HISTORIC AND DESIGN REVIEW COMMISSION July 21, 2021

HDRC CASE NO: 2021-291

ADDRESS: 326 SEGUIN ST

LEGAL DESCRIPTION: NCB A-42 BLK LOT A-2 & LOT TR A1 ITEM # 37 -LAND ONLY

ZONING: I-2 CITY COUNCIL DIST.: 2

APPLICANT: Marlene Hawkins/Government Hill Community Association

OWNER: Weston Company, LLC

TYPE OF WORK: Request for review of historic significance

CASE MANAGER: Jessica Anderson

REQUEST:

A request for review by the HDRC regarding eligibility of the two-story, stone-clad building located at 326 Seguin St for landmark designation.

APPLICABLE CITATIONS:

Unified Development Code Sec. 35-606. - Designation Process for Historic Landmarks.

- a. Authority. Requests for landmark designation may only be made by or with the concurrence of the property owner. In instances where a property owner does not consent to the landmark designation, the historic preservation officer shall request a resolution from city council to proceed with the designation process prior to any zoning commission hearing. Notwithstanding the foregoing, a request for landmark designation may be made and approved by the city council. To the extent that this subsection conflicts with any other provisions of this chapter, this paragraph shall control except for buildings, objects, sites, structures, or clusters heretofore designated as local landmarks or districts, National Register landmarks or districts, state historic landmarks or sites, or state archaeological landmarks or sites. Additionally, requests for designation shall be made on a form obtained from the city historic preservation officer through the office of historic preservation. Completed request forms shall be returned to the office of historic preservation for processing. All buildings, objects, sites, structures, or clusters heretofore designated by the city council as historic landmarks under any pre-existing ordinance of the City of San Antonio shall be accorded the protection of properties designated historic landmarks under this chapter and shall continue to bear the words "historic, exceptional" (HE) or "historic, significant" (HS) in their zoning designation.
- b. Designation of Historic Landmarks.
 - 1. **Initiation**. Any person, the historic and design review commission, zoning commission, the historic preservation officer, or the city council may initiate a historic landmark designation by filing an application with the historic preservation officer. Requests for designation shall be made on a form obtained from the city historic preservation officer. Completed request forms shall be returned to the office of historic preservation for processing. Owner consent for historic landmark designation shall be required unless a city council resolution to proceed with the designation has been approved. Additionally, owners may submit with the application a written description and photographs or other visual material of any buildings or structures that they wish to be considered for designation as non-contributing to the historic landmark.
 - 2. **Decision.** The historic preservation officer shall refer a completed application for historic landmark designation to the historic and design review commission. Property owners of proposed historic landmarks shall be notified of the historic and design review commission hearing by the historic preservation officer by mail prior to a historic and design review commission hearing for historic landmark designation. Notice to property owners shall state the place, date, time, and purpose of the historic and design review commission hearing. The historic preservation officer shall also send notice of the meeting to any registered neighborhood associations located within the proposed district boundary. The historic and design review commission shall make and forward its recommendation to the zoning commission within forty-five (45) days from the date of submittal of the designation request by the historic preservation officer. Upon submittal of the historic and design review commission's recommendation, the proposed historic district or landmark designation shall be submitted to the zoning commission for its review recommendations along with its finding of historic significance. The zoning commission and the city council shall process the application as prescribed

in section 35-421 of this chapter and this section. The zoning commission shall schedule a hearing on the historic and design review commission recommendation to be held within sixty (60) days of receipt of such recommendation and shall forward its recommendation to city council which shall schedule a hearing to be held within sixty (60) days of council's receipt of such recommendation. Upon passage of any ordinance designating a historic landmark, or removing or upgrading the designation of historic, the city clerk shall send notice of the fact by mail to the owner or owners of affected property.

Unified Development Code Sec. 35-607. – Designation Criteria for Historic Districts and Landmarks.

- a. **Process for Considering Designation of Historic Districts and Landmarks.** Historic districts and landmarks shall be evaluated for designation using the criteria listed in subsection (b) and the criteria applied to evaluate properties for inclusion in the National Register. In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the criteria listed. Historic districts shall consist of at least two (2) or more structures within a legally defined boundary that meet at least three (3) of the criteria. Additionally, all designated landmarks and districts shall demonstrate clear delineation of the legal boundaries of such designated resources.
- b. Criteria for Evaluation.
 - 1. Its value as a visible or archeological reminder of the cultural heritage of the community, or national event:
 - 2. Its location as a site of a significant local, county, state, or national event;
 - 3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation;
 - 5. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

FINDINGS:

- a. On May 5, 2021, a demolition application was submitted to the Office of Historic Preservation by Joseph Hopewell of JR Ramon Demolition, on behalf of the property owner of the stone-clad building at 326 Seguin St, located in the Government Hill neighborhood of City Council District 2. OHP staff notified the Government Hill Community Association and other neighborhood stakeholders and conducted research during the 30-day review period provided by UDC 35-455. After completing the review, OHP staff's research did not indicate that the property met three criteria under UDC Sec. 35-607(b). Staff approved an administrative Certificate of Appropriateness for demolition on June 4, 2021.
- b. On June 10, 2021, Marlene Hawkins submitted a request for review of historic significance for the stone-clad building at 326 Seguin St on behalf of the Government Hill Community Association.
- c. DEMOLITION AND DESIGNATIONS COMMITTEE: The Demolition & Designation Committee (DDC) attended a virtual site visit on July 20, 2021. OHP staff will provide virtual site visit notes to commissioners before the July 21 hearing.
- d. HISTORIC CONTEXT: The property at 326 Seguin Street includes a two-story stone-clad Prairie Style commercial structure built c. 1930 for Colglazier & Hoff. It is located in the Government Hill neighborhood of City Council District 2. Weston Company, LLC. currently owns the property. The applicant posits that the building is the location of a national event, the Old Spanish Trail Auto Expedition of 1929, and that "the distinguishing characteristics architecturally of this building are the very careful selection and placement of natural stones." The Colglazier family owned the construction company that was located at 326 Seguin, and R. W. Colglazier, who served as president during the life of the company, was a decorated Army Lieutenant General. As a member of the armed forces, he played a key role in the planning and organization for the construction of the Pentagon.
- e. SITE CONTEXT: The property is located on a block bound to the north by Seguin St, the west by N New Braunfels Ave, the south by the Union Pacific railroad tracks, and the east by Frank St and Dignowity Ave. The parcel is primarily covered in gravel or concrete, with some vegetation near the subject structure. The two-story, stone-clad building shares the property with a stucco-clad commercial structure with attached metal canopy, located just north of the subject structure. The property is located northeast of the Dignowity Hill local historic district and southeast of the Government Hill local historic district. The surrounding neighborhoods have a number of individual local historic landmarks, both within and outside the aforementioned districts.

- f. ARCHITECTURAL DESCRIPTION: The property at 326 Seguin Street includes a two-story stone-clad Prairie Style commercial structure built c. 1930. It has a side-gabled standing-seam metal roof, with either ganged or single one-over-one windows tucked directly below the eaves on the second floor. Windows sit on stone or concrete sills. The primary entrance is on the north elevation, marked by a protruding first-floor end-gabled mass under a standing seam metal roof. The south elevation has a large garage door and rear entrance near the center, with two one-over-one windows near the west edge.
- g. EVALUATION: In order to be eligible for historic landmark designation, properties shall meet at least three (3) of the 16 criteria listed. The applicant submitted that the property meets the following criteria, consistent with UDC Sec. 35-607(b):
 - 1. Its value as a visible or archeological reminder of the cultural heritage of the community, or national event; as a one-of-a-kind building, method of construction, and materials, and as part of the Old Spanish Trail initial expedition of 1929.
 - **2. Its location as a site of a significant local, county, state, or national event;** as part of the Old Spanish Trail initial expedition of 1929.
 - 3. Its identification with a person or persons who significantly contributed to the development of the community, county, state, or nation; the structure was built for the Colglazier family and was at one time headed by R. W. Colglazier, a lieutenant general in the U.S. Army who worked as a director for the WPA in Texas and had a key role in planning for the construction of the Pentagon.
 - 5. Its embodiment of distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials; as an example of a stone-clad Prairie Style commercial structure.

Staff found that the evidence submitted by the applicant supports criteria 3 and 5 but does not sufficiently support criteria 1 or 2. The style, form, and materials of the stone structure are common for the period of construction, and though the property is along the route of the Old Spanish Trail through San Antonio, staff could find no evidence it was built as infrastructure related to the trail or built in response to the trail's presence.

- h. The City offers a tax incentive for the substantial rehabilitation of historic properties because historic landmarks possess cultural and historical value and contribute to the overall quality and character of the City and its neighborhoods. If historic designation is approved, rehabilitation and restoration work may be eligible for this incentive. State and Federal tax incentives are also available for properties listed on the National Register of Historic Places and provide substantial relief for rehabilitation projects.
- i. If the HDRC agrees with the request, OHP will seek concurrence from the owner. If the owner is in favor of designation, the request may proceed in the designation process and will be presented to the Zoning Commission. In the case where an owner is not in favor, OHP must first forward the recommendation of the HDRC to City Council for consideration of a resolution to initiate the landmark designation process as outlined in UDC 35-606. If the HDRC does not agree with the request, a resolution from City Council to initiate the landmark designation will not be sought.
- j. Per UDC Sec. 35-453, once the Commission makes a recommendation for designation, property owners must receive a written approval (a Certificate of Appropriateness) for any exterior work until the City Council makes their final decision.

RECOMMENDATION:

A property must meet three of 16 criteria under UDC Sec. 35-607(b) in order to be eligible for local historic landmark designation. Staff finds that 326 Seguin St meets two criteria. Therefore, staff finds that the property is not eligible based on findings a through g and does not recommend a Finding of Historic Significance to the Historic and Design Review Commission.

City of San Antonio One Stop

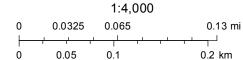


July 16, 2021

Community Service Centers

Zoning Overlay Label

CoSA



Pre-K Sites

BCAD Parcels

Historic Landmark Sites

Historic Districts

Bexar CAD

Property Search Results > 100669 WESTON COMPANY Tax Year: 2021 LLC for Year 2021

Property

Account	Accou	ınt
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Property ID: 100669 Legal Description: NCB A-42 BLK LOT A-2 & LOT TR A1 ITEM # 37

/LAND ONLY

 Geographic ID:
 00042-000-0020
 Zoning:
 I-2

 Type:
 Real
 Agent Code:
 2844946

Property Use Code: 393

Property Use Description: STORAGE YARD

Protest

Protest Status: Informal Date: Formal Date:

Location

Address: 326 SEGUIN ST Mapsco: 617D3

SAN ANTONIO, TX 78208

Neighborhood: NBHD code11820 Map ID: Neighborhood CD: 11820 E-File Eligible

Owner

Name: WESTON COMPANY LLC Owner ID: 2779671

Mailing Address: PO BOX 129 % Ownership: 100.0000000000%

COMFORT, TX 78013-0129

Exemptions:

Values

(+) Improvement Homesite Value: + \$0

(+) Improvement Non-Homesite Value: + \$1,098,550

(+) Land Homesite Value: + \$0

(+) Land Non-Homesite Value: + \$451,450 Ag / Timber Use Value (+) Agricultural Market Valuation: + \$0 \$0

(+) Timber Market Valuation: + \$0 \$0

(=) Market Value: = \$1,550,000

(–) Ag or Timber Use Value Reduction: – \$0

(=) Appraised Value: = \$1,550,000

(–) HS Cap: – \$0

(=) Assessed Value: = \$1,550,000

Taxing Jurisdiction

Owner: WESTON COMPANY LLC % Ownership: 100.0000000000%

Total Value: \$1,550,000

Entity	Description	Tax Rate	Appraised Value	Taxable Value	Estimated Tax	
06	BEXAR CO RD & FLOOD	0.023668	\$1,550,000	\$1,550,000	\$366.85	
08	SA RIVER AUTH	0.018580	\$1,550,000	\$1,550,000	\$287.99	
09	ALAMO COM COLLEGE	0.149150	\$1,550,000	\$1,550,000	\$2,311.83	
10	UNIV HEALTH SYSTEM	0.276235	\$1,550,000	\$1,550,000	\$4,281.64	
11	BEXAR COUNTY	0.277429	\$1,550,000	\$1,550,000	\$4,300.15	
21	CITY OF SAN ANTONIO	0.558270	\$1,550,000	\$1,550,000	\$8,653.19	
57	SAN ANTONIO ISD	1.502300	\$1,550,000	\$1,550,000	\$23,285.66	
CAD	BEXAR APPRAISAL DISTRICT	0.000000	\$1,550,000	\$1,550,000	\$0.00	
SA011	San Antonio TIF #11 Inner City	0.000000	\$1,550,000	\$1,550,000	\$0.00	
	Total Tax Rate:	2.805632				
				Taxes w/Current Exemptions:	\$43,487.31	
				Taxes w/o Exemptions:	\$43,487.31	

Improvement / Building

Improvem #1:	ent	Commercial	State Code:	F1	Living Area:	6656.0) sqft Va	lue: \$811,9	998
Туре	De	scription			Class CD	Exterior Wall	Year Built	SQFT	
400	OFI	FICE			C - G	SN	1955	3200.0	
CPT De		tached Carpor	t		* - A		1960	2262.0	
CNP	Car	пору			* - A		1960	2430.0	
350	SEF	RVICE GARAGE	- AUTO	MOTIVE	S - G	ME	1960	3456.0	
Improvem #2:	ent	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$2,001	
T	ype	Description	n	Class CD	Exte	rior Wall	Year Built	SQFT	
EC	QS	Equipment	Shed	D - F			0	380.0	
Improvem #3:	ent	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$15,751	
Т	уре	Descriptio	n	Class CD	Exter	ior Wall	Year Built	SQFT	
Α	SP	Asphalt		* - F			0	15000.0	
Improvem #4:	ent	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$10,372	
Т	ype	Descriptio	n	Class CD	Exter	ior Wall	Year Built	SQFT	
F	EN	Fence		S - A			0	1500.0	
Improvem #5:	ent	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$44,846	
Т	ype	Descriptio	n	Class CD	Exter	ior Wall	Year Built	SQFT	

	ASP	Asphalt		* - F			2012	17475.0
Improve #6:	ment	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$1,227
	Туре	Descriptio	n	Class CD	Exterio	r Wall	Year Built	SQFT
	RSH	Shed		F - NO			1990	270.0
Improve #7:	ment	Commercial	State Code:	F1	Living Area:	sqft	Value	\$435
	Туре	Descriptio	n	Class CD	Exterio	r Wall	Year Built	SQFT
	RSH	Shed		F - NO			1990	96.0
Improve #8:	ment	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$126,271
	Туре	Descriptio	n	Class CD	Exterio	r Wall	Year Built	SQFT
	CON	Concrete		* - F			1990	800.0
	CON	Concrete		* - F			2018	24000.0
Improve #9:	ment	Commercial	State Code:	F1	Living Area:	sqft	Value:	\$3,859
	Туре	Descriptio	n	Class CD	Exterio	r Wall	Year Built	SQFT
	Type LDK	Descriptio			Exterio	r Wall		SQFT 920.0
Improve #10:	LDK	·		CD	Exterion Living Area:	r Wall sqft	Built	
	LDK ment	Loading Do	ock State	CD * - F	Living		Built 0 Value:	920.0 \$13,079
#10:	LDK ment	Loading Do	State Code:	CD * - F F1	Living Area: Class CD	sqft Exterio	Built 0 Value: or Year	920.0 \$13,079
#10: Type	LDK ment Desci	Loading Do	State Code:	CD * - F F1	Living Area: Class CD	sqft Exterio	Built 0 Value: or Year Built	920.0 \$13,079 SQFT
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Land

#	ŧ	Type	Description	Acres	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
1		IND	Industrial	5.0310	219150.36	0.00	0.00	\$451,450	\$0

Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap	Assessed
2021	\$1,098,550	\$451,450	0	1,550,000	\$0	\$1,550,000

Website version: 1.2.2.33

2020	\$1,048,550	\$451,450	0	1,500,000	\$0	\$1,500,000
2019	\$775,507	\$442,680	0	1,218,187	\$0	\$1,218,187
2018	\$651,450	\$264,220	0	915,670	\$0	\$915,670
2017	\$797,720	\$230,970	0	1,028,690	\$0	\$1,028,690

Deed History - (Last 3 Deed Transactions)

#	Deed Date	Туре	Description	Grantor	Grantee	Volume	Page	Deed Number
1	7/11/2018	SWD	Special Warranty Deed	HARGIS LESLIE	WESTON COMPANY LLC			20180139131
2	8/30/2007	SWD	Special Warranty Deed	KUENTZ IRVING C	HARGIS LESLIE	13095	0703	20070209797
3		Deed	Deed		KUENTZ, IRVING C	5316	1932	0

2021 data current as of Jul 16 2021 1:22AM.
2020 and prior year data current as of Jul 2 2021 6:19AM
For property information, contact (210) 242-2432 or (210) 224-8511 or email.

For website information, contact (210) 242-2500.

Database last updated on: 7/16/2021 1:22 AM

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STATEMENT OF SIGNIFICANCE

The stone structure located at 326 Seguin Street, San Antonio. Texas 78208, fits the designation criteria in it's uniqueness, being associated with a person who contributed to our community and nation and the location being part of a national event, the old Spanish Trail initial expedition in 1929.

This structure is eligible for designation based on its age, 70 years old. It is eligible as a one of a kind building and its method of construction, as well as, materials used for the facade. (1, 2)

The building is at the location of a national event. The Old Spanish Trail Auto Expedition of 1929 when many people traveled the Trail from Florida to California. The 100th anniversary of that even is coming in 2029 when many people will again travel the route to reenact the first expedition. The expedition is not just the pavement, but the neighborhoods and towns along the way. (2)

The distinguishing characteristics architecturally of this building are the very careful selection and placement of natural stones. The stones are used to make tight corners and frame the windows show unique construction methods. This would be a good study of unique use of materials and the choice and method of placement of the stones. (5)

The building was developed to be a commercial structure. It was built as a utilitarian structure to be used as an office for the Colglazier Construction Company. The upper floor was for offices and the lower floor was large open space for storage. You can see windows fit the utilitarian model of large windows for the offices and small windows in the lower front and fewer windows on the back side but with a door and a cargo door for unloading.

The Colglazier family owned the construction company that was located at 326 Seguin for many years. The son of the owner was a decorated Army Lieutenant General. He also was president of the company for a time in between the times he was called back to service. He did paving work on Broadway and in Alamo Heights.

R. W. Colglazier graduated from A&M in 1925 with a degree in civil engineering. He joined the Army Reserves and returned to San Antonio to work in the family business. During the Great Depression he worked as a director for the WPA in Texas. In 1941, Colglazier was called to active duty. He played a key role in the planning and organization for the construction of the Pentagon. He served until 1943. He then returned to San Antonio to head the family business.

In 1951 he was again called to active duty in the Korean War and the Vietnam Was. In 1964-1966 he commanded the Fourth Army in San Antonio. He retired in 1966 and returned to San Antonio to live and work. His name may not be well known to us, but there is a street of the East side named for him. He had many of the highest level awards given by the military. He is buried in Fort Sam Houston National Cementary. (3)

Robert Wesley Colglazier Jr.

Robert Wesley Colglazier Jr. (October 18, 1904 – January 23, 1993) was a United States Army lieutenant general. He was prominent as the highest-ranking member of the Army Reserve on duty with the Regular Army in the 1960s, and as commander of the Fourth United States Army. In the 1950s and 1960s, Colglazier was recognized as one of the military's foremost experts on logistics management. [1]

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Death and burial

References

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Early life

Colglazier graduated from Texas A&M University in 1925 with a degree in civil engineering, and began employment with his family's construction company, San Antonio's Colglazier Construction Company. [2][3]

During the Great Depression Colglazier worked as director of the operations division for the Works Progress Administration in Texas.^[4]

Start of military career

Colglazier received a commission as a second lieutenant upon graduating from college, and began a career in the Army Reserve. [5][6]

World War II

In 1941 Colglazier was called to active duty for World War II. After returning to active duty as a captain, he played a key role in the planning and organization for the construction of the Pentagon. [7][8]

He attained the rank of colonel while carrying out engineer staff officer assignments in Northern Ireland, England, North Africa Italy and France. From 1942 to 1943, Colglazier was an engineer plans officer for the Mediterranean Base Section. [9]

Post-World War II

Robert Wesley Colglazier Jr.



Colglazier as a Lieutenant General in 1960.

Born October 18, 1904
St. Louis, Missouri
Died January 23, 1993

(aged 88) San Antonio, Texas

Place of Fort Sam Houston burial National Cemetery Allegiance United States of

America
Service/ United States Army

branch Years of 1925-1966

service

Rank Lieutenant

Commands U.S. Army Europe held Communications

General

Zone Fourth United

States Army

Battles/wars World War II

Korean War Vietnam War

Awards Distinguished

Service Medal Legion of Merit Bronze Star Medal

Army

After the war, Colglazier returned to San Antonio and was the president of the family business, now reorganized as Colglazier McKennon Construction, while also continuing to serve with the Army Reserve. [10]

Korean War

In 1951, Colglazier was recalled to active duty for the Korean War. His assignments included several positions in the office of the Army's Deputy Chief of Staff for Logistics, G4, where he coordinated the flow of supplies and equipment into South Korea and was recognized for his expertise in the field of military logistics management. [11][12][13]

Post-Korean War

After the Korean War, Colgaizer was assigned as commander of U.S. Army Europe's Communications Zone, serving from 1956 to 1957. [14][15]

From 1957 to 1959, Colgaizer was the Army's Assistant Deputy Chief of Staff for Logistics. [16]

Medal Order of the British **Empire** French Legion of Honor French Croix de Guerre Other work President. Colglazier Construction Company, Councilman-At-Large, Texas A&M University Association of

Former Students

Commendation

In 1959, he was named Deputy Chief of Staff for Logistics, receiving a promotion to lieutenant general and serving until 1964. At the time of his promotion, Colgaizer was the highest-ranking reservist serving on active duty. During this assignment, Colglazier oversaw modernization of weapons and vehicles and an increase in procurement as the Army's effort in Vietnam increased.[17][18][19][20][21]

Vietnam War

From 1964 to 1966, Colglazier commanded the Fourth Army in San Antonio. [22][23][24] During his command, he was dispatched to Louisiana by President Lyndon Johnson to coordinate disaster relief efforts following Hurricane Betsy. [25][26]

During his command, Colgaizer also generated headlines when he reduced the sentence of Private First Class Winstel R. Belton, who had gone on a hunger strike to protest orders to report to Vietnam. Belton was originally sentenced to five years imprisonment, but Colglazier reduced the penalty to a one-year suspended sentence, provided that Belton report to Vietnam, which he did. [27][28][29][30]

Awards

His personal decorations included the Distinguished Service Medal, Legion of Merit, Bronze Star Medal, Army Commendation Medal, Order of the British Empire, French Legion of Honor and French Croix de Guerre. [31][32][33]

Military retirement and later career

Colglazier retired from the Army in 1966. In retirement he remained active with Texas A&M, serving as councilman-at-large for the Association of Former Students. He was named a Texas A&M Distinguished Alumnus in 1971. [34] In 1997 he was inducted to the Texas A&M Corps of Cadets Hall of Honor. [35]

Death and burial

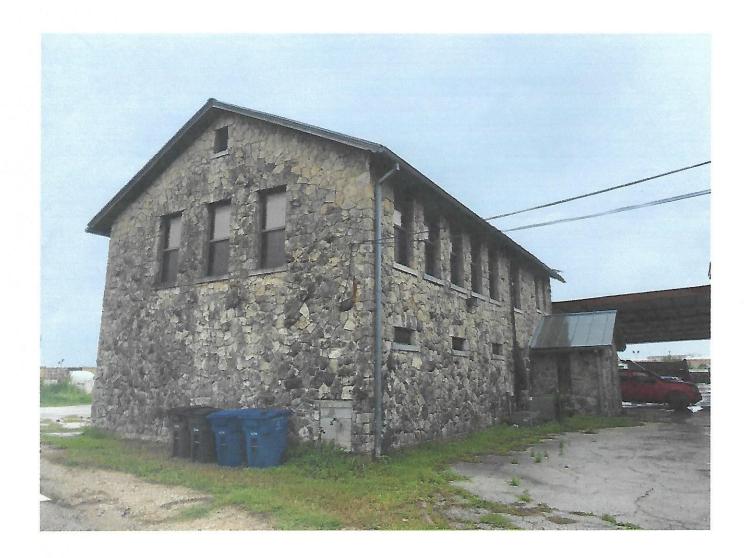
Colglazier resided in San Antonio and died there on January 23, 1993. [36][37] He was buried at Fort Sam Houston National Cemetery, Section AI, Plot 644. [38]

References

1. Newspaper article, Leaves Army (https://news.google.com/newspapers?id=5QUrAAAAIBAJ&sjid=GJgFAAAAIBAJ&pg=615 2,7280432&dq=colglazier+army&hl=en), Reading Eagle, January 15, 1966







NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

Date:

July // , 2018

Granter:

Leslie Hargis a/k/a Les Hargis

Grantor's Mailing Address:

603 W. 3rd St.

Borger, Texas 79007-4007

Grantee:

Weston Company, LLC, a Texas limited liability company

Grantee's Mailing Address:

P.O. Box 129

Comfort, Texas 78013

Consideration:

Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and the amount of One Million Four Hundred Thirty-two Thousand Two Hundred Fifty and 60/106 Dollars (\$1,432,250.00) advanced to Grantee by Security Bank ("Lender"), whose address is 2526 North Loop 1604 W., San Antonio, Texas 78248, which funds Grantee has agreed to repay in accordance with the terms of that certain Promissory Note ("Note") of even date herewith in the stated principal sum of \$1,432,250.00 executed by Grantee and payable to the order of Lender. The Note is secured by a vendor's lien against, and superior title to the Property retained in this Deed in favor of Lender and also secured by a Deed of Trust (the "Deed of Trust") dated of even date herewith from Grantee to Lance McDougall, Trustee.

Property (including any improvements):

TRACT 1:

A 4.028 ACRE (175,477 SQUARE FEET) TRACT OF LAND BEING LOTS A-2 AND A-3, NEW CITY BLOCK A-42, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS; AND BEING THE SAME TRACT OF LAND DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 13095, PAGE 703, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS; SAID 4.028 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD IRON ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET, A 50 FOOT PUBLIC RIGHT OF WAY, AND BEING THE NORTHWESTERLY CORNER OF A CALLED 1.014 ACRE TRACT DESCRIBED IN DEED WITHOUT WARRANTY RECORDED IN VOLUME 11130,

PAGE 1310, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS;

THENCE S 00° 11' 47" E A DISTANCE OF 461.19 FEET DEPARTING THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET, ALONG THE WESTERLY BOUNDARY LINE OF SAID 1.014 ACRE TRACT, TO A 1/2-INCH IRON ROD;

THENCE N 85° 08' 54" W A DISTANCE OF 467.26 FEET, TO A 1/2-INCH IRON ROD FOUND;

THENCE N 04° 46' 41" E A DISTANCE OF 318.98 FEET, TO A 1/2-INCH IRON ROD ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET;

THENCE N 76° 39' 04" E A DISTANCE OF 449.59 FEET, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET, TO THE POINT OF BEGINNING AND CONTAINING 4.028 ACRES MORE OR LESS AS SURVEYED BY MACINA, BOSE, COPELAND, AND ASSOCIATES, INC. TRACT 2:

A 1.014 ACRE (44,164 SQUARE FEET) TRACT OF LAND OUT OF TRACT A-1, NEW CITY BLOCK A-42, IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AND BEING THE SAME TRACT OF LAND DESCRIBED IN DEED WITHOUT WARRANTY RECORDED IN VOLUME 11130, PAGE 1310, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS; SAID 1.014 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD IRON ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET, A 50 FOOT PUBLIC RIGHT OF WAY, AND BEING THE NORTHEASTERLY CORNER OF A CALLED 4.0148 ACRE TRACT DESCRIBED IN SPECIAL WARRANTY DEED WITH VENDOR'S LIEN, RECORDED IN VOLUME 13095, PAGE 703, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS:

THENCE N 77° 36' 12" E A DISTANCE OF 98.66 FEET, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET, TO A 1/2-INCH IRON ROD, MARKING THE NORTHWESTERLY CORNER OF LOT 1, BLOCK 1, NEW CITY BLOCK 1199, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS AS DESCRIBED WARRANTY DEED RECORDED IN VOLUME 18306, PAGE 535, OFFICIAL PUBLIC RECORDS; BEXAR COUNTY, TEXAS;

THENCE S 00° 43' 23" W A DISTANCE OF 378.49 FEET, DEPARTING THE SOUTHERLY RIGHT OF WAY LINE OF SAID SEGUIN STREET, TO A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET MARKING THE NORTHWESTERLY CORNER OF LOT 9, BLOCK 7, NEW CITY BLOCK 1200, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, AS DESCRIBED IN DEED FROM THE STATE OF TEXAS, RECORDED IN VOLUME 14721, PAGE 2167; OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS;

THENCE S 00° 43' 23" W A DISTANCE OF 86.00 FEET, ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 9, BLOCK 7, TO A 1/2-INCH IRON ROD MARKING

THE SOUTHWESTERLY CORNER OF SAID LOT 9, BLOCK 7;

THENCE S 00° 43' 23" W A DISTANCE OF 30.00 FEET TO A 1/2-INCH IRON ROD FOUND;

THENCE N 82° 13' 51" W A DISTANCE OF 89.36 FEET TO A 1/2-INCH IRON ROD FOUND, MARKING THE SOUTHEASTERLY CORNER OF SAID 4.0148 ACRE TRACT;

THENCE N 00° 11' 47" W A DISTANCE OF 461.19 ALONG THE EASTERLY CORNER OF SAID 4.0148 ACRE TRACT, TO THE POINT OF BEGINNING AND CONTAINING 1.014 ACRES MORE OR LESS AS SURVEYED BY MACINA, BOSE, COPELAND, AND ASSOCIATES, INC.

TRACT 3:

A 1.300 ACRE (56,635 SQUARE FEET) TRACT OF CONSISTING OF LOTS 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, AND 16 BLOCK 7, NEW CITY BLOCK 1200, GOVERNMENT HEIGHTS ADDITION ACCORDING TO PLAT RECORDED IN VOLUME 65, PAGE 1, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; SAID 1.300 ACRE TRACT OF LAND BEING MORE PARTICULARLY BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET MARKING THE INTERSECTION OF WESTERLY RIGHT OF WAY LINE OF FRANK STREET, A 50 FOOT PUBLIC RIGHT OF WAY, AND THE SOUTHERLY RIGHT OF WAY LINE OF DIGNOWITY AVENUE, A 50 FOOT PUBLIC RIGHT OF WAY, AND BEING THE NORTHEASTERLY CORNER OF LOT 8;

THENCE S 00° 26' 48" E A DISTANCE OF 282.00 FEET, ALONG THE WESTERLY BOUNDARY LINE OF SAID FRANK STREET, TO A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET, MARKING THE SOUTHEASTERLY CORNER OF SAID LOT 16;

THENCE N 85° 42' 48" W A DISTANCE OF 352.83 FEET, TO A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET ON THE EASTERLY BOUNDARY LINE OF A 1.014 ACRE TRACT OF LAND DESCRIBED IN DEED WITHOUT WARRANTY RECORDED IN VOLUME 1130, PAGE 1310, OFFICIAL PUBLIC RECORDS, BEXAR COUNTY, TEXAS AND MARKING THE SOUTHWESTERLY CORNER OF LOT 9;

THENCE N 00° 43' 23" E A DISTANCE OF 86.00 FEET, ALONG THE EASTERLY BOUNDARY LINE OF SAID 1.014 ACRE TRACT, TO A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET MARKING THE NORTHWESTERLY CORNER OF SAID LOT 9;

THENCE N 85° 19' 07" E A DISTANCE OF 221.83 FEET, DEPARTING THE EASTERLY BOUNDARY LINE OF SAID 1.014 ACRE TRACT, ALONG THE NORTHERLY BOUNDARY LINE OF SAID LOT 9, LOT 10, LOT 11, LOT 12 AND LOT 13: TO A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET

MARKING THE NORTHEASTERLY CORNER OF SAID LOT 13;

THENCE N 00° 26' 48" W A DISTANCE OF 120.62 FEET, ALONG THE WESTERLY BOUNDARY LINE OF SAID LOT 6, TO A 1/2-INCH IRON ROD WITH CAP STAMPED "MBC ENGINEERS" SET IN THE SOUTHERLY RIGHT OF WAY LINE OF SAID DIGNOWITY AVENUE, AND MARKING THE NORTHWESTERLY CORNER OF SAID LOT 6;

THENCE N 76° 27' 58" E A DISTANCE OF 44.06 FEET, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID DIGNOWITY AVENUE, TO A 1/2-INCH IRON ROD FOUND, MARKING THE NORTHEASTERLY CORNER OF SAID LOT 6;

THENCE N 76° 27' 58" E A DISTANCE OF 88.01 FEET, CONTINUING ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID DIGNOWITY AVENUE TO THE POINT OF BEGINNING AND CONTAINING 1.300 ACRES MORE OR LESS AS SURVEYED BY MACINA, BOSE, COPELAND, AND ASSOCIATES, INC.

Reservations from Conveyance and Warranty: None

Exceptions to Conveyance and Warranty:

- Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated December 9, 2004, recorded on December 15, 2004, recorded in Volume 11130, Page 1310, Real Property Records, Bexar County, Texas. (Tract 2)
- 2. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated November 9, 2010, recorded in Volume 14721, Page 2167, Real Property Records, Bexar County, Texas. (Tract 3 Lot 9)
- 3. Interest in and to all coal, lignite, oil, gas and other minerals, and all rights incident thereto, contained in instrument dated November 16, 2010 recorded in Volume 14774, Page 1646, Real Property Records, Bexar County, Texas. (Tract 3 Lots 10 through 16)

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors and administrators forever. Grantor binds Grantor and Grantor's heirs, executors and administrators to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through or under Grantor, but not otherwise.

But it is expressly agreed and stipulated that Grantor expressly reserves and retains for itself, its successors and assigns, a vendor's lien as well as superior title in and to the Property until the Note and the indebtedness evidenced thereby are fully paid in accordance with the terms of the Note, whereupon this Special Warranty Deed with Vendor's Lien will become absolute. The Note represents the purchase price hereof and is payable directly to Lender, who has advanced to the Grantor at the request of the Grantee, and in consideration thereof, the Grantor does hereby SELL, TRANSFER, and ASSIGN, unto Lender, its successors and assigns, the vendor's lien and superior title herein retained against the Property to secure payment of the

Note, hereby fully and completely subrogating Lender, its successors and assigns, to all rights, titles, equities and interests in and to the Note, and all liens against the Property securing payment thereof as if the Note were payable to Grantor and assigned to Lender without recourse.

Ad valorem taxes and assessments attributable to the year 2018 have been prorated between Grantor and Grantee as of the date of this Special Warranty Deed with Vendor's Lien and Grantee hereby expressly assumes and agrees to pay the same for the current year and subsequent years.

When the context requires, singular nouns and pronouns include the plural.

Leslie Hargis a/k/a Les Hargis

THE STATE OF TEXAS

COUNTY OF Potter

The foregoing instrument was acknowledged before me this // day of July, 2018 by Leslie Hargis a/k/a Les Hargis, in his individual capacity.

KRISTIAN NATHANAEL FLORES
Notary Public, State of Texas
Comm. Expires 10-28-2019
Notary ID 130422997

Notary Public, State of Texas

AFTER RECORDING, PLEASE RETURN TO:

Chicago Title of Texas, LLC Attn: Doug Becker 15727 Anthem Parkway, Suite 210 San Antonio, Texas 78249

File Information

eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY GERARD C. RICKHOFF, BEXAR COUNTY CLERK

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Any provision herein which restricts the sale or use of the described real property because of race is invalid and unenforceable under Federal law

STATE OF TEXAS, COUNTY OF BEXAR

I hereby Certify that this instrument was eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 7/17/2018 4:01 PM

Gerard C. Rickhoff Bexar County Clerk