

**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Thomas G. Wendorf, P.E., Director of Public Works

SUBJECT: District-Wide Access and Mobility Program - Permanent Easement Dedication

DATE: February 2, 2006

SUMMARY AND RECOMMENDATIONS

An ordinance accepting Gift Deeds from (1) Northside Independent School District for a signalization easement in Council District 6; and (2) from Stanley L. Helmke for a signalization easement in Council District 10; in connection with the HUD 108 Capital Improvements District Wide Access and Mobility Program Project.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

Northside Independent School District desires to dedicate a permanent signalization easement, identified as Stevens High School Signalization Easement project, consisting of 0.088 acres, more or less, out of Lot 1, Block 22, New City Block 19300, in connection with the District-Wide Access and Mobility Program within Council District 6.

In addition, Stanley L. Helmke desires to dedicate a permanent signalization easement, identified as School Zone Flashing Beacon project, consisting of 16.00 square feet out of Lot 14, Block 16-A, New City Block 10442, Northridge Park Subdivision, in connection with the District-Wide Access and Mobility Program within Council District 10.

The District-Wide Access and Mobility Program is a component of the HUD 108 Loan Program for the City's Capital Improvement Program projects. Through the HUD 108 Capital Program, funding will be provided to construct/reconstruct sidewalks, curb ramps, school zone flashers, and traffic signals city-wide.

POLICY ANALYSIS

Approval of this ordinance will be a continuation of City Council policy to complete previously approved Capital Improvement Projects.

FISCAL IMPACT

No funds are to be expended under this ordinance.

FISCAL IMPACT

No funds are to be expended under this ordinance.

COORDINATION

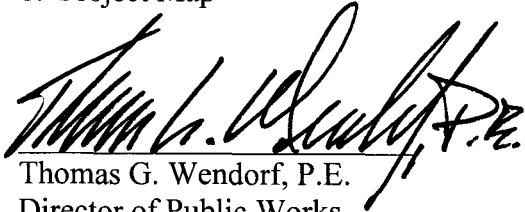
This ordinance was coordinated with the City Attorney's Office and the Office of Management and Budget.

SUPPLEMENTARY COMMENTS

This ordinance does not require a Discretionary Contracts Disclosure Form.

ATTACHMENTS


1. Project Map



Thomas G. Wendorf, P.E.
Director of Public Works



Jelynn LeBlanc Burley
Assistant City Manager



Sheryl Sculley
City Manager

cl/ 8/12/05

PARCEL: 17942
PROJECT: STEVENS H.S. SIGNAZATION
NAMP-District 6

EASEMENT - DEDICATION
(Permanent)

STATE OF TEXAS }

COUNTY OF BEXAR }

KNOW ALL MEN BY THESE PRESENTS:

NORTHSIDE INDEPENDENT SCHOOL DISTRICT, acting by and through its superintendent, **DR. JOHN M. FOLKS**, hereinafter referred to as "**GRANTORS**", dedicate to the **CITY OF SAN ANTONIO**, Bexar County, Texas, hereinafter referred to as "**GRANTEE**", whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, a signalization easement and right-of-way over, across, under, and upon the following described lands located in Bexar County, Texas, to-wit:

Being a tract of land containing 0.088 acres, more or less, out of Lot 1, Block 22, NCB 19300, as recorded in Volume 9558, Page 63, of the Plat Records of Bexar County, Texas, and being more particularly described by metes and bounds as shown on Exhibit "A" attached hereto and made a part hereof;

together with the right of ingress and egress over said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and removing said signalization improvements and appurtenances; the right to relocate the improvements within the easement; the right to remove from the property all trees and parts thereof, or other obstructions, which may interfere with the exercise of the rights granted hereunder; the right to excavate, deposit or to fill material thereon; levelling and/or grading as necessary, and the right of exercising all other rights hereby granted, and **GRANTORS** expressly covenant and agree for themselves, their heirs, executors and administrators, that no building of any kind will be placed on said easement and right-of-way herein granted.

TO HAVE AND TO HOLD the above described easement and rights unto the said **GRANTEE**, its successors and assigns, until the use of said right-of-way shall be abandoned.

And **GRANTORS** do hereby bind themselves, their heirs, executors and administrators to **WARRANT AND FOREVER DEFEND** all and singular the above described easement and rights unto the said **GRANTEE**, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this the 16 day of August, 2005.

NORTHSIDE INDEPENDENT SCHOOL DISTRICT

BY: _____

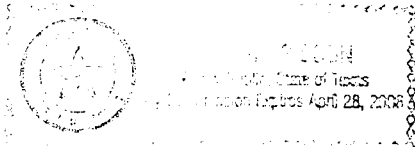
John M. Folks
Dr. John M. Folks

EASEMENT DEDICATION (Permanent) - PARCEL 17942 - Page 2

STATE OF TEXAS }

COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 16 day of August, 2005, by
Dr. John M. Folks, on behalf said School District.



Tina M. Gibson
Notary Public Signature

**AFTER RECORDING
PLEASE RETURN TO:**
Real Estate Section/9th Floor
City of San Antonio
P. O. Box 839966
San Antonio, TX. 78283-3966

STATE OF TEXAS
COUNTY OF BEXAR

5 August 2005

PREPARED FOR: Stevens High School Signalization Easement
Parcel No.

FIELD NOTES TO DESCRIBE
0.088 ACRE SIGNALIZATION EASEMENT

A TRACT OF LAND CONTAINING 0.088 ACRES, MORE OR LESS, OUT OF LOT 1, BLOCK 22, NCB 19300 AS RECORDED IN VOLUME 9558, PAGE 63, OF THE PLAT RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY AS FOLLOWS:

COMMENCING: From a $\frac{1}{2}$ "iron rod found on the East line of North Ellison Drive being the most westerly corner of aforementioned Lot 1

THENCE: With the East line of North Ellison Drive along a curve to the left, an arc length of 497.31 feet and whose chord bears S $33^{\circ} 27' 22''$ E, 496.73 feet to the Northwest Corner and POINT of BEGINNING of the hereinafter described easement:

THENCE: Leaving the East line of North Ellison Drive, over and across said Lot 1, the following three courses and distances:

N $50^{\circ} 39' 28''$ E, 35.00 Feet to a point for the Northeast Corner;

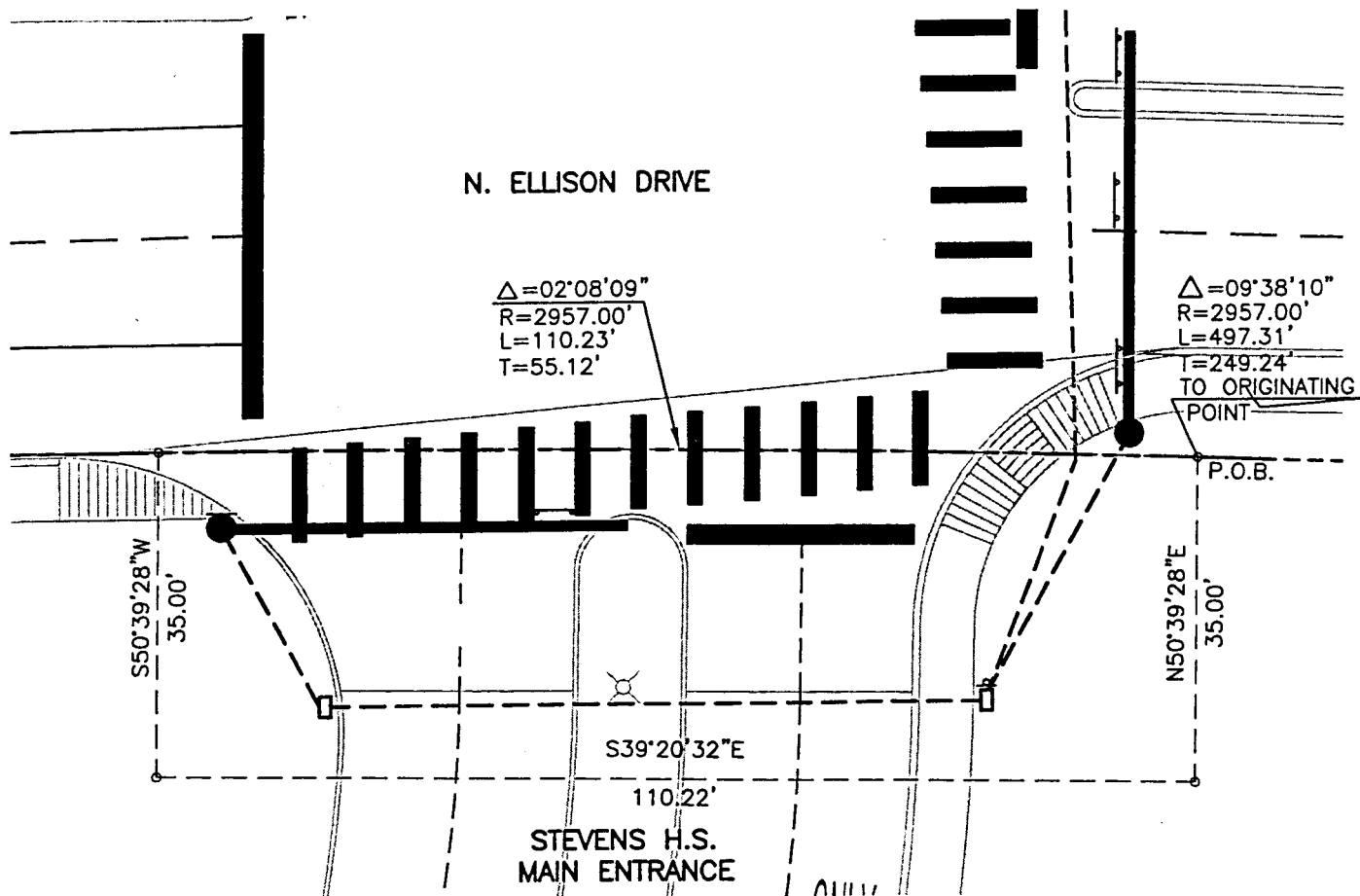
S $39^{\circ} 20' 32''$ E, 110.22 Feet a point for the Southeast Corner;

S $50^{\circ} 39' 28''$ W, 35.00 Feet to a point in the East line of North Ellison Drive for the Southwest corner;

THENCE: With the curve to the right along the East line of North Ellison Drive, an arc length of 110.23 feet and whose chord bears N $39^{\circ} 20' 32''$ W, 110.22 feet to the POINT of BEGINNING of this easement, containing 0.088 acres, more or less.

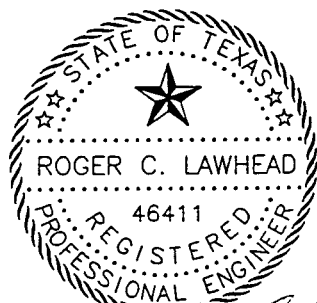


Roger C. Lawhead
8-5-05



SIGNALIZATION EASEMENT

SCALE: 1"=20'



Roger C. Lawhead
8-5-05

DATE: 8-8-2005

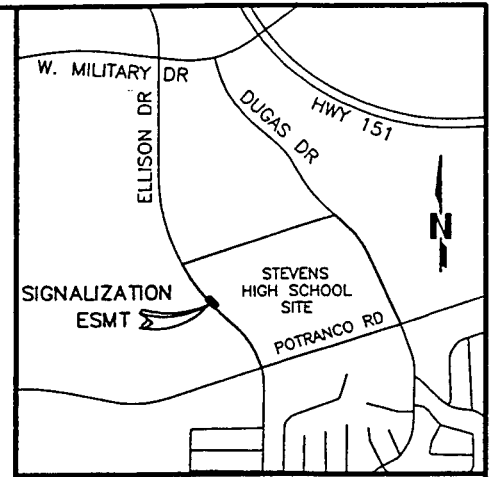
JOB NO.: 04-047



ENGINEERING CO., INC.
4335 W. PIEDRAS DR. SUITE 210
SAN ANTONIO, TEXAS 78228
PH. (210) 734-4388
FAX (210) 734-6401

REMAINING PORTION OF 183.6 ACRES
(VOL. 6093, PG. 741)
OWNER: WESTOVER HILLS DEV. CO.
9545 WILSHIRE BLVD., SUITE 1000
BEVERLY HILLS, CA. 90212

ORIGINATING
POINT



N. ELLISON DRIVE
(86° R.O.W.)

$\Delta=09^{\circ}38'10''$
 $R=2957.00'$
 $L=497.31'$
 $T=249.24'$
 $CB=S33^{\circ}27'22''E$
 $CL=496.73'$

WESTCREEK HIGH SCHOOL SUBDIVISION
LOT 1
BLOCK 22
N.C.B. 19300
VOL. 9558, PG. 63

SIGNALIZATION EASEMENT
0.051 ACRES

P.O.B.

N50°39'28"E
35.00'

S39°20'32"E
110.22'

S50°39'28"W
35.00'

$\Delta=02^{\circ}08'09''$
 $R=2957.00'$
 $L=110.23'$
 $T=55.12'$
 $CB=N39^{\circ}20'32''W$
 $CL=110.22'$

SCALE: 1"=100'

DATE: 8-8-2005

JOB NO.: 04-047

METES AND BOUNDS DESCRIPTION
FOR A
SIGNALIZATION EASEMENT

S **S**
L
A
Y

ENGINEERING CO., INC.
4335 W. PIEDRAS DR. SUITE 210
SAN ANTONIO, TEXAS 78228
PH. (210) 734-4388
FAX (210) 734-6401

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

CL/1/11/2006

(Ordinance #) / (Date of Ordinance)

Parcel: 17921

Project: School Flashing Beacon

NAMP-District 10

**EASEMENT - DEDICATION
(Permanent)**

STATE OF TEXAS }
COUNTY OF BEXAR }

KNOW ALL MEN BY THESE PRESENTS:

THAT, **STANLEY L. HELMKE**, hereinafter referred to as "GRANTORS", dedicate to the **CITY OF SAN ANTONIO**, Bexar County, Texas, hereinafter referred to as "GRANTEE", whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, a drainage easement and right-of-way over, across, under, and upon the following described lands located in Bexar County, Texas, to-wit:

A Permanent Easement containing 16.00 square feet out of Lot 14, Block 16-A, N. C. B. 10442, Northridge Park Subdivision, City of San Antonio, Bexar County, Texas as recorded in Volume 3025, Page 172-174 of the Deed and Plat Records of Bexar County, Texas, and being more particularly described by metes and bounds as shown on Exhibit "A" attached hereto and made a part hereof;

together with the right of ingress and egress over said right-of-way for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and removing said drainage improvements and appurtenances; the right to relocate the improvements within the easement; the right to remove from the property all trees and parts thereof, or other obstructions, which may interfere with the exercise of the rights granted hereunder; the right to excavate, deposit or to fill material thereon; levelling and/or grading as necessary, and the right of exercising all other rights hereby granted, and **GRANTORS** expressly covenant and agree for themselves, their heirs, executors and administrators, that no building of any kind will be placed on said easement and right-of-way herein granted.

TO HAVE AND TO HOLD the above described easement and rights unto the said **GRANTEE**, its successors and assigns, until the use of said right-of-way shall be abandoned.

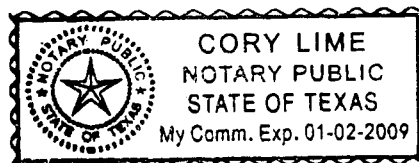
And **GRANTORS** do hereby bind themselves, their heirs, executors and administrators to **WARRANT AND FOREVER DEFEND** all and singular the above described easement and rights unto the said **GRANTEE**, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

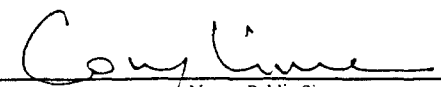
EXECUTED this the 12th day of January, 2006.


STANLEY L. HELMKE

STATE OF TEXAS }
COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 12th day of January, 2006, by Stanley L. Helmke.




Notary Public Signature

AFTER RECORDING
PLEASE RETURN TO:
Real Estate Section/9th Floor
City of San Antonio
P. O. Box 839966
San Antonio, TX. 78283-3966

EXHIBIT 'A'
PARCEL #17921E
PERMANENT EASEMENT

Field notes for a Permanent Easement containing 16.00 square feet out of Lot 14, Block 16-A, N.C.B. 10442, Northridge Park Subdivision, City of San Antonio, Bexar County, Texas as recorded in Volume 3025, Page 172-174 of the Deed and Plat Records of Bexar County, Texas and being more particularly described by metes and bounds as surveyed as follows:

BEGINNING: at an "X" set in concrete on the top of a retaining wall along the east right of way line of North New Braunfels, being 5.30 feet from a ½" iron pin found at the point of intersection with the north right-of-way line of Tophill Road and also being the southwest corner of Lot 14, Block 16-A, N.C.B. 10442, Northridge Park Subdivision, City of San Antonio, Bexar County, Texas as recorded in Volume 3025, Page 172-174 of the Deed and Plat Records of Bexar County, Texas for the southwest corner of this easement;

THENCE: N 0°26'10" E with the east right-of-way line of North New Braunfels Avenue and the west boundary line of Lot 14, Block 16-A, N.C.B. 10442 a distance of 4.00 feet to an "X" set in concrete on the top of a retaining wall for the northwest corner of this easement;

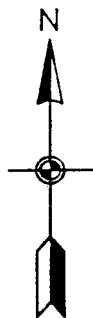
THENCE: S 89°33'50"E a distance of 4.00 feet to a ½" iron pin set for the northeast corner of this easement;

THENCE: S 0°26'10"W a distance of 4.00 feet to a ½" iron pin set for the southeast corner of this easement;

THENCE: N 89°33'50" W a distance of 4.00 feet to the POINT OF BEGINNING for this easement containing 16.00 square feet, more or less.

8/3/05

Razi S. Hoseini



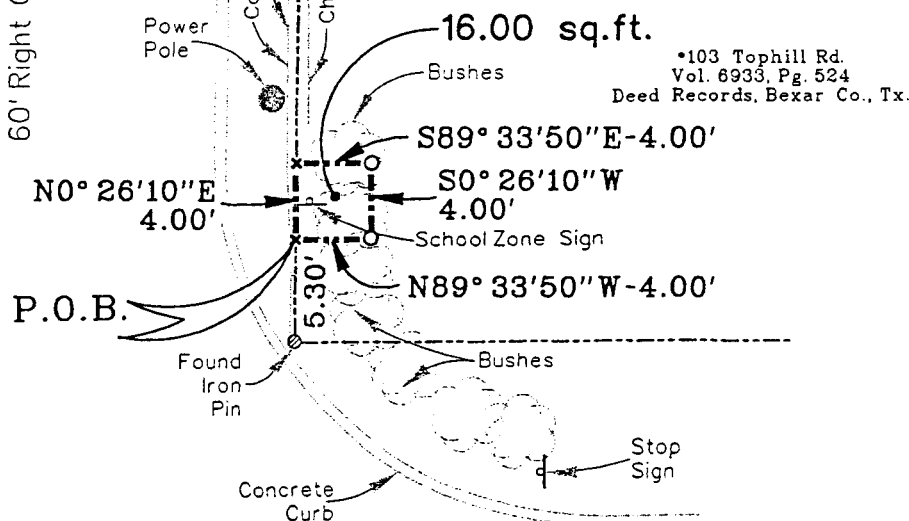
Scale: 1"=10'

N. New Braunfels Ave.
60' Right Of Way

N.C.B. 10442

BLK. 16-A

LOT 14



Plat Reference:
Northridge Park Subdivision
Volume 3025, Pages 172-174
Deed & Plat Records
Bexar County, Texas

Tophill Rd.

50' Right Of Way

LEGEND

- - 1/2" iron pin set at each corner with orange plastic cap marked "COSA PW" on top
- ✕ - "X" set in concrete
- ⊙ - 1/2" iron pin found

SURVEY OF:

A PERMANENT EASEMENT CONTAINING 16.00 SQ. FT. OUT OF LOT 14, BLOCK 16-A, N.C.B. 10442, CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS TRUE AND CORRECT ACCORDING TO AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION AND THAT THERE ARE NO VISIBLE ENCROACHMENTS OR EASEMENTS EXCEPT AS SHOWN.

THIS 31st DAY OF AUGUST, 2005.

Razi S. Hosseini
RAZI S. HOSSEINI
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5174



CITY OF SAN ANTONIO
DEPT. OF PUBLIC WORKS
ENGINEERING DIVISION
DATE: MAY 13, 2005
SURVEYOR: N. DEL VALLE, BK. 35