

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

**ORDINANCE**

**DECLARING AS SURPLUS 0.03 OF AN ACRE OF CITY-OWNED  
PROPERTY LOCATED NEAR THE INTERSECTION OF AUBREY  
STREET AND E. CESAR CHAVEZ BOULEVARD WITHIN NEW CITY  
BLOCK 928 IN COUNCIL DISTRICT 1 AND APPROVING ITS SALE  
TO H-E-B, LP FOR A FEE OF \$90,100.00.**

\* \* \* \* \*

**WHEREAS**, H-E-B, LP (Petitioner) is requesting to purchase an unimproved City-owned property located near the intersection of Aubrey Street and E. Cesar Chavez Boulevard within New City Block 928 in City Council District 1 as shown in **Attachment I**; and

**WHEREAS**, the property consists of 0.03 of an acre (1,511.225 square feet); the Petitioner owns the abutting property to the north and northwest except for this small 1,511 square foot city-owned portion; if approved, Petitioner will incorporate the 1,511 square foot portion of City-owned property into its abutting property and re-plat the site for future development; and

**WHEREAS**, City of San Antonio departments and utilities were canvassed and approved with standard conditions and Petitioner has agreed to all the conditions; the subject property is located within the Downtown Residents Association and the Downtown Residents Association did not respond during the canvassing portion; the property will be disposed of in accordance with Chapter 272.001 (b)(1) of the Local Government Code; and

**WHEREAS**, the fee established for this request is \$90,100.00, which includes the property's assessed value in the amount of \$90,000.00 plus \$100.00 for administrative costs; in compliance with Chapter 37 of the City Code, Section 37-2, the property's fair market value was determined by an independent appraisal completed by Noble & Associates, Inc. on January 6, 2023; and

**WHEREAS**, the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on March 22, 2023. This action is consistent with the City Code and Ordinances, which require City Council approval for the sale or disposition of City-owned or controlled real property.

**NOW THEREFORE:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City Manager and designee, severally, are authorized to declare 1,511 square feet of City-owned property as described in **Attachment II** as surplus and to sell the property to H-E-B, LP for \$90,100.00.

**SECTION 2.** The City Manager and designee, severally, are authorized to take all additional actions reasonably necessary or convenient to effectuate the transaction, including executing and delivering all instruments and agreements conducive to effectuating the transaction.

**SECTION 3.** Funds received for this ordinance will be deposited in Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

**SECTION 4.** The disposition of surplus property must be coordinated through the City's Finance Department to assure the removal of these assets out of the City's financial records and to record the proper accounting transactions.

**SECTION 5.** The financial allocations in this Ordinance are subject to approval by the Deputy Chief Financial Officer, City of San Antonio. The Deputy Chief Financial Officer may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 6.** 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 \_\_\_\_\_, 2023.

**M     A     Y     O     R**  
**Ron Nirenberg**

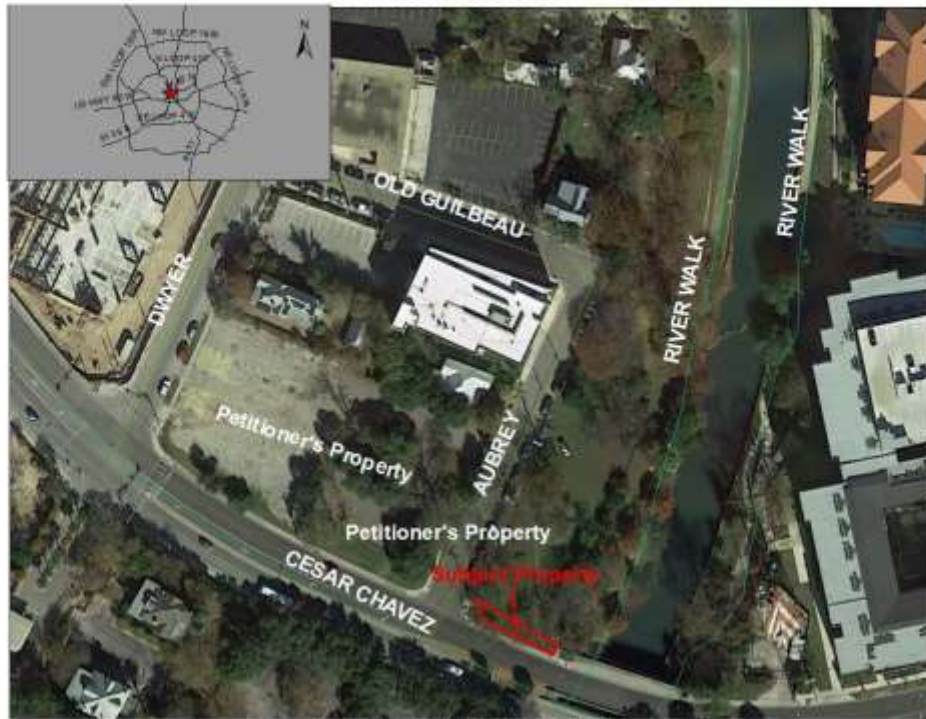
**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Debbie Racca-Sittre, City Clerk**

\_\_\_\_\_  
**Andrew Segovia, City Attorney**

## Attachment I



Aerial Map of Subject Property



Map of Subject Property

## Attachment II

AUBREY COMMERCIAL SITE  
BEXAR COUNTY, TEXAS  
BALANCED SITE DESIGN, LLC

PAGE 1 OF 2

### METES AND BOUNDS DESCRIPTION OF A 0.03 ACRE (1,511.225 SQ. FT.) VACATED AREA

BEING A 0.03 ACRE (1,511.225 SQ. FT.) TRACT OF LAND SITUATED IN THE SAN ANTONIO TOWN TRACT ABSTRACT NO. 20, BEXAR COUNTY, TEXAS, BEING A PORTION OF A TRACT TO THE CITY OF SAN ANTONIO DESCRIBED IN RECORDED IN VOLUME 937, PAGE 37 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2" IRON ROD WITH YELLOW "SAM" CAP FOUND AT THE SOUTH CORNER OF TRACT 2 (0.513 ACRE), DESCRIBED IN A DEED RECORDED IN VOLUME 7112, PAGE 1068 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS.

THENCE: SOUTH 23° 53' 15" WEST, A DISTANCE OF 17.72' TO A CALCULATED POINT ON THE NORTH RIGHT OF WAY LINE OF E. CESAR E. CHAVAZ BLVD. (VARIABLE WIDTH);

THENCE: NORTH 64° 11' 19" WEST, WITH SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 72.18' TO A 1/2" IRON ROD FOUND ON SAID NORTH RIGHT OF WAY LINE, SAME BEING THE SOUTH CORNER OF TRACT 3 (7,298 SQ. FT.), DESCRIBED IN A DEED RECORDED IN VOLUME 7112, PAGE 1068 OF THE OFFICIAL PUBLIC RECORDS OF BEXAR COUNTY, TEXAS, AND THE BEGINNING OF A CURVE TO THE RIGHT;

THENCE: 28.71 FEET WITH THE CURVE TO THE RIGHT HAVING A RADIUS OF 20.00 FEET, A DELTA OF 82° 14' 31" TO A 1/2" IRON ROD FOUND AT THE WEST CORNER OF SAID TRACT 2, SAME BEING ON THE EAST LINE OF SAID TRACT 3, FROM WHICH A 1/2" IRON ROD FOUND AT A NORTH CORNER OF SAID TRACT 2, SAME BEING THE EAST CORNER OF SAID TRACT 3, BEARS NORTH 24° 28' 17" EAST A DISTANCE OF 114.89';

THENCE: SOUTH 64° 41' 38" EAST, WITH THE SOUTH LINE OF SAID TRACT 2, A DISTANCE OF 91.75 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.03 ACRE (1,511.225 SQUARE FEET) OF LAND, MORE OR LESS.

BEARING BASIS: ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD 83(2011), SOUTH CENTRAL ZONE. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES IN US SURVEY FEET WITH A COMBINED SCALE FACTOR OF 0.9998378350.



SURVEYING AND MAPPING, LLC  
4801 SOUTHWEST PARKWAY  
BUILDING TWO, SUITE 100  
AUSTIN, TEXAS 78735  
TX. FIRM REG. NO. 10064300

*Christopher R. Garza* 3/9/2021

CHRISTOPHER R. GARZA      DATE  
REGISTERED PROFESSIONAL LAND SURVEYOR  
NO. 6564 – STATE OF TEXAS

# Attachment II

