

CONSENT AGENDA
ITEM NO. **22**

**CITY OF SAN ANTONIO
DEPARTMENT OF ASSET MANAGEMENT
INTERDEPARTMENTAL CORRESPONDENCE SHEET**

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset

THROUGH: Terry M. Brechtel, City Manager

COPIES: Erik J. Walsh, Assistant to the City Manager; Shawn P. Eddy, Special Projects Manager, Property Disposition

DATE: Thursday, September 04, 2003

SUBJECT: S.P. No. 1107 - Request for the City of San Antonio to declare as surplus to our needs a 0.276 acre tract of land owned and controlled by the Texas Department of Transportation

PETITIONER: Texas Department of Transportation
Attn: Juan A. Zaragosa, SR/WA
P.O. Box 29928
San Antonio, Texas 78229-0928

SUMMARY AND RECOMMENDATIONS

This Ordinance will declare as surplus to City of San Antonio's needs a 0.276 acre tract of land owned and controlled by the Texas Department of Transportation for disposition to Mr. R. J. Keller, the abutting property owner.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting the City of San Antonio declare as surplus to our needs a 0.276 acre tract of land located at the northeast corner of S.E. Military Drive (Loop 13) and South Presa Street (Old U.S. 181), adjacent to the remaining portion of Lot 8, NCB 10930, as shown on attached Exhibits "A" & "B". This property is currently owned and controlled by the Texas Department of Transportation. Prior to declaring any property surplus, the Texas Department of Transportation allows the City of San Antonio the right of first refusal over any properties it is considering for disposition. The City has determined that there is no need for this property.

POLICY ANALYSIS

The action being taken is consistent with Texas Department of Transportation policy to cooperate with municipalities and other jurisdiction responsible for public transportation needs

FISCAL IMPACT

There will be no financial impact as the City does not own or control this property.

COORDINATION

In compliance with City procedures, this request has been canvassed through interested City departments, public utilities and applicable agencies. A Canvassing Checklist is attached for review.

SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission will consider this request at its regular meeting of 8/27/2003 and its finding will be presented to City Council on 9/4/2003.

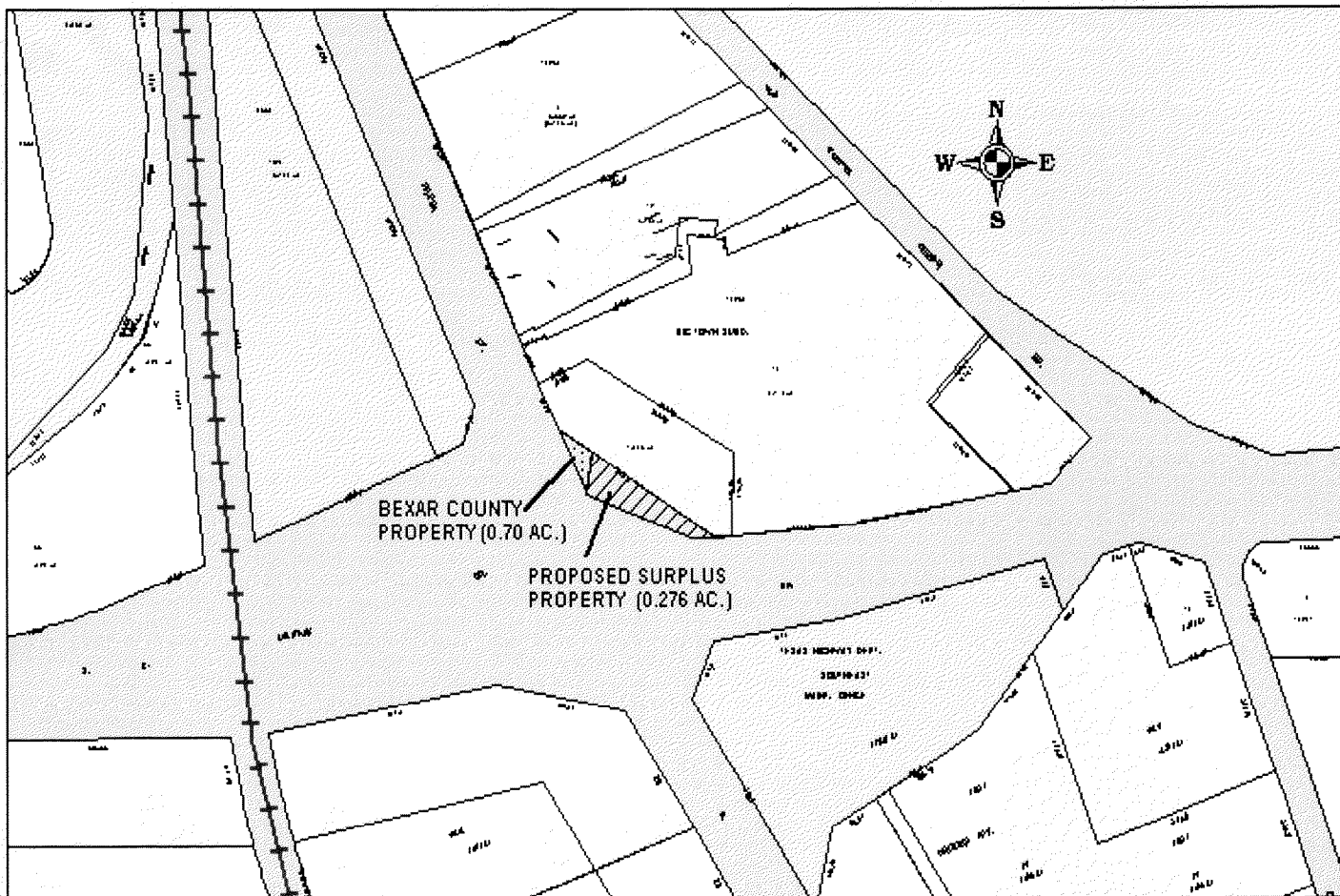


Rebecca Waldman, Director
Department of Asset Management

Approved:



Erik J. Walsh
Assistant to the City Manager

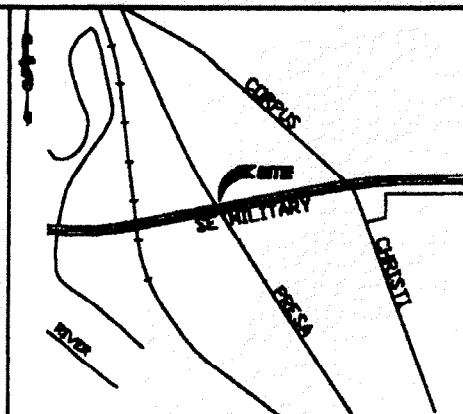


**NORTHEASTERLY VIEW OF SUBJECT PROPERTY AT S.E. MILITARY DRIVE (LOOP 13)
AND SOUTH PRESA STREET.**

EXHIBIT "A"

- NOTES:
- 1) ALL SET IRON PINS ARE 1/2" DIAMETER REBAR WITH A YELLOW PLASTIC CAP STAMPED "BAKER SURVEYING".
 - 2) BASIS OF BEARING IS THE NORTHEAST LINE OF PARENT TRACT AS FOUND MONUMENTED ON THE GROUND.
 - 3) NO CURRENT TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE WAS FURNISHED AT THE TIME OF SURVEY; THEREFORE, NO CERTIFICATION IS MADE THAT ALL EASEMENTS AND DEDICATIONS OR OTHER ENCUMBRANCES ARE SHOWN ON THIS SURVEY.
 - 4) CORRESPONDING METES AND BOUNDS DESCRIPTION PREPARED.
 - 5) IMPROVEMENTS LOCATED AS SHOWN.

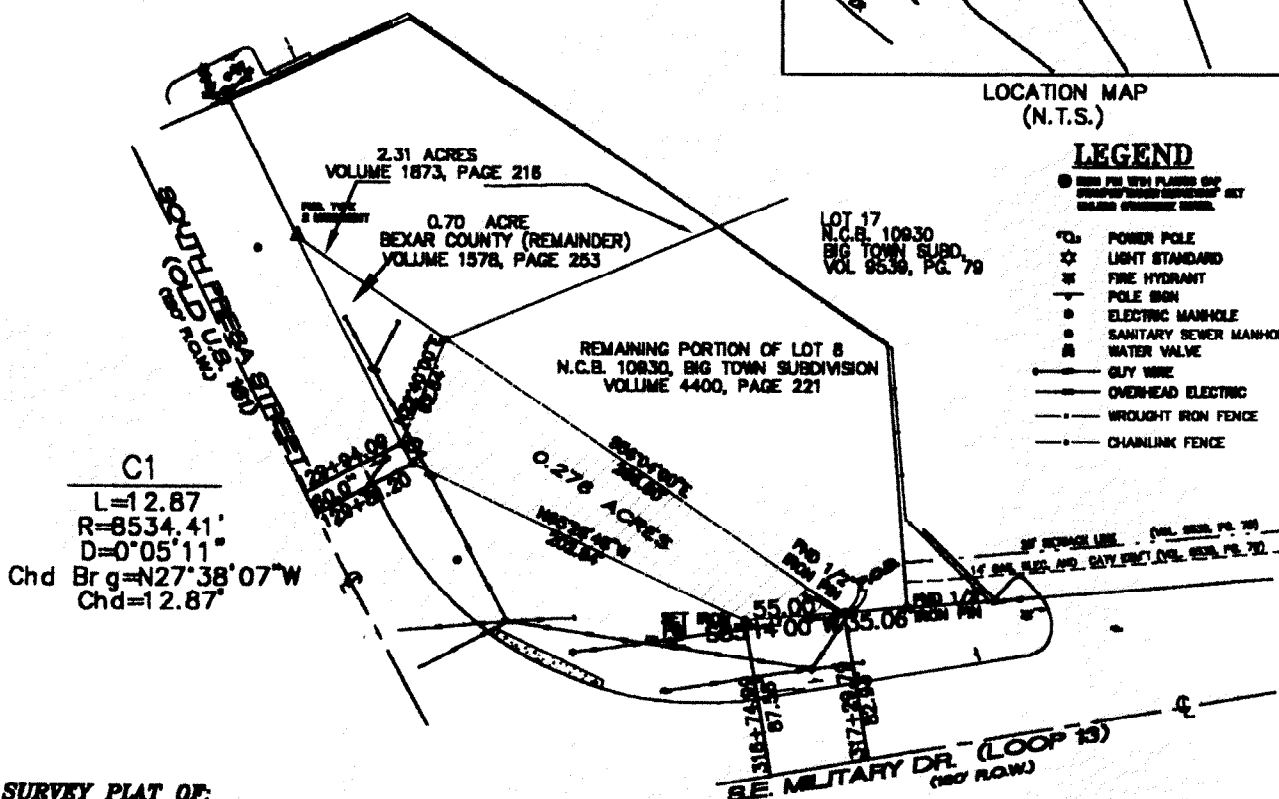
1"=100'



LOCATION MAP
(N.T.S.)

LEGEND

- IRON PIN WITH PLASTIC CAP STAMPED "BAKER SURVEYING" SET
- POWER POLE
- ☆ LIGHT STANDARD
- ✱ FIRE HYDRANT
- POLE SIGN
- ELECTRIC MANHOLE
- SANITARY SEWER MANHOLE
- ⊕ WATER VALVE
- GUY WIRE
- OVERHEAD ELECTRIC
- WROUGHT IRON FENCE
- CHAINLINK FENCE



SURVEY PLAT OF:

A 0.276 OF AN ACRE OF LAND (12045 SQUARE FEET) LOCATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS OUT OF THE WM. SMALL SURVEY NO. 26, ABSTRACT No. 670, BEING A PORTION OF LOOP 13 AS SHOWN ON RIGHT-OF-WAY MAP OF LOOP 13, BEING PART OF THAT SAME TRACT CONVEYED FROM THE TEXAS SYNOD EVANGELICAL AND REFORMED CHURCH TO THE STATE OF TEXAS AND RECORDED IN VOLUME 1877, PAGE 290-91 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS.

BAKER
SURVEYING &
ENGINEERING, INC.

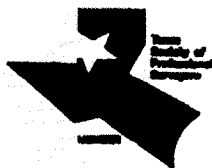
PH. (210) 653-7270

FAX 653-2942

11003 WYE DRIVE

SAN ANTONIO, TEXAS 78217

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STATE OF TEXAS :
COUNTY OF BEXAR:

I, AMIL M. BAKER JR., DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND BY PERSONS WORKING UNDER MY SUPERVISION.

Amil M. Baker Jr.
AMIL M. BAKER JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 1469

SURVEYED: FEBRUARY 28, 2002

PROJECT NO.: 02-030

DWG No.: J:\DRAWING\02-030.DWG

EXHIBIT "B"

EXHIBIT _____

County: Bexar
Control: CSJ 0521-1
Highway: Loop 13
Limits: North line of Loop 13 at South Presa

FIELD NOTE DESCRIPTION FOR TRACT ___1___

Description of a 0.276 of an acre tract of land (12045 square feet) located in the City of San Antonio, Bexar County, Texas out of the Wm. Small Survey No. 26, Abstract No. 670 being a portion of Loop 13 as shown on right-of-way map of Loop 13, being part of that same tract conveyed from the Texas Synod, Evangelical and Reformed Church to the State of Texas and recorded in Volume 1877, Page 290-291 of the Deed Records of Bexar County, Texas.

Beginning at a ½" iron pin found in the north right-of-way line of Loop 13 at its cut-off to the east line of Old Highway U. S. 181 (South Presa St.) for the southeast corner of this tract and being the southwest corner of Lot 8 of Big Town Subdivision as recorded in Volume 4400, Page 221 of the Plat Records of Bexar County, Texas, being S 85° 14' 00" W. 35.06 feet from a ½" iron pin found at the southwest corner of Lot 17 of Big Town Subdivision as recorded in Volume 9539, Page 79 of the Plat Records of Bexar County, Texas and being 82.93 feet left of centerline Station 317+29.79.

- 1) Thence with said north right-of-way line of Loop 13, S 85° 14' 00" W. 55.00 feet to a ½" iron pin with yellow cap stamped "Baker Surveying" set for the southwest corner of this tract, being 87.58 feet left of centerline Station 316+74.99.
- 2) Thence across a cut-off N 65° 28' 48" W. 202.84 feet to a ½" iron pin with yellow plastic cap stamped "Baker Surveying" set in the old east right-of-way line of South Presa Street, being 60.00 feet right of and radial to centerline station 129+81.20.

- 3) Thence with the old east right-of-way line of South Presa Street and the arc of a curve to the right, a total arc distance of 12.87 feet, through a central angle of $00^{\circ} 05' 11''$, having a radius of 8534.41 feet and a chord that bears $N 27^{\circ} 38' 07'' W.$ a distance of 12.87 feet to an iron pin with yellow plastic cap stamped "Baker Surveying" set for a corner and being a corner of a remainder of a tract conveyed to Bexar County and recorded by Deed in Volume 1578, Page 253 of the Deed Records of Bexar County, Texas, being 60.00 feet right of and radial to centerline station 129+94.09.
- 4) Thence with a southeast line of said Bexar County tract $N 22^{\circ} 40' 00'' E.$ 62.64 feet to an iron pin with yellow plastic cap stamped "Baker Surveying" set at its intersection with the northeast right-of-way line of the cut-off between Loop 13 and South Presa Street (Old U. S. 181).
- 5) Thence with said cut-off line $S 56^{\circ} 04' 00'' E.$ 266.60 feet to the point of beginning and containing 0.276 of an acre (12045 square feet) of land.

All bearings are based on the northerly right-of-way line of Loop 13.

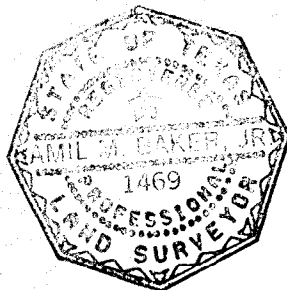
THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF BEXAR

That, I Amil M Baker, Jr., a Registered Professional Land Surveyor, do hereby certify that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground during February of 2002 under my direction and supervision.

Baker Surveying
11003 Wye Drive
San Antonio, Texas 78217
210-653-7270



Amil M Baker, Jr.
Amil M. Baker, Jr.
Registered Professional Land Surveyor
No. 1469 – State of Texas

Canvassing Checklist

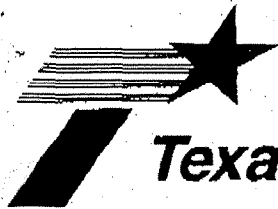
SPNo 1107

Request: Petitioner is requesting the City of San Antonio declare as surplus to our needs a 0.276 acre tract of land located at the northeast corner of S.E. Military Drive (Loop 13) and South Presa Street (Old U.S. 181), adjacent to the remaining portion of Lot 8, NCB 10930, as shown on attached Exhibits "A" & "B". This property is currently owned and controlled by the Texas Department of Transportation. Prior to declaring any property surplus, the Texas Department of Transportation allows the City of San Antonio the right of first refusal over any properties it is considering for disposition. If the City determines that a need still exists at the local level, the City may request to assume jurisdiction and responsibility for the property.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	5/19/2003	6/20/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	5/19/2003	7/28/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	5/19/2003	6/5/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Action (NAD)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Public Service	<input checked="" type="checkbox"/>	5/19/2003	6/27/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	5/19/2003	5/30/2003	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIA Metropolitan	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input checked="" type="checkbox"/>	5/19/2003	5/22/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

East Pyron/Symphony Lane NA, Trish Orr-Pres., 1803 E. Pyron Ave. , San Antonio, Texas 78223, 534-6664



Texas Department of Transportation

P.O. BOX 29928 • SAN ANTONIO, TEXAS 78229-0928 • (210) 615-1110

May 12, 2003

Contract: DRA

City of San Antonio
Department of Asset Management
Rebecca Waldman, Director
Attn: Mr. Shawn P. Eddy
Post Office Box 839966
San Antonio, TX 78283-3966

RE: Possible Surplus Property
Loop 13 (Southeast Military Drive) and
Old U.S. Highway 81 (South Presa)
Control 0521-01
Bexar County

Dear Mr. Eddy:

Enclosed is a resolution with accompanying survey plat and field notes prepared on the above referenced location. R.J. Keller, property owner, would like to purchase the adjoining property from the State.

R.J. Keller is requesting that the State declare a 0.276 of an acre of land, more or less, surplus to our transportation needs. However, before we declare it surplus to our needs, the department must make a thorough study before recommending that the property be declared surplus. The study is done in close cooperation with the City and others responsible for public transportation needs. In some cases, the city and/or county that has jurisdiction may determine that a need still exists at the local level and they are therefore willing to assume jurisdiction and responsibility of the property. If the property is not needed at the local jurisdiction, it has been the policy of the Department to request that the local jurisdiction provide a formal action stating the property is surplus to their needs. A resolution/ordinance from the city council will satisfy our requirement that the right of way is no longer needed for use by citizens as a road, or any other related roadway purposes.

Therefore, the enclosed resolution is a type of canvassing on our part to make sure that the city and/or county does not need the right of way for use by citizens as road or any other highway purposes. Please review the resolution. If you concur, please submit it to the San Antonio City Council for their approval and execution. When we receive the fully executed resolution, we will make our recommendation to the Transportation Commission in Austin.

City of San Antonio
Department of Asset Management

May 12, 2003
Page 2

If you have any questions on this proposed surplus tract, please call me at (210) 615-5910 or call Hilaria Gloria (210) 615-6239.

Sincerely,



Juan A. Zaragosa, SR/WA
District Right of Way Administrator

MHG
Attach

c: Mr. R.J. Keller
8522 Garland Road
Dallas, TX 75218-4334