

RESOLUTION NO. 2002- 208 R

A resolution accepting the dedication of approximately 0.407 acres of property for use as a public street from Property Commerce Development Company that is located on Lot 8, Indian Trails Subdivision, Section One (north of Loop 463 near an extension of John Stockbauer), and authorizing the City Manager to execute (1) all documents necessary to accept such dedication and (2) a security agreement with Property Commerce Development Company to ensure the completion of a street on said property that conforms with the City's standards and specifications and declaring an effective date.

IT IS RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS:

1.

The City Council accepts the dedication of the approximately .0407 acre tract of property described on **Exhibit "A"** for use as a public street from Property Commerce Development Company, subject to Property Commerce Development Company's execution of the documents described herein, in accordance with the approval of the City Attorney.

2.

The City Manager is authorized to execute (1) all documents necessary to accept the dedication of the approximately .0407 acre tract of property described on **Exhibit "A"** for use as a public street and (2) a security agreement with Property Commerce Development Company to ensure the completion of a street on said property that conforms with the City's standards and specifications, including additional protections for the City **and a payment to the City of Victoria in the amount of \$250,000,** both in a form to be approved by the City Attorney.

3.

"Property Commerce Development Company" as described herein, shall refer to said entity or an assignee of said entity that owns the aforementioned property on the effective date of the aforementioned dedication.

4.

This resolution shall become effective immediately upon adoption.

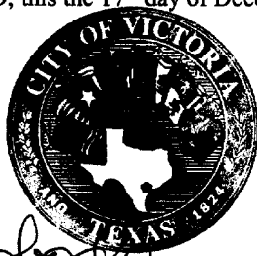
PASSED, this the 17th day of December, 2002.

AYES: 7

NAYS: 0

ABSTENTIONS: 0

APPROVED AND ADOPTED, this the 17th day of December, 2002.



ATTEST:

Scarlet Swoboda
SCARLET SWOBODA, City Secretary

Gary Middleton
GARY MIDDLETON, Mayor of the
City of Victoria, Texas

APPROVED AS TO LEGAL FORM:

David Atmar Smith
DAVID ATMAR SMITH, City Attorney

Distribution: Legal Department
Planning Department

Copies Sent: DECEMBER 18, 2002

b Bury Partners
Consulting Engineers and Surveyors

0.407 ACRE TRACT
(17,714 SQ.FT.)
50048-39EXH1

FN NO.SA02-195.JWR
DECEMBER 12, 2002
JOB NO. 50048-39.28

**FIELD NOTE DESCRIPTION
VARIABLE STREET
RIGHT OF WAY**

0.407 ACRES OF LAND SITUATED IN THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS AND BEING A PORTION OF LOT 8, INDIAN TRAILS, SECTION ONE, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 6, PAGE 181, PLAT RECORDS OF VICTORIA COUNTY, TEXAS; SAID 0.407 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, AT A FOUND 5/8 INCH IRON ROD LOCATED IN THE NORTHERLY RIGHT OF WAY LINE OF LOOP 463 (ZAC LENTZ PARKWAY) (RIGHT OF WAY VARIES) AND MARKING THE SOUTHWESTERLY CORNER OF LOT 8, SAME BEING THE SOUTHEASTERLY CORNER OF LOT 2;

THENCE, N 00° 26' 08" W, ALONG THE COMMON BOUNDARY LINE BETWEEN LOT 2 AND LOT 8, A DISTANCE OF 157.56 FEET, TO A SET 1/2 INCH IRON FOR THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT OF LAND;

THENCE, N 00° 26' 08" W, CONTINUING ALONG THE COMMON BOUNDARY LINE BETWEEN LOT 2 AND LOT 8, A DISTANCE OF 50.00 FEET, TO A SET 1/2 INCH IRON;

THENCE, LEAVING THE COMMON BOUNDARY LINE BETWEEN LOT 2 AND LOT 8 AND ACROSS LOT 8, THE FOLLOWING COURSES:

N 89° 38' 59" E, A DISTANCE OF 15.95 FEET, TO A SET 1/2 INCH IRON;

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 95.00 FEET, A CENTRAL ANGLE OF 34° 35' 40", AN ARC LENGTH OF 57.36 FEET AND A CHORD BEARING: N 76° 54' 12 E, A DISTANCE OF 56.49 FEET, TO A SET 1/2 INCH IRON ROD;

Exhibit A

N 59° 36' 22" E, A DISTANCE OF 88.30 FEET, TO A SET 1/2 INCH IRON;

NORTHEASTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 205.00 FEET, A CENTRAL ANGLE OF 29° 55' 04", AN ARC LENGTH OF 107.04 FEET AND A CHORD BEARING: N 74° 35' 02 E, A DISTANCE OF 105.83 FEET, TO A SET 1/2 INCH IRON ROD LOCATED IN THE COMMON BOUNDARY LINE BETWEEN LOT 2 AND LOT 8;

THENCE, N 89° 32' 33" E, ALONG THE SAID COMMON BOUNDARY LINE, A DISTANCE OF 168.13 FEET, TO A FOUND 5/8 INCH IRON ROD MARKING THE MOST EASTERLY, NORTHEAST CORNER OF LOT 8;

THENCE, S 20° 24' 19" W, ALONG THE EASTERLY LINE OF LOT 8, A DISTANCE OF 42.81 FEET, TO A SET 1/2 INCH IRON ROD;

THENCE, LEAVING THE EASTERLY BOUNDARY LINE OF LOT 8 AND ACROSS LOT 8, THE FOLLOWING COURSES:

S 89° 32' 33" W, A DISTANCE OF 152.89 FEET, TO A SET 1/2 INCH IRON;

SOUTHWESTERLY, ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 29° 55' 04", AN ARC LENGTH OF 86.16 FEET AND A CHORD BEARING: S 74° 35' 02 W, A DISTANCE OF 85.18 FEET, TO A SET 1/2 INCH IRON ROD;

S 59° 36' 22" W, A DISTANCE OF 115.71 FEET, TO A SET 1/2 INCH IRON;

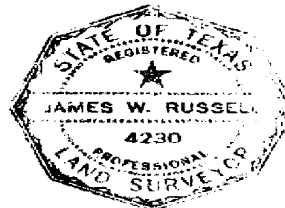
SOUTHWESTERLY, ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 105.00 FEET, A CENTRAL ANGLE OF 30° 04' 02", AN ARC LENGTH OF 55.10 FEET AND A CHORD BEARING: S 74° 38' 23 W, A DISTANCE OF 54.47 FEET, TO A SET 1/2 INCH IRON ROD;

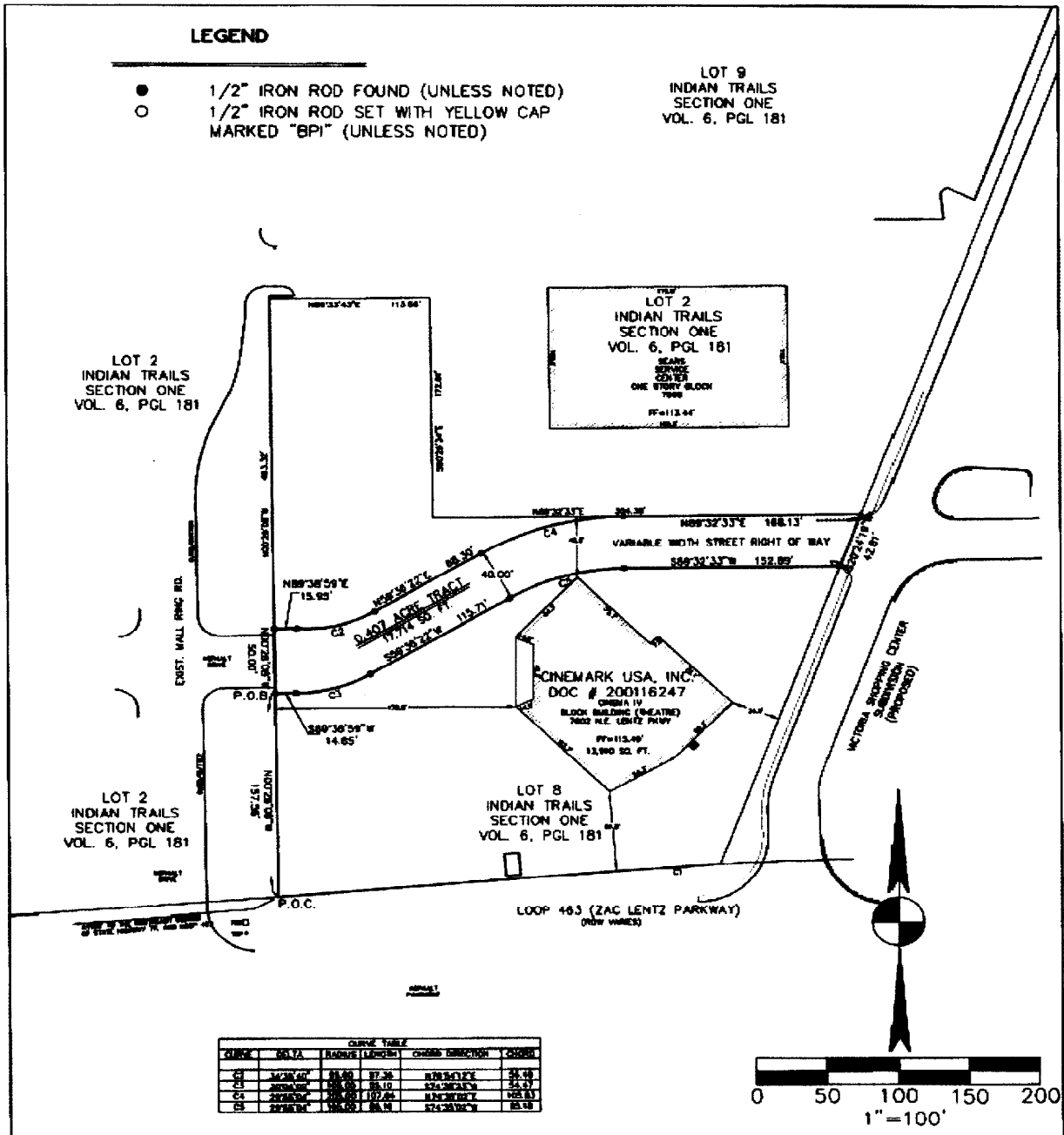
S 89° 38' 59" W, A DISTANCE OF 14.65 FEET, TO THE **POINT OF BEGINNING** AND CONTAINING 0.407 ACRES OF LAND, MORE OR LESS.

I, JAMES W. RUSSELL, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.

BURY & PARTNERS, INC.
ENGINEERS AND SURVEYORS
10000 SAN PEDRO, SUITE #100
SAN ANTONIO, TEXAS 78216

James W. Russell 12/12/02
JAMES W. RUSSELL
R.P.L.S #4230
STATE OF TEXAS





b Bury+Partners
Consulting Engineers and Surveyors
San Antonio, Texas
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SKETCH TO ACCOMPANY DESCRIPTION
VARIABLE WIDTH STREET RIGHT OF WAY

0.407 ACRES OF LAND SITUATED IN THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS AND BEING A PORTION OF LOT 8, INDIAN TRAILS, SECTION ONE, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 6, PAGE 181, PLAT RECORDS OF VICTORIA COUNTY, TEXAS.

DATE: 12/12/02 DRAWN BY: MAV FILE: H:\50048\39\04839EXHIBIT.DWG FN NO. SA02-195.JWR PROJECT No.- 50048-39.28

Exhibit A