

**RESOLUTION NO. 2020-216**

**OF THE SAN ANTONIO WATER SYSTEM (THE “SYSTEM”) BOARD OF TRUSTEES DECLARING A 0.0679 ACRE TRACT OF LAND LOCATED ALONG THE SOUTHERN RIGHT OF WAY OF IH-10 EAST OF THE INTERSECTION OF FOSTER ROAD IN THE NORTHEAST QUADRANT OF BEXAR COUNTY, TEXAS (THE “PROPERTY”), AS SURPLUS TO THE NEEDS OF THE SYSTEM AS REQUIRED BY CITY ORDINANCE NO. 75686; AUTHORIZING THE PRESIDENT/CHIEF EXECUTIVE OFFICER OR HIS DULY APPOINTED DESIGNEE TO SELL THE PROPERTY TO THE STATE OF TEXAS FOR THE USE AND BENEFIT OF THE TEXAS DEPARTMENT OF TRANSPORTATION PURSUANT TO 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**, the Texas Department of Transportation (“TXDOT”) has made a request to purchase the Property for the expansion of IH-10; and

**WHEREAS**, staff has determined that this Property is no longer necessary for the efficient operation of the System, but will reserve all rights necessary for its existing infrastructure; and

**WHEREAS**, the San Antonio Water System Board of Trustees desires to (i) declare the Property as herein described surplus to the needs of the System as required by City Ordinance No. 75686, (ii) recommend to the Planning Commission and City Council to 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 negotiate and execute an agreement to sell the Property to the State of Texas for benefit and use of TXDOT pursuant to the Texas Government Code and all applicable System and City of San Antonio policies and procedures, and execute all necessary documents in connection with such sale; now, therefore:

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

1. That this Property is hereby declared surplus to the needs of the System. Such real property is more thoroughly described in Attachment II, 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 duly appointed designee is hereby authorized to negotiate and execute an agreement to sell the Property to the State of Texas for the benefit and use of TXDOT pursuant to the Texas Local Government Code and all applicable System and City of San Antonio policies and procedures, and execute all necessary documents in connection with such sale.
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 6<sup>th</sup> day of October, 2020.

  
Jelynnne LeBlanc Burley, Chairwoman

ATTEST:

  
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Secretary

Attachments:

- I. Area Map
- II. Legal Description of Property