

ORDINANCE

2021-12-16-0976

**AUTHORIZING THE RELEASE OF TWO CITY-OWNED DRAINAGE EASEMENTS BEING 0.0344 OF AN ACRE AND 0.344 OF AN ACRE LOCATED IN LUKE BUST SURVEY NUMBER 63, ABSTRACT NUMBER 45, ALONG GREEN ROAD SOUTHEAST OF INTERSTATE 10 LOCATED IN COUNCIL DISTRICT 2.**

\* \* \* \* \*

**WHEREAS**, Westwood Professional Services, on behalf of Meritage Homes of Texas, LLC, has requested the City of San Antonio ("City") release of two City-owned drainage easements being 0.0344 of an acre as shown and described in **Exhibit A** and 0.344 of an acre as shown and described in **Exhibit B** located in the Luke Bust Survey Number 63, Abstract Number 45, along Green Road southeast of Interstate 10 for the purposes of building a new subdivision, Catalina Unit 1; and

**WHEREAS**, the two drainage easements were originally owned by Bexar County; however in 2019, the City annexed the property to include the easements; the two City-owned drainage easements were originally identified to accept storm water discharge through two culverts under Green Road; and

**WHEREAS**, as part of the new subdivision development on the vacant land, the developer will be required to relocate these drainage easements to ensure proper storm water conveyance; the proposed subdivision plat indicates the storm water that flows through culverts under Green Road will be conveyed through a proposed channel and into the existing Martinez Creek Dam No. 3 Reservoir; and

**WHEREAS**, Westwood Professional Services has been coordinating with the City's Development Services Department (DSD) to replat the property and Public Works Storm Water Engineers will review the engineering reports prior to the plat review and approval by the Planning Commission; and

**WHEREAS**, the release was approved by Planning Commission on October 27, 2021; if the proposed Catalina Unit subdivision development does not move forward, any future development on the property will have to implement drainage easements and measures to ensure proper storm water conveyance; **NOW THEREFORE**,

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

**SECTION 1.** The City Manager or her designee, severally, are authorized to execute and deliver releases of two City-owned drainage easements being 0.0344 of an acre and 0.344 of an acre located in Luke Bust Survey Number 63, Abstract Number 45, along Green Road southeast of Interstate 10 located in Council District 2 as requested by Westwood Professional Services in a form substantially similar to **Exhibit C**.

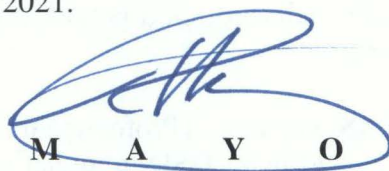
**SECTION 2.** All attachments to this ordinance are incorporated into it by reference for all purposes as if fully set forth. The City Manager, or her designee, is further authorized to execute and deliver all other documents necessary or convenient to effect the transactions contemplated in the above agreement; and other to do all things necessary or convenient to effectuate the transaction.

**SECTION 3.** The disposition of 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 4.** All presently existing water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this Ordinance and may continue to be used, repaired, enlarged, and maintained in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. Any person building on the released utility easements without first reaching an agreement with a utility having lines or facilities in the segment does so at his own risk. After the date of this Ordinance, no utility may add additional utility lines or facilities in the released utility easements.

**SECTION 5.** 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.

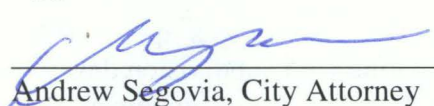
**PASSED AND APPROVED** this 16<sup>th</sup> day of December, 2021.

  
M A Y O R  
Ron Nirenberg

**Attest:**

  
Debbie Racca-Sittre, Acting City Clerk

**Approved As To Form:**

  
Andrew Segovia, City Attorney



## City of San Antonio

### City Council Meeting December 16, 2021

19.

2021-12-16-0976

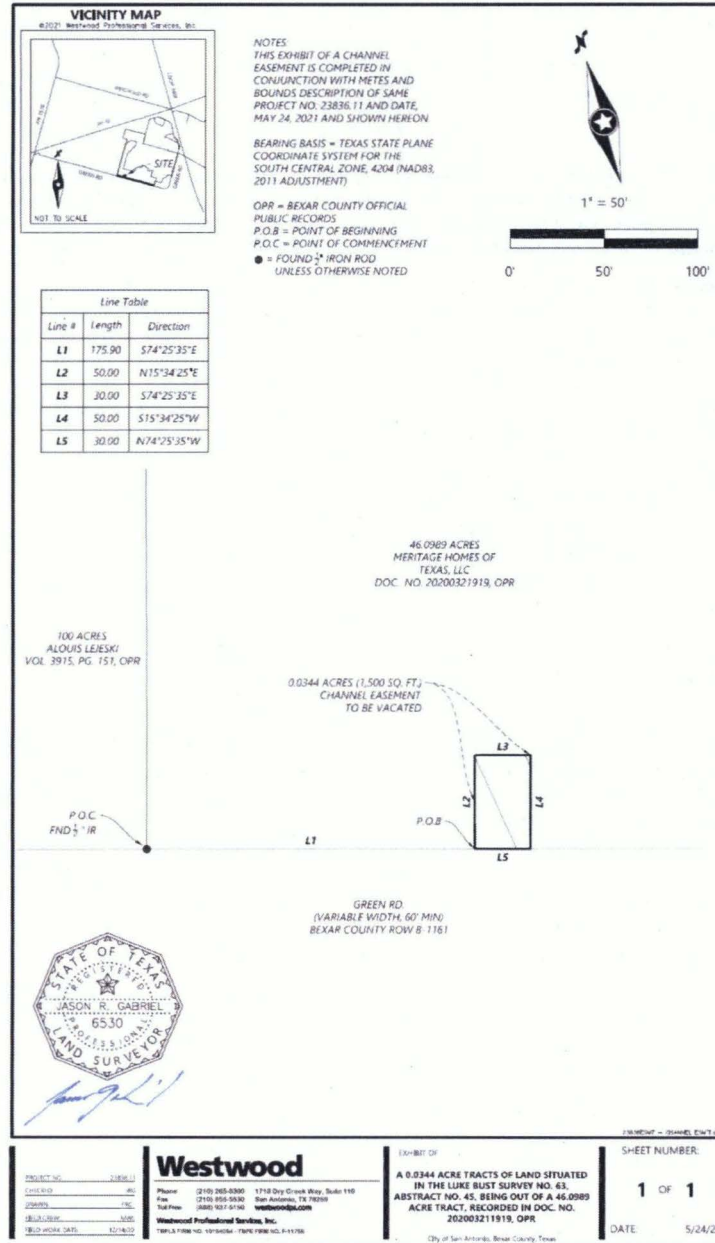
Ordinance approving the release of two City-owned drainage easements being 0.0344 of an acre and 0.344 of an acre located in Luke Bust Survey Number 63, Abstract Number 45, along Green Road southeast of Interstate 10. [Roderick Sanchez, Assistant City Manager; Razi Hosseini, Director, Public Works]

Councilmember Courage moved to Approve on the Consent Agenda. Councilmember Cabello Havrda seconded the motion. The motion carried by the following vote:

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



## Exhibit A SPECIAL PROJECT CANVASSING SHEET



## Exhibit A SPECIAL PROJECT CANVASSING SHEET

### Westwood

COUNTY OF BEXAR  
STATE OF TEXAS

0.0344 ACRE TRACT  
1,500 SQ. FT.

PROJ. 23836.11  
VACATE CHANNEL ESM'T

**FIELD NOTE DESCRIPTION** of a 0.0344 acre tract of land situated within the Luke Bust Survey No. 63, Abstract No. 45, City of San Antonio, Bexar County, Texas, being out of a 46.0989 acre tract conveyed unto Meritage Homes of Texas, LLC, recorded in Document No. 202003211919, Bexar County Official Public Records; in all, said 0.0344 acre tract of land being more particularly described as follows:

**COMMENCING** at a ½" iron rod found on the north line of Green Road a variable width Right-of-Way, recorded in Bexar County Right-of-Way map B-1161, coincident with the common southeast corner of a 100.00 acre tract conveyed unto Alouis Lejeski, recorded in Volume 3915, Page 151 said Official Public Records, and southwest corner of said 46.0989 acre tract;

**THENCE**, along the north line of said Green Road, South 74° 25' 35" East, 175.90 feet to the southwest corner and the **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, crossing said 46.0989 acres, the following courses:

North 15° 34' 25" East, 50.00 feet to a point,  
South 74° 25' 35" East, 30.00 feet to a point, and  
South 15° 34' 25" West, 50.00 feet to a point north line of said Green Road for the southwest corner of the herein described tract of land;

**THENCE**, along the aforementioned line, North 74° 25' 35" West, 30.00 feet to point and the **POINT OF BEGINNING**.

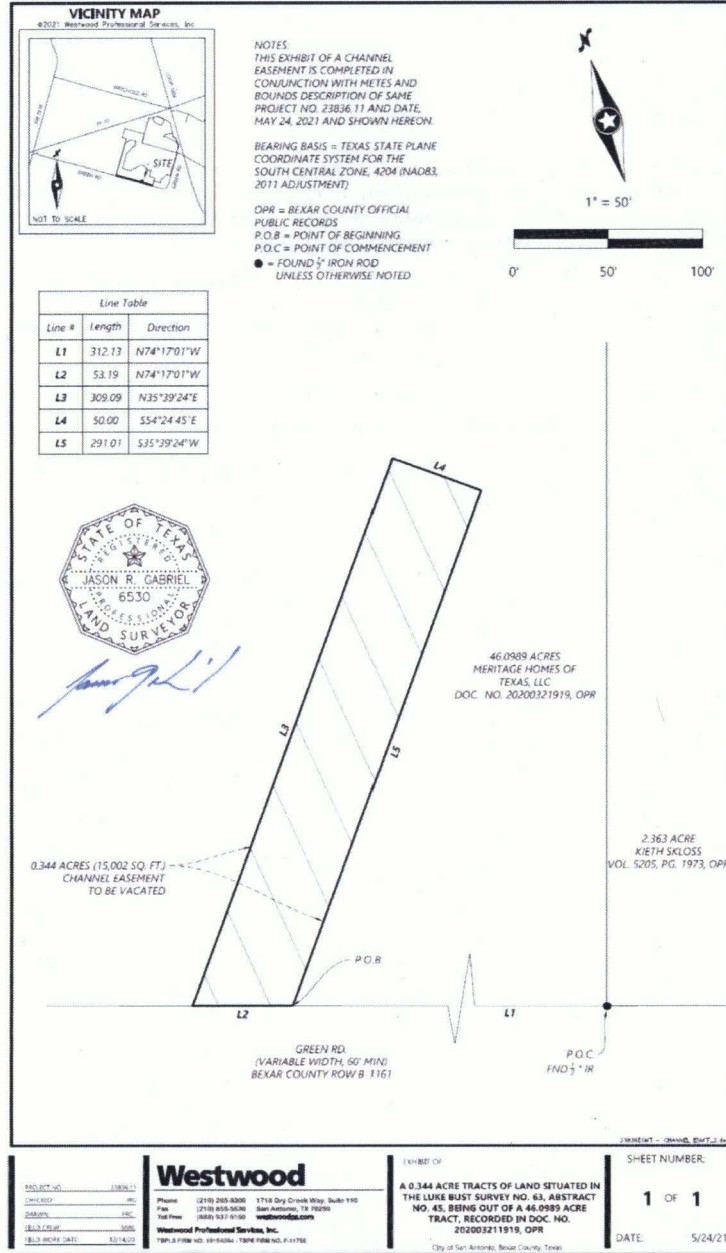
Containing, in all, 0.0344 acres or 1,500 square feet of land. Bearings are based on Texas State Plane coordinates for the South Central Zone, 4204 (NAD 83, 2011 adjustment). This field note description is prepared in conjunction with that exhibit of a Vacate Channel Easement for project no. 23836.11 of same date, May 24, 2021 by Westwood Professional Services.



1718 Dry Creek Way, Suite 110 • San Antonio, Texas 78259  
Main 210.265.8300 • [westwoodps.com](http://westwoodps.com)  
TBPE Firm No. F-11756 • TBPLS Firm No. 10194064

MISSION: TO DELIVER INNOVATION AND QUALITY TO THE PEOPLE OF SAN ANTONIO'S INFRASTRUCTURE.  
CORE VALUES: INTEGRITY • TEAMWORK • INNOVATION • PROBLEM-SOLVING

# Exhibit B SPECIAL PROJECT CANVASSING SHEET



**Exhibit B**  
**SPECIAL PROJECT**  
**CANVASSING SHEET**

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**Westwood**

COUNTY OF BEXAR  
STATE OF TEXAS

0.344 ACRE TRACT  
15,002 SQ. FT.

PROJ. 23836.11  
VACATE CHANNEL ESM'T

**FIELD NOTE DESCRIPTION** of a 0.344 acre tract of land situated within the Luke Bust Survey No. 63, Abstract No. 45, City of San Antonio, Bexar County, Texas, being out of a 46.0989 acre tract conveyed unto Meritage Homes of Texas, LLC, recorded in Document No. 202003211919, Bexar County Official Public Records; in all, said 0.344 acre tract of land being more particularly described as follows:

**COMMENCING** at a  $\frac{1}{2}$ " iron rod found on the north line of Green Road a variable width Right-of-Way, recorded in Bexar County Right-of-Way map B-1161, coincident with the common southwest corner of a 2.363 acre tract conveyed unto Kieth Skloss, recorded in Volume 5205, Page 1973 said Official Public Records, and the southeast corner of said 46.0989 acre tract;

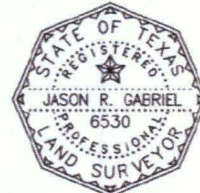
**THENCE**, along the north line of said Green Road, North  $74^{\circ} 17' 01''$  West, 312.13 feet to the southeast corner and the **POINT OF BEGINNING** of the herein described tract of land;

**THENCE**, continue along the north line of said Green Road, North  $74^{\circ} 17' 01''$  West, 53.19 feet to the southwest corner of the herein described tract of land;

**THENCE**, crossing said 46.0989 acres, the following courses:

North  $35^{\circ} 39' 24''$  East, 309.09 feet to a point,  
South  $54^{\circ} 24' 45''$  East, 50.00 feet to a point, and  
South  $35^{\circ} 39' 24''$  West, 291.01 feet to the **POINT OF BEGINNING**.

Containing, in all, 0.344 acres or 15,002 square feet of land. Bearings are based on Texas State Plane coordinates for the South Central Zone, 4204 (NAD 83, 2011 adjustment). This field note description is prepared in conjunction with that exhibit of a Vacate Channel Easement for project no. 23836.11 of same date, May 24, 2021 by Westwood Professional Services.



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MISSION: CREATING INFRASTRUCTURE FOR PROGRESS AND THE QUALITY OF LIFE  
**SAN ANTONIO'S INFRASTRUCTURE.**  
CORE VALUES: INTEGRITY • TEAMWORK • INNOVATION • PROGRESS/PROSPERITY



## Exhibit C

**Notice of Confidentiality Rights: If You Are a Natural Person, You May Remove or Strike Any or All the Following Information from Any Instrument That Transfers an Interest in Real Property Before It Is Filed for Record in the Public Records: Your Social Security Number or Your Driver's License Number.**

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State of Texas	§	
	§	Know All By These Presents:
County of Bexar	§	

### Release of Drainage Easement

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**Grantor:** City of San Antonio

**Grantor's Address:** P.O. Box 939966, San Antonio, Texas 78283-3966 (Bexar County)

**Grantee:** Meritage Homes of Texas, LLC

**Grantee's Address:** 2722 West Bitters Road, Suite 200, San Antonio, Texas 78231

**WHEREAS**, by an instrument dated on or about May 31, 1988 and recorded July 26, 1988 in Volume 4359, Page 1768, in the Official Public Records of Bexar County, Texas, the County of Bexar was granted the right to condemn for easement purposes the properties described as .0344 acre tract of land situated within the Luke Bust Survey No. 63, Abstract No. 45, City of San Antonio, Bexar County, Texas being out of 46.0989 acre tract conveyed unto Meritage Homes of Texas, LLC, recorded in Document No. 202003211919, Bexar County Official Public Records, as more accurately described and depicted in the attached and incorporated **Exhibit A**, and .344 acre tract of land situated within the Luke Bust Survey No. 63, Abstract No. 45, City of San Antonio, Bexar County, Texas being out of 46.0989 acre tract conveyed unto Meritage Homes of Texas, LLC, recorded in Document No. 202003211919, Bexar County Official Public Records, as more accurately described and depicted in the attached and incorporated **Exhibit B** (both collectively referred to as the "Easement Property"); and

**WHEREAS**, the property upon which the Easement Property is located is owned by Meritage Homes of Texas, LLC ("Owner"), an Arizona limited liability company, who acquired the property by deed recorded on December 30, 2020 under Document Number 20200321919 in the Official Public Records of Bexar County, Texas; and

**WHEREAS**, the Owner has requested the City of San Antonio ("City") abandon and release the easements;

**WHEREAS**, since the underlying property is being replatted, the drainage easement is no longer necessary, and the City has agreed to release its interest in the Easement; and

**NOW THEREFORE**, the City of San Antonio does hereby release any right, title, or interest it has in and to the Easement Property.



Exhibit

Notice of the meeting of the Board of Directors of the City of Chicago, Illinois, to be held on the 15th day of December, 2021, at 10:00 a.m. in the Board Room of the City Hall, 44 North La Salle Street, Chicago, Illinois, for the purpose of considering and acting upon the following matters:

1. To receive and approve the minutes of the meeting of the Board of Directors held on the 14th day of December, 2021.

2. To receive and approve the report of the City Manager.

3. To receive and approve the report of the City Clerk.

4. To receive and approve the report of the City Treasurer.

5. To receive and approve the report of the City Auditor.

6. To receive and approve the report of the City Engineer.

7. To receive and approve the report of the City Superintendent of the Public Works Department.

8. To receive and approve the report of the City Superintendent of the Police Department.

9. To receive and approve the report of the City Superintendent of the Fire Department.

10. To receive and approve the report of the City Superintendent of the Department of Social Services.

11. To receive and approve the report of the City Superintendent of the Department of Health.

12. To receive and approve the report of the City Superintendent of the Department of Public Health.

13. To receive and approve the report of the City Superintendent of the Department of Public Safety.

14. To receive and approve the report of the City Superintendent of the Department of Public Works.

15. To receive and approve the report of the City Superintendent of the Department of Public Health.

16. To receive and approve the report of the City Superintendent of the Department of Public Safety.

17. To receive and approve the report of the City Superintendent of the Department of Public Works.

18. To receive and approve the report of the City Superintendent of the Department of Public Health.

19. To receive and approve the report of the City Superintendent of the Department of Public Safety.

20. To receive and approve the report of the City Superintendent of the Department of Public Works.

21. To receive and approve the report of the City Superintendent of the Department of Public Health.

22. To receive and approve the report of the City Superintendent of the Department of Public Safety.

23. To receive and approve the report of the City Superintendent of the Department of Public Works.

24. To receive and approve the report of the City Superintendent of the Department of Public Health.

25. To receive and approve the report of the City Superintendent of the Department of Public Safety.

26. To receive and approve the report of the City Superintendent of the Department of Public Works.

27. To receive and approve the report of the City Superintendent of the Department of Public Health.

28. To receive and approve the report of the City Superintendent of the Department of Public Safety.

29. To receive and approve the report of the City Superintendent of the Department of Public Works.

30. To receive and approve the report of the City Superintendent of the Department of Public Health.

31. To receive and approve the report of the City Superintendent of the Department of Public Safety.

32. To receive and approve the report of the City Superintendent of the Department of Public Works.

33. To receive and approve the report of the City Superintendent of the Department of Public Health.

34. To receive and approve the report of the City Superintendent of the Department of Public Safety.

35. To receive and approve the report of the City Superintendent of the Department of Public Works.

36. To receive and approve the report of the City Superintendent of the Department of Public Health.

37. To receive and approve the report of the City Superintendent of the Department of Public Safety.

38. To receive and approve the report of the City Superintendent of the Department of Public Works.

39. To receive and approve the report of the City Superintendent of the Department of Public Health.

40. To receive and approve the report of the City Superintendent of the Department of Public Safety.

## Exhibit C

**WHEREAS,**

Witness my hand, this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**City of San Antonio**, a Texas municipal corporation

**Signature:** \_\_\_\_\_  
**Andrew Lake, Real Estate Manager**  
**Public Works Department**

STATE OF TEXAS       §

COUNTY OF BEXAR     §

This Release of Drainage Easement was acknowledged this date before me by Andrew Lake, City of San Antonio Public Works Real Estate Manager, in the capacity stated and on behalf of such entity.

Date: \_\_\_\_\_

\_\_\_\_\_  
Notary Public, State of Texas

My Commission expires: \_\_\_\_\_

Accepted under Ordinance: \_\_\_\_\_

