

ORDINANCE 2022-12-15-0968

AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT OF AN IMPROVED PEYTON PATH PUBLIC RIGHT-OF-WAY AND AN IMPROVED PORTION (CORNER) OF REFUGIO STREET AND MCMILLAN PLACE PUBLIC RIGHT-OF-WAY WITHIN NEW CITY BLOCK 886, AS REQUESTED BY ARTISAN PARK, LLC, FOR A FEE OF \$165,100.00 TO BE DEPOSITED IN THE GENERAL FUND.

* * * * *

WHEREAS, Artisan Park, LLC (Petitioner) requests to close, vacate, and abandon an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way as depicted in **Exhibit A**; and

WHEREAS, the proposed closures are within New City Block 886 in City Council District 1; and

WHEREAS, the Peyton Path public right-of-way consists of 0.385 acres (16,770 square feet) as depicted in **Exhibit B** and Refugio Street and McMillan Place public right-of-way consists of 0.002 acres (99 square feet) as depicted in **Exhibit B**; and

WHEREAS, the proposed Peyton Path closure is between Burrus Place and Santa Clara Place; and

WHEREAS, Petitioner owns all the abutting property to the closures; and

WHEREAS, Petitioner is in the process of the future residential development of the Victoria Commons Master Development Plan; and

WHEREAS, upon approval, Petitioner will incorporate the proposed Peyton Path closure in its adjacent property to develop a private park and will utilize the proposed Refugio Street and McMillan Place corner closure to allow consistent building dimensions and setbacks for the proposed development; and

WHEREAS, Petitioner agreed to all conditions after canvassing and approving with standard conditions the City of San Antonio's departments and utilities; and

WHEREAS, the Lavaca Neighborhood Association approved Petitioner's request subject to the condition that Peyton Path remain accessible to pedestrians; **NOW THEREFORE:**

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

SECTION 1. City Council authorizes, for a Final Closure Fee of \$165,100.00, the closure, vacation, and abandonment of its right-of-way (ROW) interests concerning an improved Peyton Path public ROW and improved portion (corner) of Refugio Street and McMillan Place public ROW within New City Block 886 in City Council District 1 as depicted in **Exhibit A** and more accurately described in **Exhibit B**.

SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit B** controls over any discrepancy between it and **Exhibit A**.


SECTION 3. Funds generated by this ordinance will be deposited into 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 into 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 Director of Finance, City of San Antonio. The Director of Finance 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 is effective immediately upon the receipt of eight affirmative votes; otherwise, it is effective ten days after passage.

PASSED AND APPROVED this 15th day of December 2022.


M A Y O R
Ron Nirenberg

ATTEST:


Debbie Racca-Sittre, City Clerk


Andrew Segovia, City Attorney



City of San Antonio

City Council Meeting December 15, 2022

26.

2022-12-15-0968

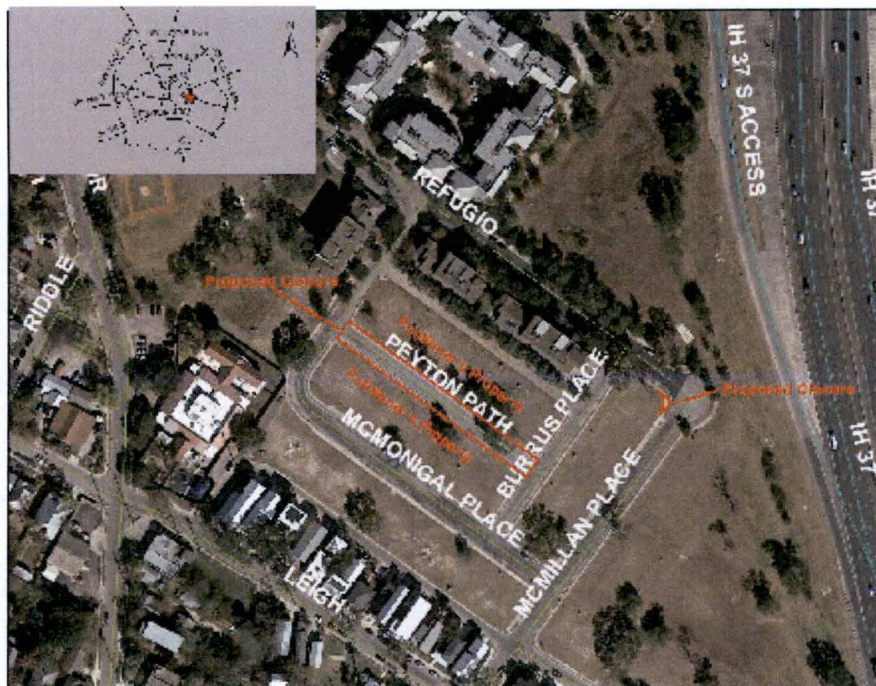
Ordinance authorizing the closure, vacation and abandonment of an improved Peyton Path public right-of-way and an improved portion (corner) of Refugio Street and McMillan Place public right-of-way within New City Block 886, as requested by Artisan Park, LLC, for a fee of \$165,100 to be deposited in the General Fund. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Rocha Garcia moved to Approve on the Consent Agenda. Councilmember Castillo seconded the motion. The motion carried by the following vote:

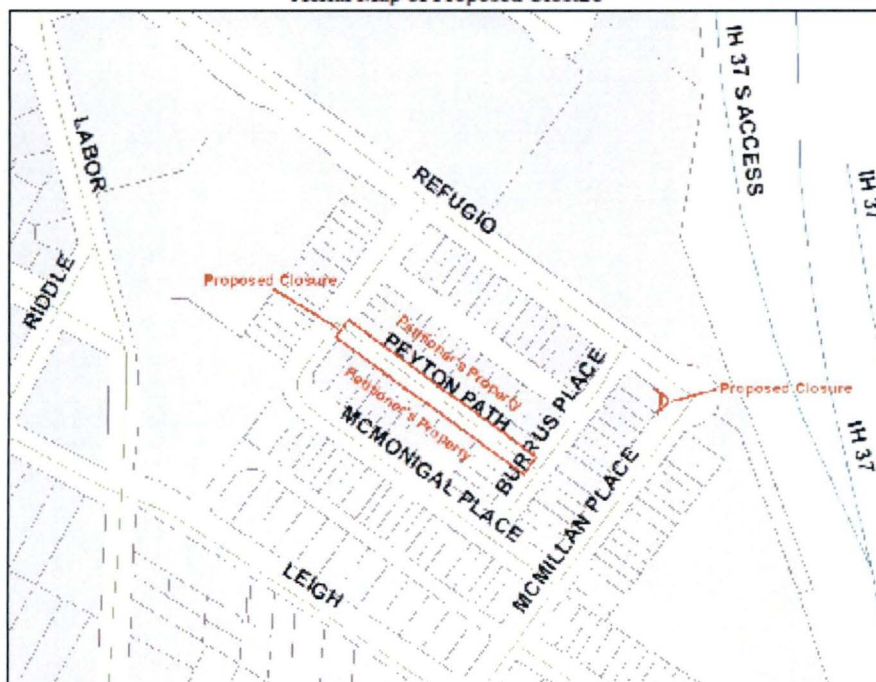
Aye: Nirenberg, Bravo, McKee-Rodriguez, Viagran, Rocha Garcia, Castillo, Cabello Havrda, Sandoval, Pelaez, Courage, Gallagher

EXHIBIT A

EXHIBIT A



Aerial Map of Proposed Closure



Map of Proposed Closure

EXHIBIT B

EXHIBIT B

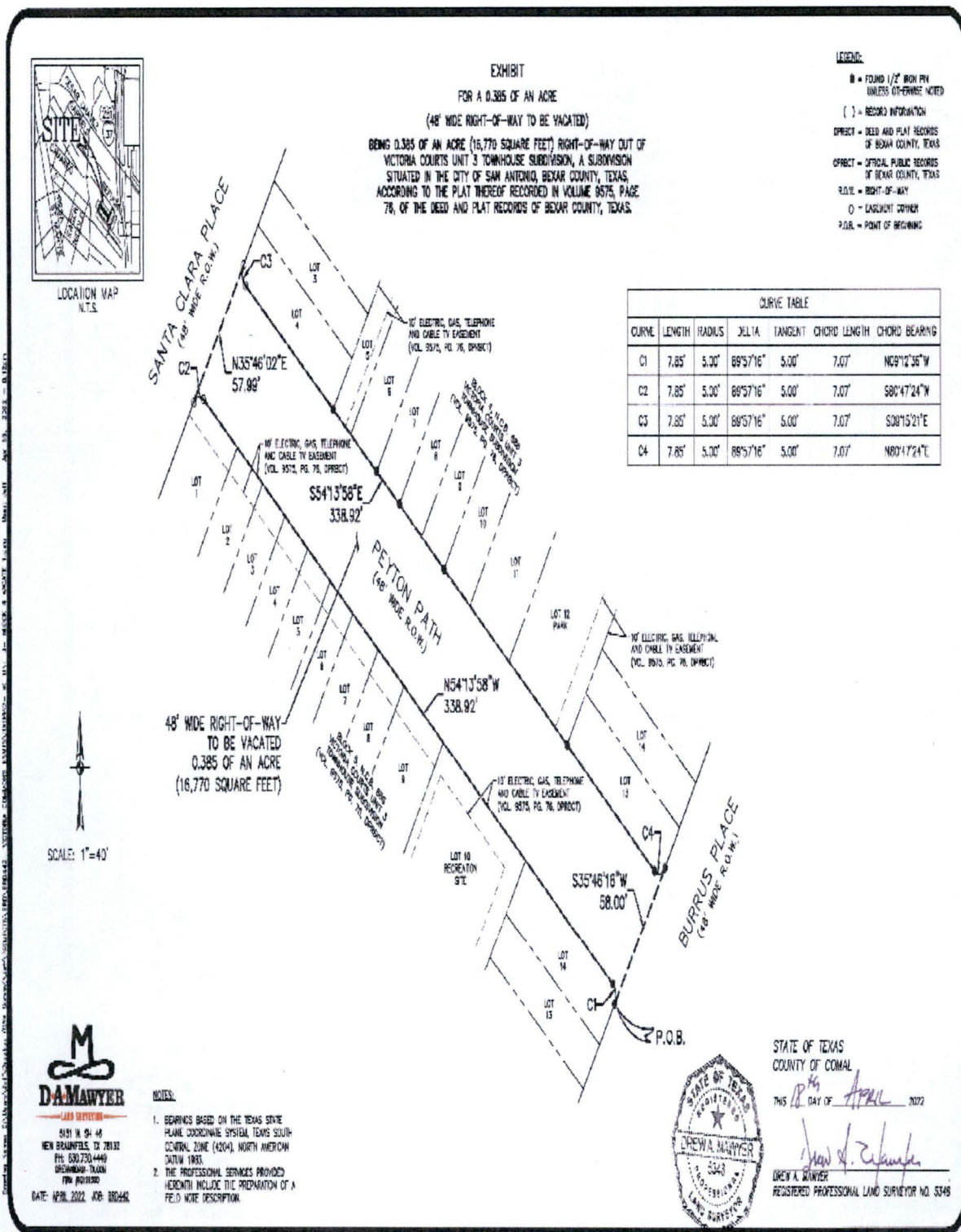
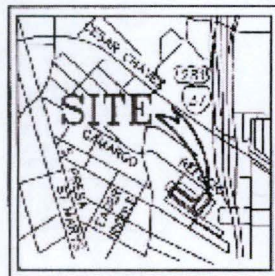


EXHIBIT B



LOCATION MAP
N.T.S.

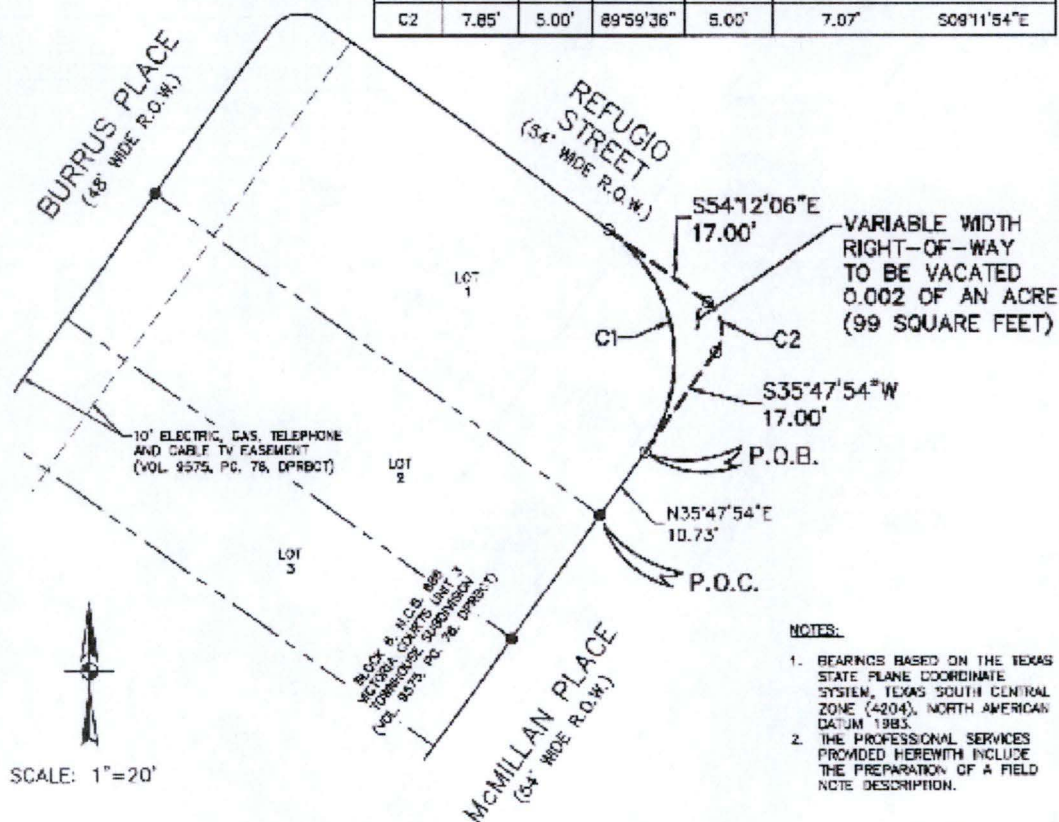
EXHIBIT FOR A 0.002 OF AN ACRE (VARIABLE WIDTH RIGHT-OF-WAY TO BE VACATED)

BEING 0.002 OF AN ACRE (99 SQUARE FEET)
RIGHT-OF-WAY OUT OF VICTORIA COURTS
UNIT 3 TOWNHOUSE SUBDIVISION, A
SUBDIVISION SITUATED IN THE CITY OF SAN
ANTONIO, BEXAR COUNTY, TEXAS, ACCORDING
TO THE PLAT THEREOF RECORDED IN VOLUME
9575, PAGE 76, OF THE DEED AND PLAT
RECORDS OF BEXAR COUNTY, TEXAS.

LEGEND:

- = FOUND 1/2" IRON PIN
UNLESS OTHERWISE NOTED
- () = RECORD INFORMATION
- DPRBCT = DEED AND PLAT RECORDS
OF BEXAR COUNTY, TEXAS
- OPRPGT = OFFICIAL PUBLIC RECORDS
OF BEXAR COUNTY, TEXAS
- R.O.W. = RIGHT-OF-WAY
- () = EASEMENT CORNER
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	34.55'	22.00'	90°00'00"	22.00'	31.11'	N09°12'06"W
C2	7.85'	5.00'	89°59'36"	5.00'	7.07'	S08°11'54"E



NOTES:

1. BEARINGS BASED ON THE TEXAS
STATE PLANE COORDINATE
SYSTEM, TEXAS SOUTH CENTRAL
ZONE (4204), NORTH AMERICAN
DATUM 1983.
2. THE PROFESSIONAL SERVICES
PROVIDED HEREWITH INCLUDE
THE PREPARATION OF A FIELD
NOTE DESCRIPTION.

STATE OF TEXAS
COUNTY OF COMAL

THIS 18TH DAY OF April 2022

Drew A. Mawyer
DREW A. MAWYER
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 53448



5151 W. SH 46
NEW BRAUNFELS, TX 78132
PH: 830.730.4448
DAMAWYER@TXLS.COM
FRY #0145005

DATE: APRIL 2022 JOB: BRD442