

RESOLUTION 1999 - 200 R

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING AMENDMENT NUMBER THREE TO THE LEASE OF CITY PROPERTY TO THE SAN MARCOS AREA CHAMBER OF COMMERCE; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDMENT; AND DECLARING AN EFFECTIVE DATE.

RECITALS:

1. The San Marcos Area Chamber of Commerce (the "Chamber") has asked the City Council to approve an amendment to its lease of City property to add an area for a building expansion project, and to amend the amount of rental paid by the Chamber.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

PART 1. The attached Amendment Number Three to the Lease Agreement between the City and the San Marcos Area Chamber of Commerce is approved.

PART 2. The City Manager, Larry G. Gilley, is authorized to execute the attached lease amendment on behalf of the City.

PART 3. This Resolution shall be in full force and effect from and after its passage.

ADOPTED this 11th day of October 1999.


Billy G. Moore
Mayor

Attest:


Janis K. Womack
City Secretary

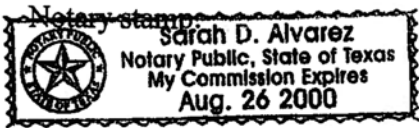
SAN MARCOS AREA CHAMBER OF
COMMERCE

By: Phil Neighbors
Signature

Phil Neighbors, President
Printed name, title

STATE OF TEXAS §
 §
COUNTY OF HAYS §

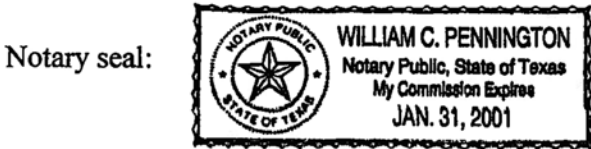
This instrument was acknowledged before me on October 12, 1999 by Larry D. Gilley, known personally to me to be the City Manager of the City of San Marcos, on behalf of the City of San Marcos.



Sarah D. Alvarez
Notary Public, State of Texas

STATE OF TEXAS §
 §
COUNTY OF HAYS §

This instrument was acknowledged before me on _____ by _____, known personally to me to be the _____ of the San Marcos Area Chamber of Commerce, on behalf of the San Marcos Area Chamber of Commerce.



William C. Pennington
Notary Public, State of Texas

DESCRIPTION OF 24,059 SQUARE FEET, MORE OR LESS, OF LAND AREA BEING A PORTION OF BLOCK 3 OF THE ORIGINAL TOWN OF SAN MARCOS, HAYS COUNTY, TEXAS AS SHOWN ON THAT PLAT OF SAID TOWN AS RECORDED IN VOLUME 46, PAGE 448 OF THE HAYS COUNTY DEED RECORDS, AND BEING A PORTION OF THAT 2.3374 ACRE PARCEL 1A-2 DESCRIBED IN A DEED FROM URBAN RENEWAL AGENCY OF THE CITY OF SAN MARCOS TO THE CITY OF SAN MARCOS DATED NOVEMBER 6, 1972 AND RECORDED IN VOLUME 256, PAGE 104 OF THE HAYS COUNTY DEED RECORDS, AND BEING A PORTION OF THAT 2.0296 ACRE PARCEL 1A-2B DESCRIBED IN A DEED FROM URBAN RENEWAL AGENCY OF THE CITY OF SAN MARCOS TO THE CITY OF SAN MARCOS DATED NOVEMBER 6, 1972 AND RECORDED IN VOLUME 256, PAGE 110 OF THE HAYS COUNTY DEED RECORDS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at ½" iron rod set in the common north line of Lot 4, Block 3 of the City of San Marcos, and the south line of the original Hutchison Street for the northeast corner of a 15,470 square foot tract described in a lease agreement from the City of San Marcos to San Marcos Chamber of Commerce dated November 9, 1977 and recorded in Volume 311, Page 640 of the Hays County Deed Records (this 24,059 square foot tract includes the 15,470 square feet Chamber of Commerce tract), this corner being within the City of San Marcos 2.0296 acre tract;

THENCE leaving Hutchison Street and the PLACE OF BEGINNING and entering Block 3 with the east line of the Chamber of Commerce tract, as shown on that plat numbered 24673-99-2-c dated August 13, 1999 as prepared for the San Marcos Chamber of Commerce by Byrn & Associates, Inc. of San Marcos, Texas, S 04° 44' 12" E 83.14 feet to a ½" iron rod set for the southeast corner of the Chamber of Commerce tract;

THENCE leaving the Chamber of Commerce tract, S 37° 50' 22" W 84.52 feet to a ½" iron rod set for a southeasterly corner of the herein described tract;

THENCE N 81° 01' 34" W 167.59 feet to a ½" iron rod set in the curving common northwest line of the City of San Marcos 2.3374 acre tract and a southeast line of C.M. Allen Parkway (a publicly used roadway), pass on this course at 80.1 feet a point on the common northwest line of the City of San Marcos 2.0296 acre tract and south line of the City of San Marcos 2.3374 acre tract, from this corner a ½" iron rod found for the end of a curve in the northwest line of the City of San Marcos 2.3374 acre tract at its' intersection with Hopkins Street bears S 06° 24' 15" W 217.66 feet;

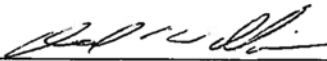
THENCE with the common northwest line of the City of San Marcos 2.3374 acre tract and southeast line of C.M. Allen Parkway, being a right-breaking curve having the following characteristics: central angle = 02° 34' 07", radius = 553.55 feet, arc length = 24.82 feet and a chord which bears N 19° 01' 37" E 24.81 feet to a ½" iron rod set for the southwest corner of the Chamber of Commerce tract;

THENCE continuing with the common northwest line of the City of San Marcos 2.3374 acre tract and the Chamber of Commerce tract, and the southeast line of C.M. Allen Parkway, with a right-breaking curve having the following characteristics: central angle = 05° 54' 39", radius = 553.55 feet, arc length = 57.11 feet and a chord which bears N 23° 15' 59" E 57.08 feet to a ½" iron rod set;]

THENCE entering the City of San Marcos 2.3374 acre tract with a right-breaking curve for the northwest line of the Chamber of Commerce tract being right-breaking having the following characteristics: central angle = 31° 55' 27", radius = 87.00 feet, arc length = 48.47 feet and a chord which bears N 42° 11' 02" E 47.85 feet to a ½" iron rod set for the northwest corner of the Chamber of Commerce tract, being in the common south line of the original Hutchison Street and the north line of Block 3;

THENCE with said common line, N 85° 19' 00" E 148.25 feet to the PLACE OF BEGINNING.

There are contained within these metes and bounds 24,059 square feet, more or less, of land area as prepared from public records and a survey made on the ground on August 13, 1999 by Byrn & Associates, Inc. of San Marcos, Texas. All ½" iron rods set are capped with a plastic cap stamped "Byrn Survey". The Bearing Basis for this description is the south line of the Chamber of Commerce tract.

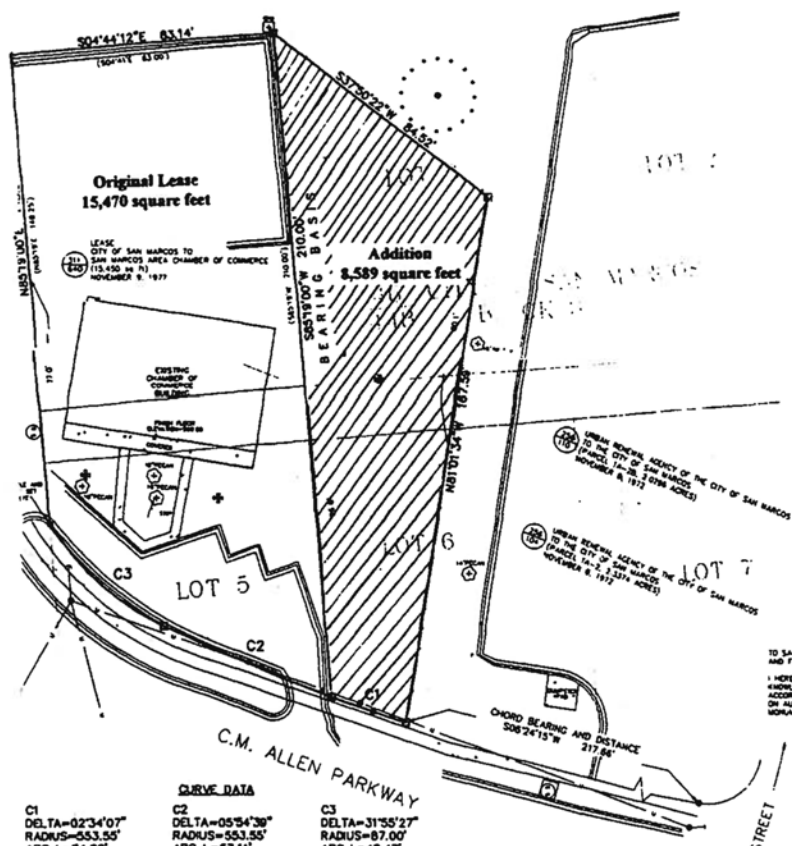

David C. Williamson, R.P.L.S. #4190

CLIENT: San Marcos Chamber of Commerce
DATE: August 13, 1999
SUBD: City of San Marcos
COUNTY: Hays, Texas
JOB NO.: 24673-99-2
FND24059.SQFT

- LEGEND**
- () HAYS COUNTY DEED RECORDS
 - 1 1/2" IRON ROD SET WITH PLASTIC CAP STAMPED "BYRN SURVEY"
 - 2 1/2" IRON ROD FOUND
 - 3 2" PINE POST
 - 4 LIGHT POLE
 - 5 SANITARY SEWER MANHOLE
 - 6 UTILITY LINE, POLE AND CUP
 - 7 CONCRETE
- BMEN IN SCALE



- SURVEYORS NOTES**
- 1 FENCES MEASUREMENT
 - 2 BEARINGS, DISTANCES, AND AREAS IN PARENTHESES ARE FROM RECORD INFORMATION
 - 3 ACCORDING TO SCALING FROM THE F.E.M.A. FLOOD INSURANCE RATE MAP NO. 48200C0183 E, DATED 2/18/86, A PORTION OF THIS TRACT IS WITHIN ZONE X. (AREAS OF 500-YEAR FLOOD...)
 - 4 THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT, AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN TITLE OR EASEMENTS. THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON.
 - 5 THIS SURVEY WAS DONE IN CONJUNCTION WITH A LAND DESCRIPTION DATED AUGUST 13, 1989, PREPARED BY BYRN AND ASSOCIATES, INC. OF SAN MARCOS, TEXAS.



CURVE DATA

Curve	Delta	Radius	Arc Length	Chord Bearing	Chord Distance
C1	02°34'07"	553.55'	24.82'	N18°01'37"E	24.81'
C2	05°54'36"	553.55'	57.11'	N23°15'36"E	57.08'
C3	31°55'27"	87.00'	48.47'	N42°11'02"E	47.85'

CHORD BEARING AND DISTANCE
506°24'15"W 277.86'

TO SAN MARCOS CHAMBER OF COMMERCE EXCLUSIVELY AND FOR USE WITH THIS TRANSACTION ONLY.

I HEREBY STATE TO THE BEST OF MY SKILL AND KNOWLEDGE THAT THIS PLAT IS TRUE AND CORRECT ACCORDING TO AN ACCURATE SURVEY MADE ON THE GROUND ON AUGUST 13, 1989 THAT ALL PROPERTY CORNERS ARE MARKED AS SHOWN HEREON.

DAVID C. WILLIAMSON, R.P.L.S. NO. 4190

BYRN & ASSOCIATES, INC.
ENGINEERS & SURVEYORS

1112 HIGHWAY 80 EAST
P.O. BOX 1432
SAN MARCOS, TEXAS 78666
(512) 796-2270

**PLAT OF 24,059 sq ft ±,
BEING A PORTION OF LOTS
3, 4, 5, AND 6, BLOCK 3,
CITY OF SAN MARCOS,
HAYS COUNTY, TEXAS**

CHAMBER OF COMMERCE
12 1989
JACB
1 000PL
3-89-2-6