

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

**TO:** Sheryl Sculley, City Manager  
**FROM:** Thomas G. Wendorf, P.E., Director of Public Works  
**SUBJECT:** Permanent Easement Dedication – Auto Zone Zarzamora  
**DATE:** March 30, 2006

**SUMMARY AND RECOMMENDATIONS**

An ordinance accepting a permanent drainage easement dedication from Joe Centeno III, consisting of a 0.144 acre tract of land out of New City Block 14496, within the Corte Del Sur Subdivision located in Council District 4.

Staff recommends the approval of this ordinance.

**BACKGROUND INFORMATION**

During the replatting process for Auto Zone Zarzamora II Subdivision, the City's Business and Development Services Center found that a permanent drainage easement on the replat did not go through the process of obtaining City Council approval, preventing the developer from securing a Certificate of Occupancy. In order to correct this omission, Mr. Joe Centeno, III, desires to dedicate to the City of San Antonio a 0.144-acre tract of land, which is a remaining portion of Lot 1, Block 1, New City Block 14496, Corte Del Sur Subdivision. This permanent drainage easement will serve two properties and tie into an existing 65-foot drainage right of way.

Pursuant to the City's Unified Development Code, the City has the right to require dedication as part of the building permitting process.

**POLICY ANALYSIS**

Approval of this ordinance will be a continuation of City Council policy to implement regulations and adhere to requirements in the Unified Development Code.

### **FISCAL IMPACT**

No funds are to be expended under this ordinance. Once property has been conveyed maintenance of this drainage easement will be provided by the City of San Antonio.

### **COORDINATION**


This ordinance was coordinated with the City Attorney's Office, Development Services Department, and the Storm Water Engineering Division of Public Works.

### **SUPPLEMENTARY COMMENTS**

This ordinance does not require a Discretionary Contracts Disclosure Form.

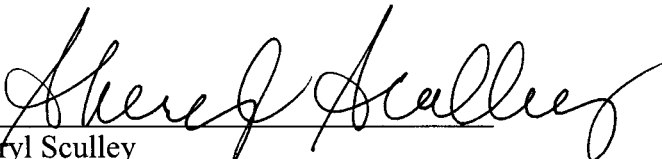
### **ATTACHMENTS**

1. Project Map

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

  
Jelynn LeBlanc Burley  
Deputy City Manager

Approved for Council Consideration:

  
Sheryl Sculley  
City Manager

jks/2/6/06  
Ord.# \_\_\_\_\_ Date: \_\_\_\_\_

Parcel No.: 17975  
Project: Auto Zone Zarzamora  
Store #0583 Drainage

**EASEMENT**  
(Permanent)

STATE OF TEXAS }  
COUNTY OF BEXAR }

**KNOW ALL MEN BY THESE PRESENTS:**

**THAT, JOE CENTENO, III, TRUSTEE OF THE ALICE B. LITTLE TRUST, ESTABLISHED UNDER THE WILLS OF JESUSA CENTENO, DECEASED AND JOE CENTENO, SR., DECEASED,** hereinafter referred to as **"GRANTOR"**, dedicates to the **CITY OF SAN ANTONIO**, a municipal corporation, Bexar County, Texas, whose mailing address is P.O. Box 839966, San Antonio, Texas 78283-3966, hereinafter referred to as **"GRANTEE"**, a permanent easement for drainage purposes including all necessary appurtenances thereto, over, across, under and upon the following described lands located in City of San Antonio, Bexar County, Texas, to-wit:

Being a 0.144 acre tract of land which is a remaining portion of Lot 1, Block 1, New City Block 14496, Corte Del Sur Subdivision, City of San Antonio, Bexar County, Texas, as recorded in Volume 6200, Page 143, Deed and Plat Records of Bexar County, Texas; said 0.144 acre drainage easement being more particularly described by attached Exhibits "A" and "B" 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, relocating, improving, expanding, 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 properties other obstructions, which may interfere with the exercise of the rights granted hereunder; the right to excavate, deposit or to fill material thereon; leveling and/or grading as necessary, and the right of exercising all other rights hereby granted, and **GRANTOR** expressly covenants and agrees for itself, its 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 **GRANTOR** does hereby bind itself, its heirs, executors and administrators to **WARRANT AND FOREVER DEFEND** all and singular the above described easements 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.

EASEMENT (Permanent)- Parcel No. 17975 Page 2

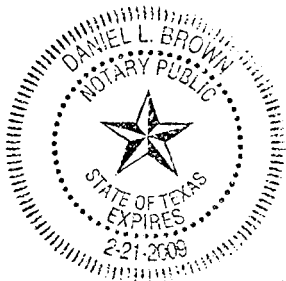
EXECUTED this 16 day of FEBRUARY, A.D., 2006.



JOE CENTENO, III, TRUSTEE OF THE ALICE  
B. LITTLE TRUST, ESTABLISHED UNDER THE  
WILLS OF JESUSA CENTENO, DECEASED AND  
JOE CENTENO, SR., DECEASED.

STATE OF TEXAS    }  
                             }  
COUNTY OF BEXAR }

This instrument was acknowledged before me on this the 16 day of FEBRUARY,  
A.D., 2006, by JOE CENTENO, III, TRUSTEE OF THE ALICE B. LITTLE TRUST, ESTABLISHED  
UNDER THE WILLS OF JESUSA CENTENO, DECEASED AND JOE CENTENO, SR., DECEASED.



  
NOTARY PUBLIC SIGNATURE

STATE OF TEXAS  
COUNTY OF BEXAR

**EXHIBIT "A"**

November 2, 2005

**DRAINAGE EASEMENT  
PARCEL NUMBER 17975**

These notes described a 0.144 Acre portion of land situated in Bexar County, in the City of San Antonio, being a part of the remaining portion of Lot 1, Block I, N.C.B. 14496 of the Corte Del Sur Subdivision as recorded in Volume 6200, Page 143, Plat Records of Bexar County Texas (PRBC); and also being a portion of a 65.00 foot Drainage right-of-way as recorded in said Subdivision Plat; being surveyed on the ground under the direct supervision of Bruce Lane Bryan, Registered Professional Land Surveyor No. 4249, on November 2, 2005; subject tract being more fully described as follows:

**BEGINNING** at a set  $\frac{1}{2}$ " Iron Rod in the east boundary line of Lot 2, of the Auto Zone Zarzamora II Subdivision as recorded in Book 9568, Page 140 PRBC, N 13667809.26, E 2117538.91, for a westerly corner of the herein described Easement;

**THENCE North 00°29'06" West**, along the east line of said Lot 2, for a distance of **11.37 feet** to a set  $\frac{1}{2}$ " Iron Rod for the northwest corner of the herein described Easement;

**THENCE North 89°30'54" East**, for a distance of **53.28 feet** to a set  $\frac{1}{2}$ " Iron Rod for a angle point in the north line of the herein described Easement;

**THENCE North 55°23'44" East**, for a distance of **39.58 feet** to a set  $\frac{1}{2}$ " Iron Rod for a angle point in the north line of the herein described Easement;

**THENCE North 89°30'54" East**, crossing at 281.49 feet the east line of the above mentioned remaining portion of Lot 1, Block I, and continuing for a total distance of **303.49 feet** to a set  $\frac{1}{2}$ " Iron Rod in the southeast line of a 16 foot Utility Easement, for the northeast corner of the herein described Easement;

**THENCE South 42°50'53" West**, along the southeast line of the aforementioned Utility Easement for a distance of **20.62 feet** to a set  $\frac{1}{2}$ " Iron Rod for the southeast corner of the herein described Easement;

**THENCE South 89°30'54" West**, crossing at 22.00 feet the east boundary line of the aforementioned remaining portion of Lot 1, Block I, and continuing for a total distance of **284.73 feet** to a set  $\frac{1}{2}$ " Iron Rod for a angle point in the south line of the herein described Easement;

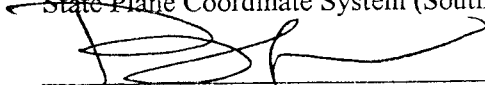
**THENCE South 55°23'44" West**, for a distance of **57.41 feet** to a set  $\frac{1}{2}$ " Iron Rod for a angle point in the south line of the herein described Easement;

**THENCE South 89°30'54" West**, for a distance of **38.12 feet** to a set  $\frac{1}{2}$ " Iron Rod in the east line of the aforementioned Lot 2, for the southwest corner of the herein described Easement;

**THENCE North 00°29'06" West**, for a distance of **13.63 feet** to a set  $\frac{1}{2}$ " Iron Rod for a angle point in the west line of the herein described Easement, same being a angle point in the east line of the aforementioned Lot 2;

**THENCE South 89°30'54" West**, along a line in the east line of the aforementioned Lot 2, for a distance of **5.00 feet** to the **POINT OF BEGINNING** containing according to the dimensions herein stated an area of **0.144 Acre**.

Surveyor's Note: Attention is invited to accompanying plat for location of improvements, adjoiners, visible utilities and roadways. Bearings and coordinates recited herein based on Texas State Plane Coordinate System (South Central Zone) NAD 83/93 Adjustment.

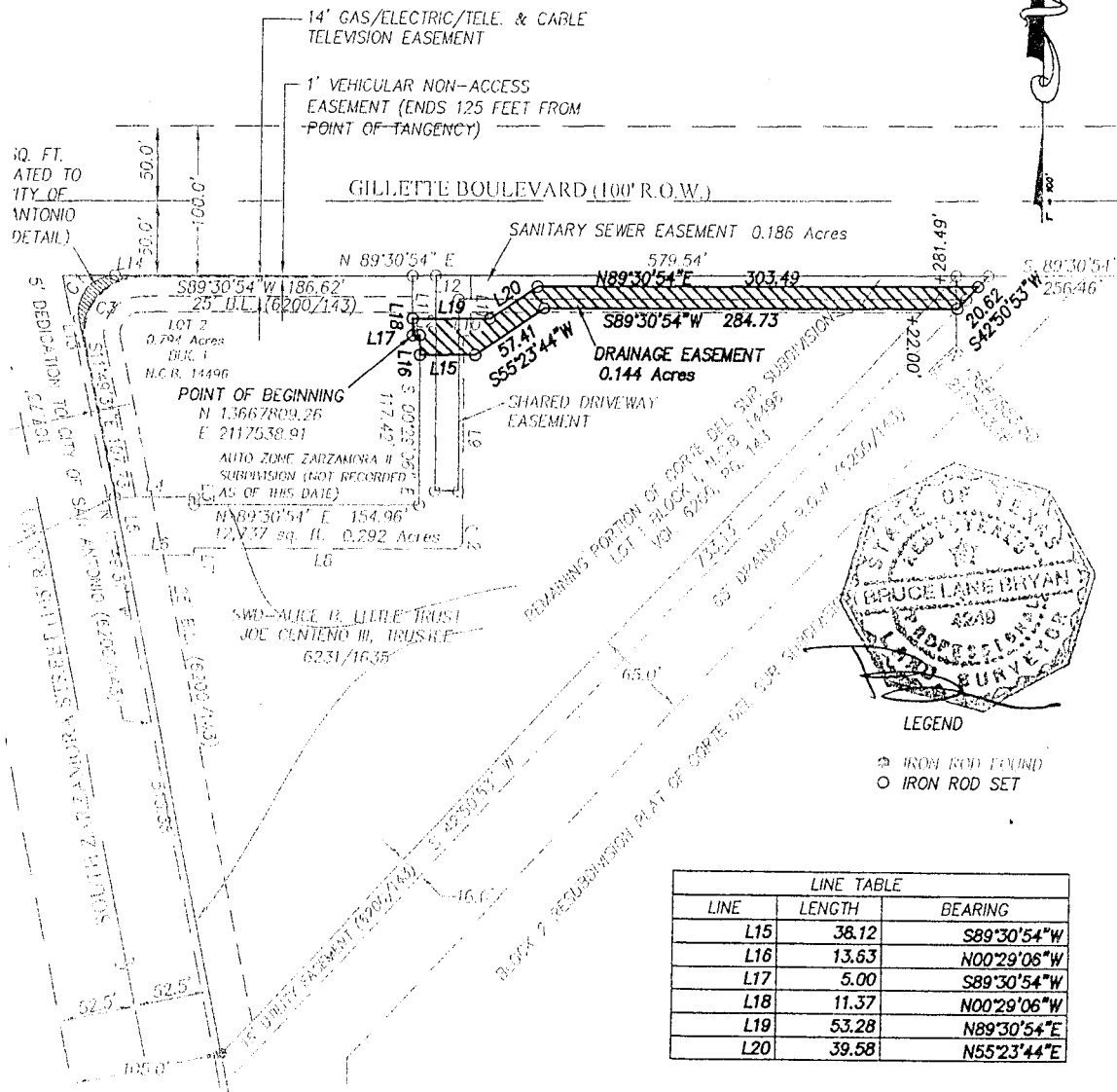
  
Bruce Lane Bryan

Registered Professional Land Surveyor No. 4249





# EXHIBIT "B"



THIS IS TO CERTIFY THAT, ON THIS DATE, A TRUE AND ACCURATE SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION OF PROPERTY SOUTHEAST OF THE INTERSECTION OF GILLETTE BOULEVARD AND ZARCAMORA STREET, IN BEXAR COUNTY, TEXAS, DESCRIBED AS FOLLOWS: A DRAINAGE EASEMENT OF VARYING WIDTH, BEING A 0.144 ACRE PORTION OF LAND, BEING MORE FULLY DESCRIBED IN THE FIELD NOTES ATTACHED HERETO AND MADE A PART HEREOF.

## FLOOD NOTE:

THE PROPERTY DEPICTED HEREON IS / IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY; THE FLOOD AREA BEING IDENTIFIED ON F. I. R. M. PANEL NO. 48029 C0608 E EFFECTIVE 2-16-96 LOCATED IN ZONE "X".

NOTE: THIS PROPOSED DRAINAGE EASEMENT IS INTENDED TO BE A SUPPLEMENTAL INSTRUMENT TO THE AUTO ZONE ZARCAMORA II SUBDIVISION AS RECORDED IN BOOK 9568, PAGE 140 PRBC.

TO: SITE DEVELOPMENT SERVICES

RE: AUTO ZONE ZARCAMORA II DRAINAGE EASEMENT, PROJ. NO. 05-344 DRNG EASEMENT

## SURVEYORS CERTIFICATE

THE PLAT SHOWN HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE PROPERTY AS DETERMINED BY SURVEY, THE LINES AND DIMENSIONS OF SAID PROPERTY BEING AS INDICATED BY THE PLAT; THE SIZE, LOCATION AND TYPE OF BUILDINGS ARE AS SHOWN, ALL IMPROVEMENTS BEING WITHIN THE BOUNDARIES OF THE PROPERTY, SET BACK FROM THE PROPERTY LINES THE DISTANCES INDICATED. THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN HEREON, AND SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY.

DATE: NOVEMBER 2, 2005

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BRYAN TECHNICAL SERVICES, INC.  
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512-365-2524  
512-365-2526 (Fax)  
surveying@austin.rr.com