

RESOLUTION NO. 12-304

OF THE SAN ANTONIO WATER SYSTEM (THE "SYSTEM") BOARD OF TRUSTEES DECLARING CERTAIN REAL PROPERTY CONTAINING APPROXIMATELY 18.27 ACRES DESCRIBED AS FOLLOWS: A 12.31 ACRE TRACT OF LAND (536,033 SQ FT) OF LAND SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF AND PART OF THE J.W. MCCAMLEY SURVEY NO. 70, ABSTRACT NO. 470, NCB 15329 AND BEING 3.08 ACRES OUT OF A 6.00 ACRE TRACT, ACCORDING TO DEED RECORDED IN VOLUME 6761, PAGE 544 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS AND 9.23 ACRES OUT OF THE REMAINDER OF A 427.388 ACRE TRACT, ACCORDING TO DEED RECORDED IN VOLUME 2911, PAGES 1420-1426 OF THE DEED RECORDS OF BEXAR COUNTY, TEXAS FOR A TOTAL OF 12.31 ACRES; A 5.96 ACRE TRACT OF LAND (259,456 SQ FT) SITUATED IN THE CITY OF SAN ANTONIO, BEXAR COUNTY, TEXAS, OUT OF AND PART OF THE J. W. MCCAMLEY SURVEY NO. 70, ABSTRACT NO. 470, COUNTY BLOCK 4329 AND OUT OF LOT 2, BLOCK 2, NEW CITY BLOCK, 15329, ALBERTSON'S - POTRANCO ROAD SUBDIVISION, ACCORDING TO PLAT RECORDED IN VOLUME 9535, PAGE 16 OF THE PLAT RECORDS OF BEXAR COUNTY, TEXAS (THE "PROPERTIES"), AS SURPLUS TO THE SYSTEM AS REQUIRED BY CITY ORDINANCE NO. 75686; RECOMMENDING THAT THE SAN ANTONIO PLANNING COMMISSION AND CITY COUNCIL CONSENT TO SUCH DECLARATION AS REQUIRED BY CITY ORDINANCE NO. 75686; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DESIGNATED REPRESENTATIVE TO DISPOSE OF SAID PROPERTIES PURSUANT TO CHAPTER 272 OF THE TEXAS LOCAL GOVERNMENT CODE AND APPLICABLE CITY OF SAN ANTONIO AND SYSTEM POLICIES AND PROCEDURES; FINDING THIS RESOLUTION TO HAVE BEEN CONSIDERED PURSUANT TO THE LAWS GOVERNING OPEN MEETINGS; PROVIDING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, City Ordinance No. 75686 requires all System assets be declared as surplus to the needs of the System prior to their disposition; and

WHEREAS, on March 28, 2003 the System acquired the Properties and an extensive evaluation was performed by staff which determined this site not suitable for the efficient operation of a service center; and

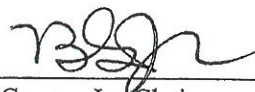
WHEREAS, upon the sale of said Properties, the proceeds from said sale shall be utilized as the service center project; and

WHEREAS, the San Antonio Water System Board of Trustees desires (i) to declare the Properties as herein described surplus to the needs of the System as required by City Ordinance No. 75686, (ii) to recommend that the Planning Commission and City Council consent to the declaration as required by City Ordinance No. 75686, and (iii) to authorize the President/Chief Executive Officer or his designated representative to dispose of said Properties pursuant to Chapter 272 of the Local Texas Government Code and all applicable City of San Antonio policies and procedures; now therefore:

BE IT RESOLVED BY THE SAN ANTONIO WATER SYSTEM BOARD OF TRUSTEES:

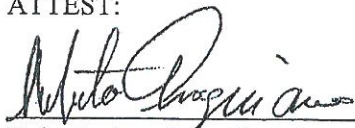
1. That the Properties containing 18.27 acres located in Bexar County, Texas, are hereby declared surplus to the needs of the System. Such real property is more thoroughly described in Attachment I, attached hereto and incorporated herein for all purposes.
2. That a recommendation is hereby made to the Planning Commission and City Council to consent to the declaration as required by City Ordinance No. 75686.
3. That the President/Chief Executive Officer or his designated representative is hereby authorized to dispose of said Property pursuant to Chapter 272 of the Texas Local Government Code and all applicable System and City of San Antonio policies and procedures.
4. It is officially found, determined and declared that the meeting at which this resolution is adopted was open to the public, and that public notice of the time, place and subject matter of the public business to be conducted at such meeting, including this resolution, was given to all as required by the Texas Codes Annotated, as amended, Title 5, Chapter 551, Government Code.
5. If any part, section, paragraph, sentence, phrase or word of this resolution is for any reason held to be unconstitutional, illegal, inoperative or invalid, or if any exception to or limitation upon any general provision herein contained is held to be unconstitutional, illegal, invalid or ineffective, the remainder of this resolution shall nevertheless stand effective and valid as if it had been enacted without the portion held to be unconstitutional, illegal, invalid or ineffective.
6. This resolution becomes effective immediately upon its passage.

PASSED AND APPROVED this 5th day of June, 2012.



 Berto Guerra, Jr., Chairman

ATTEST:



 Roberto Anguiano, Secretary

Attachments:

- I. Legal Descriptions of Properties