

RESOLUTION NO. 13th 224

OF THE SAN ANTONIO WATER SYSTEM (THE "SYSTEM") BOARD OF TRUSTEES DECLARING FIVE TRACTS OF LAND IN 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 DULY APPOINTED DESIGNEE TO DISPOSE OF SAID PROPERTIES PURSUANT TO CHAPTER 272 AND/OR CHAPTER 253 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.

THE PROPERTIES TO BE DECLARED SURPLUS ARE DESCRIBED BELOW:

Property	Property Description
228 Theilka	NCB 3382 Blk 2, Lots 43, 44, 45, 46, & 47
604 Hart Ave.	NCB 7760 Blk 21, Lot 2
6375 Rigsby	A 8.620 acres (+/- 375,487 sq. ft.) tract of land out of the Nepomacino Montoya Survey No. 21, Abstract No. 469, County Block 5132, Bexar County, Texas. Said 8.620 acres being the same tract of land called 8.637 acres of land described in a Warranty Deed recorded in Volume 7044, Page 566 of the Real Property Records of Bexar County, Texas
Somerset Rd.	CB 4300B Blk Lot NE 100 Ft of 12, BCAD Property ID 190086
335 Azucena	NCB 8319 Blk 9, Lots 85 & 86

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, staff has determined need for the Properties are no longer necessary for the efficient operation of the System; and

WHEREAS, any easements or rights of way needed for the efficient operation of the System will be retained at the time of any future sale; and


WHEREAS, upon the sale of said Properties, the proceeds from said sale shall be deposited in the Gain/Loss Account for the Water Delivery System; and

WHEREAS, the San Antonio Water System Board of Trustees desires to (i) declare the Properties as herein described surplus to the needs of the System as required by City Ordinance No. 75686, (ii) recommend that the Planning Commission and City Council consent to the declaration as required by City Ordinance No. 75686, and (iii) authorize the President/Chief Executive Officer or his duly appointed designee to dispose of said Properties pursuant to Chapter 272 and/or Chapter 253 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 are hereby declared surplus to the needs of the System. Such real property is more particularly described in the Chart above is 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 duly appointed designee is hereby authorized to dispose of said Property pursuant to Chapter 272 and/or Chapter 253 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 13th day of August, 2013.



 Berto Guerra, Jr., Chairman

ATTEST:



 Roberto Anguiano, Secretary

Attachments:
I Area Map

ATTACHMENT I

Described in the chart below are legal descriptions of the SAWS Properties declared surplus by SAWS Board Resolution No. 13-224 on August 13, 2013:

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