District 2				√		
Rebecca Viagran Council District 3				√		
Adriana Rocha Garcia Council District 4				√		
Shirley Gonzales Council District 5				√		
Melissa Cabello Havrda Council District 6				√		
Ana Sandoval Council District 7				√		
Manny Pelaez Council District 8				√		
John Courage Council District 9		√		√		
Clayton Perry Council District 10	√			√		

Comments:

Office of the City Clerk

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Exhibit A

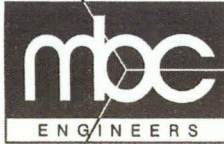


EXHIBIT A
MACINA • BOSE • COPELAND and ASSOCIATES, INC
CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232
(210) 545-1122 FAX (210) 545-9302
TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463
www.mbcengineers.com

**METES AND BOUNDS DESCRIPTION OF
0.307 OF AN ACRE**

A 0.307 ACRE (13,365 SQUARE FEET) TRACT OF LAND BEING A PORTION OF DIGNOWITY AVENUE, SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch Iron Rod Found on the North Right-of-Way line of said Dignowity Avenue, and marking the Southeast corner of Lot 14, Block 1, New City Block 1199, Government Heights Addition, according to plat thereof recorded in Volume 65, Page 1 of the Deed and Plat records of Bexar County, Texas;

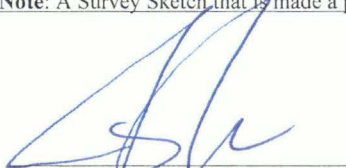
THENCE S 00° 26' 48" W a distance of 51.04 feet departing the North Right-of-Way line of said Dignowity Avenue, across and over said Dignowity Avenue, to a 1/2-Iron Rod Found on the South Right-of-Way line of said Dignowity Avenue, and marking the Northeast corner of Lot 6, Block 7, New City Block 1200, of said Government Heights Addition, and from which a 1/2-Iron with cap "MBC ENGINEERS" Found on the West Right-of-Way line of Frank Street bears S 76° 27' 58" W a distance of 88.01 feet;

THENCE S 76° 27' 58" W a distance of 269.38 feet along and with the South Right-of-Way line of said Dignowity Avenue, to a 1/2-Iron Road with cap "MBC ENGINEERS" Found, on the East line of a called 1.014 Acre Tract as described in Warranty Deed recorded in Document No. 20180139131, of the Official public records of Bexar County, Texas, and marking the Northwest corner of Lot 1, Block 7, New City Block 1200, of said Government Heights Addition;

THENCE N 00° 43' 23" E a distance of 51.29 feet along the Easterly line of said 1.014 Acre Tract and with the West end of said Dignowity Avenue, to a 1/2-Iron Rod with cap "MBC ENGINEERS" Found and marking the Southwest corner of Lot 9, Block 1, New City Block 1199, of said Government Heights Addition;

THENCE N 76° 27' 58" E a distance of 268.31 feet along and with the North line of said Dignowity Avenue to the **POINT OF BEGINNING** and containing 0.307 of an Acre (13,365 Square feet +/-) more or less as surveyed by Macina, Bose, Copeland, and Associates, Inc.

Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.


Joel Christian Johnson, R.P.L.S.
TBPLS Firm Registration 10011700
Date: April 1, 2020
Job No: 32303-1470

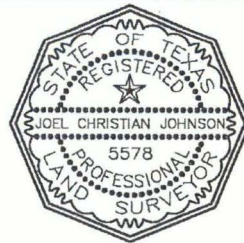


EXHIBIT A

Date: Apr 01, 2020, 10:27am User ID: JAranda Layout: sheet 1
File: C:\Users\jAranda\MBC Engineers Dropbox\Projects\1470\32303-Les Hargis Survey 2019\Design\Exhibit\Ex1 Dignowity-32303.dwg Layout name: sheet 1

