

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

ORDINANCE

**APPROVING THE CLOSURE, VACATION, AND ABANDONMENT OF AN
IMPROVED 56-FOOT WIDE DRAINAGE PUBLIC RIGHT-OF-WAY
LOCATED WITHIN NEW CITY BLOCKS 13631 AND 14527 AS
REQUESTED BY H-E-B, LP IN COUNCIL DISTRICT 2 FOR A FEE OF
\$63,100.00.**

* * * * *

WHEREAS, Petitioner, H-E-B, LP., (“Petitioner”) has requested close, vacate and abandon an improved 56-foot wide drainage public right-of-way within New City Blocks 13631 and 14527 in Council District 2 as shown in **Attachment I**; and

WHEREAS, the drainage public right-of-way closure consists of 1.523 acres (66,359 square feet) located between the H-E-B, LP San Antonio Retail Support Center (SARSC) at 4710 N. Pan Am Expressway to the south and the Lamplighter Mobile Home Park to the north; H-E-B, LP owns the property north of the drainage public right-of-way and intends to connect its properties and cover the channel by installing new drainage infrastructure with new concrete paving upon approval of this acquisition; and

WHEREAS, Petitioner has indicated paving this area will provide improved vehicular circulation and trailer parking around its existing retail support buildings the closure will not impact drainage in the area since the intent will be to replace the existing grass-lined channel with a properly designed underground box culvert drainage system to meet current City of San Antonio drainage criteria; once the underground box culverts are designed and approved by the City of San Antonio, Petitioner intends to place concrete paving over the channel; and

WHEREAS, all the abutting property owners have consented to the closure; Lamplighter MHP LLC, has written a letter to relinquish the rights to purchase its portion of the 56-foot wide Drainage Public Right-of-Way; **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 close, vacate, and abandon of an improved 56-foot wide drainage public right-of-way within New City Blocks 13631 and 14527 as described and depicted in **Attachment II** in Council District 2, as requested by H-E-B, LP, for a fee of \$63,100.00.

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. [FISCAL LANGAUGE].

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 ____ day of _____, 2020.

M A Y O R
Ron Nirenberg

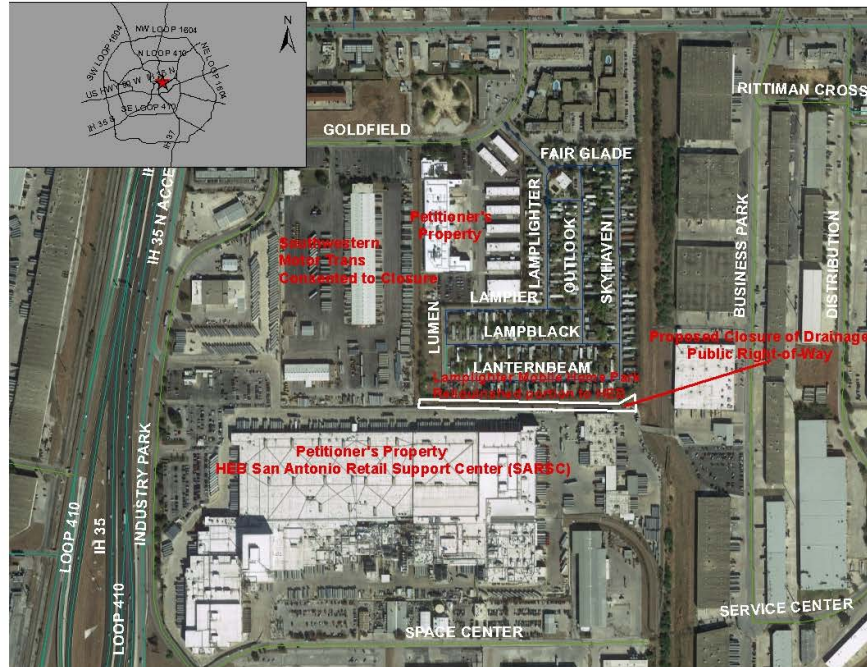
Attest:

Approved As To Form:

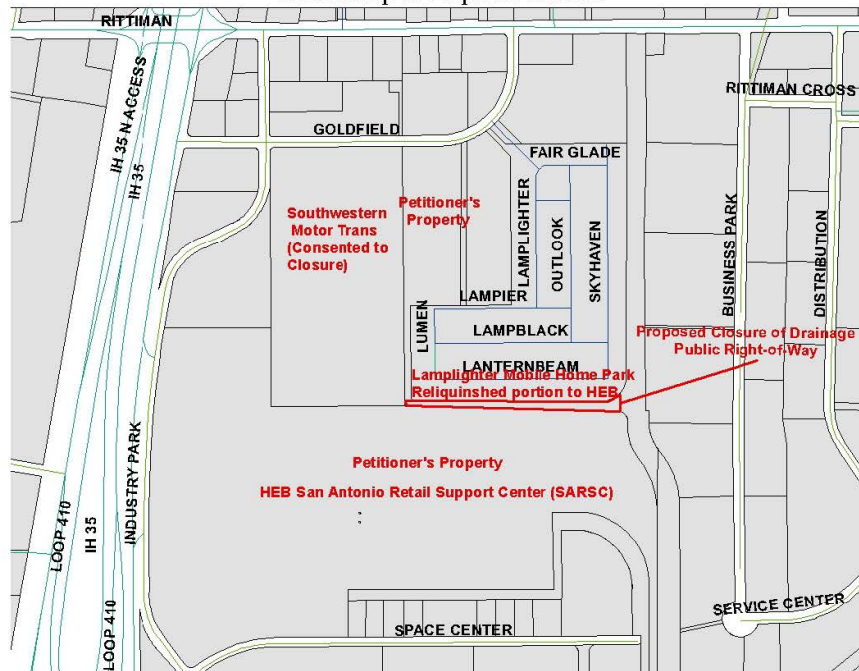
Tina J. Flores, City Clerk

Andrew Segovia, City Attorney

Attachment I



Aerial Map of Proposed Closure



Map of Proposed Closure



METES AND BOUNDS DESCRIPTION
FOR

A 1.523 acre, or 66,359 square feet more or less, tract of land being a portion of a 56-foot drainage right-of-way dedicated in Pinson Subdivision recorded in Volume 6600, Pages 232-236 of the Deed and Plat Records of Bexar County, Texas, in New City Block 14527 of the City of San Antonio, Bexar County, Texas. Said 1.523 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:

BEGINNING: At a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the southwest corner of said 56-foot drainage right-of-way and the southeast corner of Lot 3 of said Pinson Subdivision, and on the north line of Lot 5, Block 2 of the H.E.B. Distribution Center Subdivision recorded in Volume 9508, Page 71 of the Deed and Plat Records of Bexar County, Texas, from which a found ½" iron rod at the southwest corner of Lot 3 of said Pinson Subdivision bears S 89°42'36" W, a distance of 723.61 feet;

THENCE: N 00°25'55" W, departing the north line of said Lot 5, with the west line of said 56-foot drainage right-of-way and the east line of said Lot 3, a distance of 56.00 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" at the northwest corner of said 56-foot drainage right-of-way and the southwest corner of Lot 4 of Goldfield-2017-A Subdivision recorded in Volume 9728, Page 39 of the Deed and Plat Records of Bexar County, Texas, from which a found ½" iron rod at the northwest corner of said Lot 4 bears N 00°25'55" W, a distance of 1351.76 feet;

THENCE: N 89°42'36" E, departing the east line of said Lot 3, with the north line of said 56-foot drainage right-of-way and the south lines of said Lot 4 and Lot 1 of said Pinson Subdivision, a distance of 1087.68 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

THENCE: Northeasterly, with the north line of said 56-foot drainage right-of-way and the south line of said Lot 1, along a tangent curve to the left, said curve having a radius of 129.50 feet, a central angle of 39°53'50", a chord bearing and distance of N 69°45'41" E, 88.37 feet, for an arc length of 90.18 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson";

Attachment II

1.523 Ac.
Job No.: 5433-60
Page 2 of 2

THENCE: S 00°25'55" E, departing the south line of said Lot 1, over and across said 56-foot drainage right-of-way, a distance of 86.15 feet to a set ½" iron rod with a yellow cap stamped "Pape-Dawson" on the south line of said 56-foot drainage right-of-way and the north line of said Lot 5, from which a found ½" iron rod at the southeast corner of said Pinson Subdivision bears N 89°42'36" E, a distance of 153.29 feet;

THENCE: S 89°42'36" W, with the north line of said Lot 5 and the south line of said 56-foot drainage right-of-way, a distance of 1170.82 feet to the POINT OF BEGINNING and containing 1.523 acres in the City of San Antonio, Bexar County, Texas. Said tract being described in conjunction with a survey made on the ground and a survey map prepared under job number 5433-60 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: June 2019; Revised July 16, 2019
JOB NO. 5433-60
DOC. ID. N:\CIVIL\5433-60\Word\5433-60 BS_1.523 AC.docx



Attachment II

