

ORDINANCE NO. 080813

AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE 050913 TO DELETE THE CONDITION OF OBTAINING PRE-CLEARANCE FROM THE UNITED STATES DEPARTMENT OF JUSTICE, CIVIL RIGHTS DIVISION, VOTING SECTION, FROM SAID ORDINANCE AUTHORIZING A MUNICIPAL BOUNDARY ADJUSTMENT TO RELEASE A 0.825 ACRE TRACT OF LAND FROM THE CITY OF SELMA, TEXAS TO THE CITY OF UNIVERSAL CITY, TEXAS

WHEREAS, Section 43.031 of the Texas Local Government Code authorizes adjacent cities to make mutually agreeable boundary adjustments; and

WHEREAS, the City of Universal City requested that the City of Selma release a tract of land owned by the City of Universal City consisting of 0.825 acres and being out of the Toribio Herrera Survey No. 68, County Block 5046, Bexar County, Texas, and being more particularly described on Exhibit "A" attached to this Ordinance and made a part hereof (the "0.825 Acre Parcel") so that the 0.825 Acre Parcel can be within the municipal boundaries of the City of Universal City; and

WHEREAS, the 0.825 Acre Parcel is located adjacent to a golf course owned by the City of Universal City and there are no persons residing at the 0.825 Acre Parcel; and

WHEREAS, the City Council of the City of Selma found that the request for a boundary adjustment whereby the 0.825 Acre Parcel becomes a part of the City of Universal City is reasonable; and

WHEREAS, the City Council adopted Ordinance 050913 and approving a boundary adjustment releasing the 0.825 Acre Parcel from the City of Selma to the City of Universal City subject to obtaining pre-clearance from the United States Department of Justice, Civil Rights Division; and

WHEREAS, the City Attorney submitted a request for pre-clearance to the United States Department of Justice, Civil Rights Division, but such agency has advised the City Attorney that, due to the decision of the United States Supreme Court in *Shelby County v. Holder*, 2013 WL 3184629, no such pre-clearance determination will be made by the United States Department of Justice, Civil Rights Division.

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Selma, Texas that:

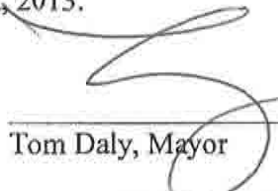
1. Section 1 of Ordinance No. 050913 is hereby amended to read as follows:

The following adjustment of the boundary between the City of Selma and the City of Universal City is hereby approved:

The 0.825 acre tract of land out of the Toribio Herrera Survey No. 68, County Block 5046, Bexar County, Texas, described on Exhibit "A" attached hereto and made a part hereof (the "0.825 Acre Parcel") is released by the City of Selma to the City of Universal City and the boundary between the City of Selma and the City of Universal City is hereby adjusted to remove said 0.825 Acre Parcel from the city limits of the City of Selma.


2. The City Administrator or his designee is authorized and directed to execute any documents necessary to effectuate this ordinance.

Passed and adopted on the 8th day of August, 2013.



Tom Daly, Mayor

ATTEST:



Ken Roberts, City Secretary

METES AND BOUNDS
DESCRIPTION OF A
0.825 ACRE TRACT OF LAND

A Metes and Bounds description of a 0.825 acre (35,920 square feet) tract of land situated in the Toribio Herrera Survey No. 68, County Block 5046, City of Selma, Bexar County, Texas; being the remaining portion of that certain 14.296 acre tract described in instrument from Recreation Ventures, Inc. to William R. Waugh recorded in Volume 7315, Page 1885 of the Bexar County Real Property Records; and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod (with cap stamped "JONES & CARTER") set in the southeasterly right-of-way line of Interstate Highway 35 (width varies) marking the northwest corner of Lot 1, Block 1 of Waugh Subdivision, plat of which is recorded in Volume 9582, Page 43 of the Bexar County Deed and Plat Records; said beginning point bears North 17° West, 0.29 feet to a found 1/2-inch iron rod (with cap stamped "Rods Surveying");

THENCE, South 17°30'41" East, 501.66 feet along the westerly boundary of said Lot 1, Block 1 to a 1/2-inch iron rod found marking the southwest corner of said Lot 1;

THENCE, South 67°41'09" West, 56.04 feet along the northerly boundary of that certain 23.147 acre tract described in instrument to the City of Universal City recorded in Volume 8140, Page 473 of the Bexar County Real Property Records to a 1/2-inch iron rod found marking the southeastern-most corner of that certain 3.351 acre tract described in instrument to the City of Universal City recorded in Volume 8140, Page 468 of the Bexar County Real Property Records;

THENCE, along the easterly boundary of said 3.351 acre tract the following three(3) courses and distances:

1. North 24°57'03" West, 87.57 feet to a "P-K" nail (with shiner stamped "JONES & CARTER") set at an "X" found in concrete at an angle point;
2. North 16°33'27" West, 279.83 feet to a 1/2-inch iron rod found at an angle point;
3. North 42°07'07" West, 142.53 feet to a "P-K" nail (with shiner stamped "JONES & CARTER") set at an "X" found in concrete situated in the aforementioned southeasterly right-of-way line of Interstate Highway 35;

THENCE, North 67°43'42" East, 122.29 feet along said southeasterly right-of-way line to the POINT OF BEGINNING, containing 0.825 acre of land in Bexar County, Texas as shown on drawing filed under Job No. 305-020-00 in the office of Jones & Carter, Inc., San Antonio, Texas.