

ORDINANCE

2020-08-13-0521

**AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT
OF AN IMPROVED PORTION OF DANBURY STREET PUBLIC
RIGHT OF WAY LOCATED IN NEW CITY BLOCKS 12104 AS
REQUESTED BY MEALS ON WHEELS FOR A FEE OF \$5,150.00 IN
COUNCIL DISTRICT 10**

* * * * *

WHEREAS, Meals on Wheels San Antonio ("Petitioner") is requesting to close, vacate and abandon an improved portion of Danbury Street Public Right-of-Way within New City Block 12104 in Council District 10, as shown on the attached **Exhibit A**; and

WHEREAS, the proposed closure is located between Nacogdoches Road and Petitioner's property; Petitioner will dedicate land to construct a hammerhead for turnaround traffic as shown on the attached **Exhibit B** wide enough to accommodate the turning radius of any fire apparatus; and

WHEREAS, if approved, Petitioner will replat the proposed closure with the dedication and its adjacent property to construct a new corporate headquarters on a 5.7 acre site with access gates operable by fire personnel; and

WHEREAS, Petitioner is an independent not-for-profit 501(c)3 organization that serves Bexar, Atascosa, and Frio counties; in 2019, the organization provided the community 1,021,757 fresh and nutritious meals, 29,025 pounds of pet food through AniMeals and 16,500 days of care through Grace Place; and

WHEREAS, per Chapter 37-11 under the Municipal Code, one sign was posted and letters were mailed to property owners within 500 feet notifying them of the proposed closure; and

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

WHEREAS, in compliance with Chapter 37 of the City Code, Section 37-2 of the City Code, fair market value of the proposed closure was based upon an independent State of Texas Certified Professional Appraisal Report prepared by Noble & Associates, Inc. on November 21, 2019 and the subject property was assessed at \$94,500.00; based on the organizations 501(c)(3) tax-exempt status and its mission benefiting the San Antonio senior community, staff in consultation with Council District 10 recommends the City of San Antonio collect a fee of \$5,150.00 for this closure and such funds will be deposited into the General Fund in accordance with the FY 2020 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 requested Final Closure Fee of \$5,150.00, the closure, vacation, and abandonment of the City's right-of-way interests as to an improved portion of Danbury Street Public Right-of-Way within New City Block 12104 in Council District 10 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 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: 17

Enactment Number:
2020-08-13-0521

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

VS
8/13/2020
Item No. 17

Exhibit A



METES AND BOUNDS DESCRIPTION
FOR

A 0.481 of an acre, or 20,964 square feet more or less, tract of land being a portion of Danbury Street, a 60-foot public right-of-way, Oak Forest Estates, Unit-4, recorded in Volume 4960, Page 231 of the Deed and Plat Records of Bexar County, Texas, in the City of San Antonio, Bexar County, Texas. Said 0.481 of an acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South-Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

COMMENCING: At a found ½" iron rod with cap marked "GD" on the northeast right-of-way line of said Danbury Street, the west corner of Lot 10, of said Oak Forest Estates, Unit-4 also being the south corner of Lot 9, of said Oak Forest Estates, Unit-4;

THENCE: Southeasterly, with the west line of said Lot 10, along a curve to the right, said curve having a radius of 430.00 feet, a central angle of 00°08'00", a chord bearing and distance of S 43°59'17" E, 1.00 foot, for an arc length of 1.00 foot to a calculated point for the POINT OF BEGINNING;

THENCE: Along and with the right-of-way of said Danbury Street, the following bearings and distances:

Southeasterly, with the west line of said Lot 10, along a curve to the right, said curve having a radius of 430.00 feet, a central angle of 23°52'17", a chord bearing and distance of S 31°59'08" E, 177.86 feet, for an arc length of 179.15 feet to a found ½" iron rod;

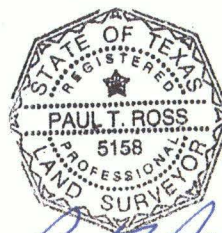
Southwesterly, along a curve to the right, said curve having a radius of 60.00 feet, a central angle of 299°59'50", a chord bearing and distance of S 70°34'25" W, 60.00 feet, for an arc length of 314.16 feet to a found ½" iron rod with cap marked "GD";

EXHIBIT A

Northwesterly, along a curve to the left, said curve having a radius of 370.00 feet, a central angle of $23^{\circ}46'13''$, a chord bearing and distance of $N 32^{\circ}02'11'' W$, 152.40 feet, for an arc length of 153.50 feet to a calculated point;

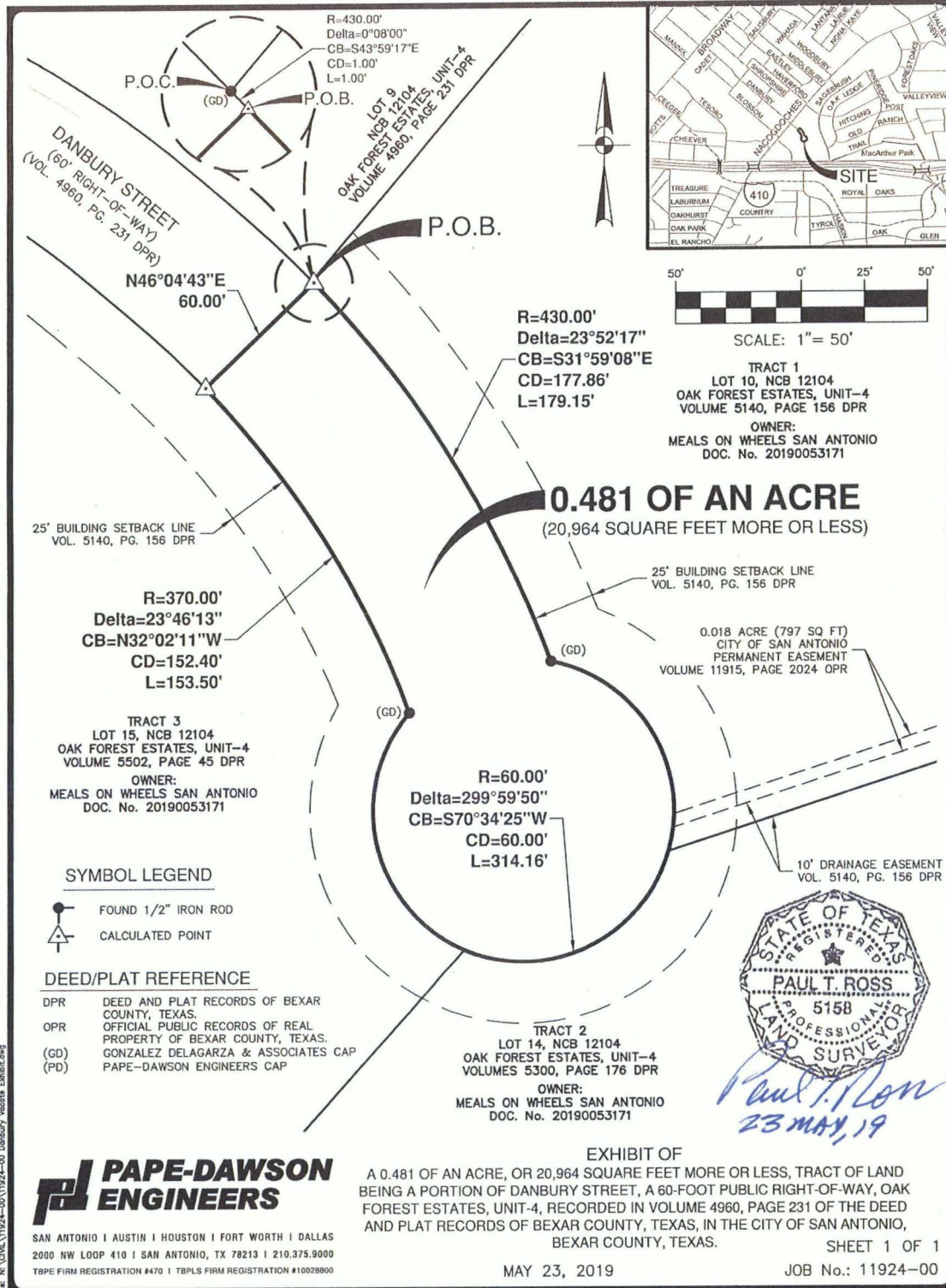
THENCE: $N 46^{\circ}04'43'' E$, over and across said Danbury Street, a distance of 60.00 feet to the POINT OF BEGINNING and containing 0.481 of an acre in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with an exhibit prepared under job number 11924-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: May 23, 2019
JOB NO. 11924-00
DOC. ID. N:\CIVIL\11924-00\WORD\0.482 AC VACATE.docx



Paul T. Ross
23 MAY, 19

EXHIBIT A



VS
8/13/2020
Item No. 17

Exhibit B

EXHIBIT B



METES AND BOUNDS DESCRIPTION FOR A VARIABLE-WIDTH RIGHT-OF-WAY DEDICATION

A 0.030 of an acre, or 1,304 square feet more or less, easement located on Lot 15, New City Block 12104 of the City of San Antonio, Bexar County, Texas, Oak Forrest Estates, Unit-4, recorded in Volume 5502, Page 45 of the Deed and Plat Records of Bexar County, Texas, described in deed to Meals on Wheels San Antonio in Document Number 20190053171 of the Official Public Records of Bexar County, Texas. Said 0.030 of an acre easement being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 NAD 83 (NA2011) epoch 2010.00:

BEGINNING: At a found ½" iron rod with cap marked "5005", being on the southwest right-of-way line of Danbury Drive, a 60-foot public right-of-way recorded in Volume 4960, Page 231 of said Deed and Plat Records, the east corner of Lot 11, said New City Block 12104, recorded in Volume 5140, Page 161 of the Deed and Plat Records of Bexar County, Texas, the north corner of said Lot 15;

THENCE: Along said southwest right-of-way line of Danbury Drive, the northeast line of said Lot 15, the following bearings and distances:

Southeasterly, along a curve to the right, said curve having a radius of 359.00 feet, a central angle of 05°49'20", a chord bearing and distance of S 52°40'14" E, 36.47 feet, for an arc length of 36.48 feet to a found ½" iron rod with yellow cap marked "Pape-Dawson";

S 49°50'45" E, a distance of 20.00 feet to a found ½" iron rod;

Southeasterly, along a curve to the right, said curve having a radius of 370.00 feet, a central angle of 06°13'43", a chord bearing and distance of S 47°02'09" E, 40.20 feet, for an arc length of 40.22 feet to a point;

THENCE: Departing said southwest right-of-way line of Danbury Drive, over and across said Lot 15, the following bearings and distances:

S 46°04'43" W, a distance of 2.88 feet to a point;

N 45°49'14" W, a distance of 24.47 feet to a point;

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TBPE Firm Registration #470 | TBPLS Firm Registration #10028800
San Antonio | Austin | Houston | Fort Worth | Dallas
Transportation | Water Resources | Land Development | Surveying | Environmental
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

EXHIBIT B

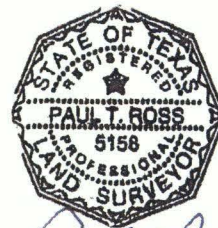
0.030 Acres
Job No. 11924-00
Page 2 of 2

S 76°36'39" W, a distance of 21.96 feet to a point;

N 50°05'47" W, a distance of 45.00 feet to a point;

N 04°21'45" E, a distance of 23.64 feet to the POINT OF BEGINNING and containing 0.030 of an acre in the City of San Antonio, Bexar County, Texas. Said easement being described in conjunction with an exhibit prepared under job number 11924-00 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: August 8, 2019
JOB NO. 11924-00
DOC. ID. N:\CIVIL\11924-00\Word\11924-00_ES_DED_0.030-AC.docx



Paul T. Ross
08 AUG., 19

EXHIBIT B

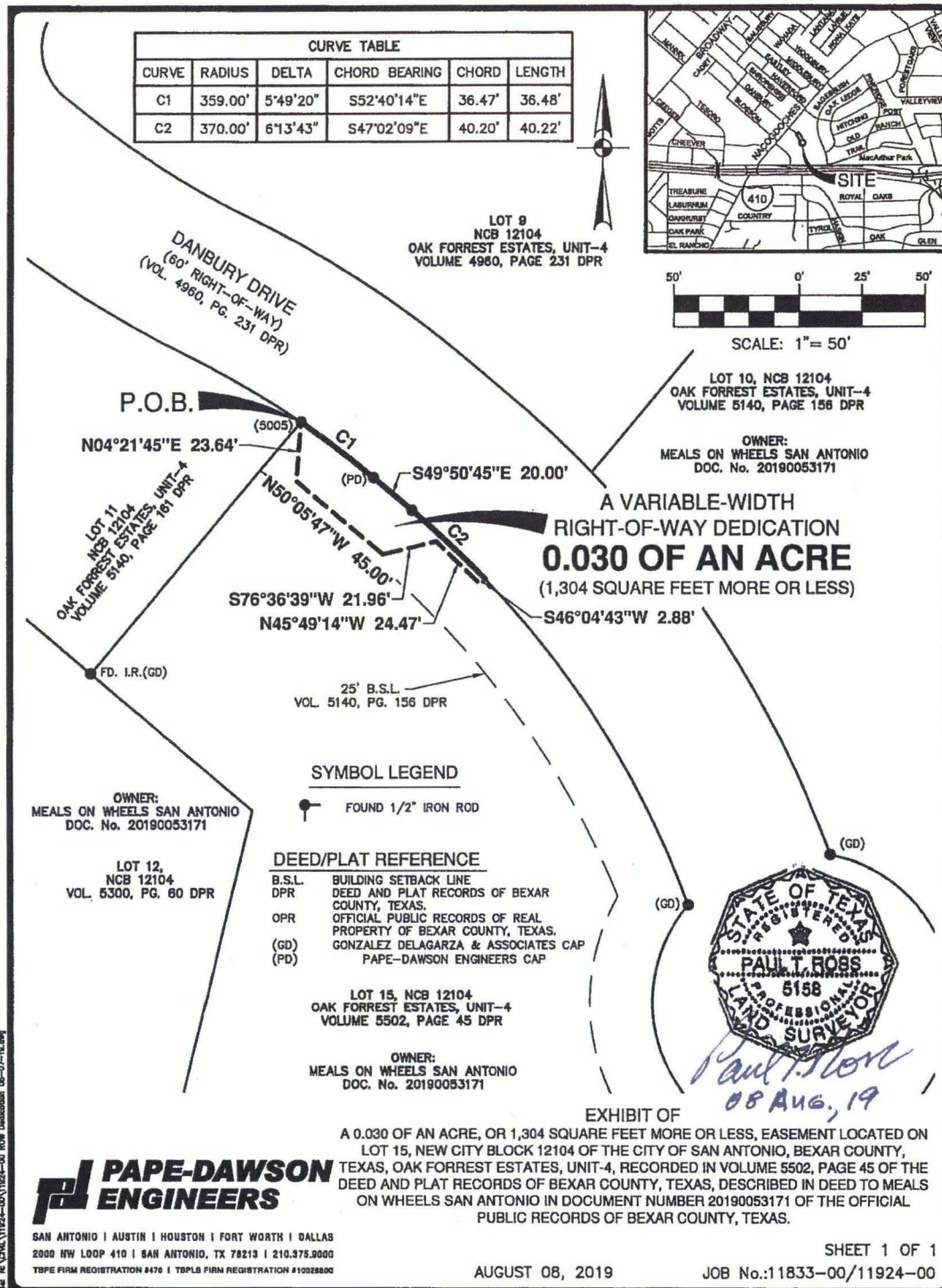


EXHIBIT B

