



CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

P. O. BOX 839966

SAN ANTONIO TEXAS 78283-3966

August 12, 2013

GFR-Hercules Properties, LLC
c/o Kaufman & Killen, Inc.
Attn: Ashley Farrimond
100 W. Houston St., Suite 1250
San Antonio, TX 78705

Re: S. P. No. 1742—Request to close, vacate and abandon a 12 foot-wide alley Public Right of Way located between North Elmendorf Street and North Zarzamora Street

Dear Ms. Farrimond:

With reference to the captioned project, please be advised that the canvassing process has been completed and staff will recommend approval of your request subject to the following conditions:

DEVELOPMENT SERVICES DEPARTMENT

The site must be platted, as applicable, in the Unified Development Code, per Section 35-240.

OFFICE OF HISTORIC PRESERVATION (OHP)

This office has no objections to the actual closure and vacation of the alley in question. However, several of the existing residences adjacent to this alley are of historic age and potentially significant. They may, therefore, be eligible landmark designation. Any demolitions of existing buildings will also require review by and approval from OHP.

SAN ANTONIO WATER SYSTEM

Petitioner must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agrees to allow perpetual access to any such utilities for inspection, operational and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with the San Antonio Water System and at the sole expense of the petitioner.

DEPARTMENT OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

- The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance.
- Petitioner asserts that all evidence of ownership of property abutting the Public Right of Way proposed to be closed, vacated and abandoned by the City of San Antonio are true and correct.
- Petitioner acknowledges that this property will be accepted in its “as is” condition.

- Petitioner agrees to reserve a perpetual easement for all existing overhead, surface or subsurface utilities within the Public Right of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. Petitioner agrees to allow perpetual access to any such utilities or may seek the relocation of a specific utility with the express permission and coordination of the respective owner of the utility and at the sole expense of the Petitioner.
- The subject property was appraised at \$24,000.00; however, a 25% reduction is applicable as provided for by the Inner City Reinvestment/Infill Policy (ICRIP). Therefore, the fee established for the subject property is \$19,250.00, which includes the appraisal fee of \$1,200.00 and \$50.00 for recordation of documents. ***Accordingly, Petitioner agrees to remit a closure fee of \$19,250.00. This closure fee will be due and payable to the City of San Antonio, and is to be submitted with this executed Letter of Agreement.*** If for some reason the closure is not approved by City Council, the closure fee will be refunded less the appraisal fee.

Also, a Discretionary Contracts Disclosure form is required. Please fill out online at <https://www.sanantonio.gov/efrms/atty/DiscretionaryContractsDisclosure.pdf>, print and submit Disclosure along with this letter.

This Letter of Agreement is being offered by City of San Antonio only to the Petitioner named here in and will expire thirty (30) days after date of issuance unless a specific extension is requested by the Petitioner and granted by the City.

If Petitioner concurs with the above mentioned conditions, Petitioner must countersign this letter in the spaces provided below and return to Ms. Martha Almeria at the above address. *Upon receipt of this executed Letter of Agreement, the closure fee and the Disclosure form we will continue processing subject request.*

Regards,

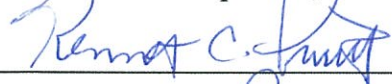


Mike Etienne, Ph.D.
Assistant Director
CIMS Real Estate

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:

GFR-Hercules Properties, LLC


By KENNETH C. PRUITT

Print Name

DIRECTOR OF DEVELOPMENT SERVICES
Title

8/20/13
Date

Date