

ORDINANCE NO. 2268

AN ORDINANCE CLOSING, VACATING, ABANDONING AND SELLING A PORTION OF PUBLIC RIGHT-OF-WAY, APPROXIMATELY 0.0270 ACRE TRACT (1,176 SQUARE FEET) OF THE ALLEN STREET RIGHT OF WAY, OF THE CITY OF ALAMO HEIGHTS, TEXAS; DECLARING A PUBLIC PURPOSE; INCORPORATING RECITALS; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Meredith K. Morrill ("Owner"), is requesting the closure, vacation and abandonment of approximately 1,176 square feet, being an 8-foot strip of the Allen Street right of way, that adjoins the easter side of Ms. Morrill's property, identified as Lot 1, Block 58 of the Re-Subdivision Plat of Blocks 58 and 59, Alamo Heights, of record in Volume 368, Page 181, also known as 401 Harrison Ave, of the City of Alamo Heights, Texas; and

WHEREAS, in accordance with Section 16-105 of the City Code of Ordinances and with proper notice to the public, a public hearing was held on Monday, March 2, 2026 during a Planning and Zoning Commission and a second public hearing was held on Monday, March 23, 2026 during a City of Alamo Heights Council meeting, during which all interested parties and citizens were allowed to appear and be heard; and

WHEREAS, it has been determined that it is feasible and advantageous to the City of Alamo Heights to close, vacate and abandon approximately 1,176 square feet, out of the Allen Street right of way, that adjoins the eastern side of the property known as 401 Harrison Ave.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS:

SECTION 1. Pursuant to the request of Meredith K. Morrill, owner, a 1,176 square foot tract of land out of the Allen Street right of way, that adjoins the eastern side of the property known as 401 Harrison Ave, and being as more particularly described by survey metes and bounds and survey sketch attached hereto as **Exhibit "A"**, and incorporated herein for all purposes is closed, vacated and abandoned by the City of Alamo Heights and to be effective as provided in Section 2 of this ordinance.

SECTION 2. The closing, abandonment and vacation of a section of the improved and unimproved property that adjoins the western side of the property known as 401 Harrison Ave described in Section 1 of this ordinance is expressly conditioned upon the Owners' compliance with the following requirements:

- a. Upon approval by the City Council and issuance of the ordinance, all grants of public streets and alley rights-of-way closures must be recorded at the Owners' expense in the real property Official Deed and Map Records of Bexar County, Texas, with a copy of the recording provided to the City.
- b. Any utility (water, wastewater, electrical and gas) franchise utility (telephone, cable, etc.) requiring relocation shall be relocated at the Owners' expense as determined by the franchise utility.
- c. The City has determined the fair market value as calculated by the average per-square-foot Bexar Appraisal District market value of unimproved land in the vicinity of the property in an amount of \$54,766.32.

- d. Owner will be solely responsible for the cost to replat the property, including the expenses related to professional services and related fees required by Bexar County.
- e. The effective date of the City's closing, vacating, abandonment of the 1,176 square feet, out of the Allen Street right of way will be as of the effective date of the Deed Without Warranty from City to Owner.

SECTION 3. PUBLIC PURPOSE That said portions of the Public Right of Way described in Section 1, described therein are no longer needed for public purposes and it is in the public interest of the City of Alamo Heights, to abandon said described portions of the Public Right of Way.

SECTION 4. SCOPE. That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Section 1. of this ordinance and shall be construed only to that interest the governing body of the City of Alamo Heights may legally and lawfully abandon.

SECTION 5. AUTHORITY AND EXCEPTION. In addition to the express reservations provided for in Section 1 hereof, the abandonment is made subject to any and all valid, conditions, easements, restrictions and the like filed of record in the real property records of Bexar County, Texas. The Mayor of the City or the City Manager as the case may be are authorized to convey by Deed Without Warranty the interests described in Section 1 hereof to Meredith K. Morrill.

SECTION 6. INCORPORATION OF RECITALS. The City Council finds the recitals contained in the preamble to this ordinance are true and correct and incorporates them as findings of fact.

SECTION 7. REPEALING ORDINANCES IN CONFLICT. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8. SEVERABILITY. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or illegal, such decision shall not affect the validity of the remaining sections of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared void.

PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALAMO HEIGHTS, TEXAS THIS 23rd DAY OF MARCH, 2026.

ATTEST:


ELSA ROBLES, CITY SECRETARY


ALBERT MONIGBLUM, MAYOR



APPROVED AS TO FORM:


FRANK J. GARZA, CITY ATTORNEY

EXHIBIT "A"

Description of 0.0270 Acre tract of Land



Engineers • Surveyors • Planners
TBPE, Firm Registration F-2257
TBPLS, Firm Registration 10087900

D. Scott Dye, P.E., R.P.L.S.

0.0270 ACRE

THE CITY OF ALAMO HEIGHTS
BEXAR COUNTY, TEXAS

BEING a 0.0270 acre of land consisting of a portion of Allen St. according to the plat of Alamo Heights recorded in Volume 105, Pages 290-293 of the Deed and Plat Records of Bexar County, Texas, said 0.0270 acre tract being more particularly described by metes and bounds as follows, with the bearings based on the Texas State Plane Coordinate System (NAD 83) South Central Zone (4204):

BEGINNING: at a 1/2" steel rebar found for the point of intersection of the southwest right-of-way line of Allen St. (80 feet wide) and the northwest right-of-way line of Harrison Ave. (80 feet wide) for the east corner of Lot 1, Block 58 of the Re-Subdivision Plat of Blocks 58 & 59, Alamo Heights recorded in Volume 368, page 181 of the Deed and Plat Records of Bexar County, Texas, said point also being the south corner of this herein described tract;

THENCE: North 37°01'07" West, Along the northwest line of said Lot 1 and the southwest right-of-way line of said Allen St., a distance of 147.00 feet to a point for the north corner of said Lot 1 and the east corner of Lot 2, Block 58 of said Re-Subdivision Plat, said point also being the west corner of this herein described tract;

THENCE: departing said right-of-way line, upon over and across said Allen St. the following three courses:

North 52°44'22" East, a distance of 8.00 feet to a point for the north corner of this herein described tract;

South 37°01'07" East, a distance of 147.00 feet to a point for the east corner of this herein described tract; and

South 52°44'22" West, a distance of 8.00 feet to the **POINT OF BEGINNING** and containing 0.0270 Acre (1,176 square feet) of land.

A survey prepared this same date is attached and is a part of this Legal Description.

D. Scott Dye, R.P.L.S. #5315
Job No. 250043.00
Date: May 13, 2026

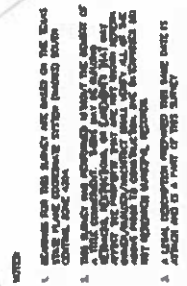


Z:\2025 250043-00 Harrison 401 & Allen St (Survey) Legal Descriptions 250043-00 Harrison 401 & Allen St (Legal Desc) - 0.0270 acres.doc

4047 Stahl Road, Suite #3 • San Antonio • Texas 78217

Phone (210) 599-4123 • Fax (210) 599-4191

DSDye@dyeenterprises.com



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF 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.

DEED WITHOUT WARRANTY

Date: August 24, 2026

Grantor: CITY OF ALAMO HEIGHTS,
a Texas municipal corporation

Grantor's Mailing Address:

City of Alamo Heights
6116 Broadway
Alamo Heights, Bexar County, Texas 78209

Grantee: MEREDITH KATHERINE MORRILL, a single woman

Grantee's Mailing Address:

401 Harrison Avenue
Alamo Heights, Bexar County, Texas 78209

Consideration: Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged.

Property (including any improvements):

Being 0.0270 acres of land consisting of a portion of Allen Street, according to the plat of Alamo Heights recorded in Volume 105, Pages 290-293 of the Deed and Plat Records of Bexar County, Texas, said 0.270-acre tract being more particularly described by survey metes and bounds included in **Exhibit A**, attached hereto and incorporated herein for all purposes.

Reservations from Conveyance: None

Exceptions to Conveyance: This conveyance is made and accepted by Grantee subject to any restrictions, easements, setback lines, covenants, conditions, reservations, terms, and provisions of record affecting the Property or that can be determined by a property survey; validly existing easements and prescriptive rights, whether of record or not; and all presently recorded and validly existing instruments, other than conveyances of the surface fee estate, that affect the Property.

This conveyance is made and accepted on the condition that Grantee is prohibited in perpetuity from constructing any structures or any accessory structures on the Property; provided, however, Grantee and her successors and assigns may maintain existing (i) pedestrian and vehicular access improvements (e.g., driveways, entryways, sidewalks, stairs) and (ii) landscaping improvements (e.g., rock columns, patios, fences, decks, water features, irrigation systems, trees, and ornamental vegetation) (the "Permitted Improvements"). The location, design, and construction of the Permitted Improvements must comply with applicable zoning, setback, and building code requirements under applicable local, state, and federal laws. Any existing Permitted Improvements located on the Property that do not comply with existing city codes may remain in place but will be considered as non-conforming improvements. Any required utility (water, wastewater, electrical and gas) franchise utility (telephone, cable, etc.) relocation shall be relocated at Grantee's expense as determined by the franchise utility.

Grantor, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance, grants, sells, and conveys to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever, without express or implied warranty. All warranties that might arise by common law as well as the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded.

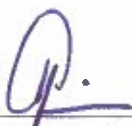
When the context requires, singular nouns and pronouns include the plural.

This instrument was prepared based on information furnished by the parties, and no independent title search has been made.

EXECUTED as of the date first set forth above.

GRANTOR:

CITY OF ALAMO HEIGHTS,
a Texas municipal corporation

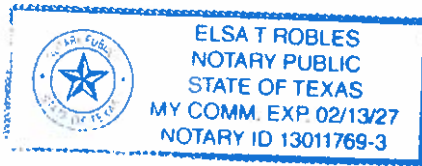
By: 
ALBERT HONIGBLUM, MAYOR



ACKNOWLEDGEMENT

STATE OF TEXAS §
 §
COUNTY OF BEXAR §

Before me on this 24th day of August, 2026 personally appeared Albert Honigblum, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same as the act of the CITY OF ALAMO HEIGHTS, a Texas municipal corporation, as its Mayor, for the purposes and consideration therein expressed.





Notary Public, State of Texas

Exhibit A

Description of 0.0270 Acre tract of Land



D. Scott Dye, P.E., R.P.L.S.

**0.0270 ACRE
THE CITY OF ALAMO HEIGHTS
BEXAR COUNTY, TEXAS**

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