



CITY OF SAN ANTONIO

P. O. BOX 839966
SAN ANTONIO TEXAS 78283-3966

September 19, 2016

Brown & Ortiz PC
112 E. Pecan Street, Suite 1360
San Antonio, Texas 78205
Caroline McDonald

[Via Email: caroline@brownortiz.com]

Re: S.P. 2118-A/B – SA Rocking in the Free World, LLC request to close, vacate and abandon a 0.579 acre portion of Oakland Boulevard and purchase a 0.509 unimproved city-owned lot (NCB 14691, Block 7, Lots 2 and 17).

Dear Ms. McDonald,

With reference to the captioned project, please be advised that the City of San Antonio has now completed the canvassing process and will recommend approval of your request subject to the following conditions.

- **Center City Development Office: Conditional Approval.** It is our preference that any future development on the site increases connectivity for the area in question. We understand that the current draft schematic will require additional revisions in order to proceed, and we ask to be kept informed on those changes.
- **Development Services Department: Conditional Approval.** Provided proper permits are obtained. (See applicable UDC Sections: 35-506, 35-515, 35-523, 35-477 and 35-B123). All tree preservation, landscape and buffer requirements shall apply. The site must be platted in accordance with the Unified Development Code, per Section 35-430. Please note there are platting exceptions that may apply, please see the enclosed Information Bulletin:
<https://webapps1.sanantonio.gov/dsddocumentcentral/upload/IB531.pdf>.
- **TCI Environmental:** It is the Petitioner's responsibility to conduct the due diligence process (environmental assessments) for this area. The city does not warranty that environmental impacts are not to be encountered when disturbing the land. The city shall not bear any financial burden related to environmental impacts (if any) encountered during the disturbance of the land. If environmental impacts are encountered, it is the Petitioner's responsibility to notify the City and the appropriate regulatory agencies of the issue.

- TCI ROW: Contact and confirm with all utilities that there are no conflicts.
- TCI Storm Water: The petitioner must comply with all local (city and/or county), state and federal regulations prior to the start of any construction and/or improvements to the subject property.
- TCI Traffic Engineering: Conditional Approval – Provide a schematic of the proposed realignment that will intersect Floyd Curl. Approval of the closure is not an approval of the realignment and connection to Floyd Curl.

The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance in accordance with current policies relevant to street/alley closures. The closure will not release rights relating to drainage, water and wastewater lines, electric transmission and distribution lines, gas lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract. The City will expressly reserve all rights not released. Petitioner agrees to conform by all applicable local (city and/or county), state and federal governing laws. 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 is true and correct. The petitioner acknowledges that this property will be accepted in its “as is” condition. Petitioner must take the property subject to all easement rights for 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. and allow access to any such utilities or may seek the relocation of a specific utility with express permission and coordination of the respective owner of the utility at the sole expense of the petitioner. Petitioner understands that further coordination will be needed with the affected utility agencies to ensure their operations are not impacted.

The total fee of \$8,530.74 is based on surrounding land value, Bexar County Appraisal District. [Closure: 0.579 acres + Sale: 0.509 acres @ \$0.18/ square feet.] Note: Petitioner will be responsible for Bexar County Recording Fees.

If you concur with the above mentioned conditions, please countersign this letter in the spaces provided below and return it with the total closure fee (check made payable to City of San Antonio) and forms to the undersigned. Upon receipt of this executed Letter of Agreement we will continue processing your request.

In addition, please complete the following forms:

The **Contracts Disclosure Form** can be found at:

<https://www.sanantonio.gov/eforms/atty/ContractsDisclosureForm.pdf>

The **Texas Ethics Commission Form 1295 – Certificate of Interested Parties** can be found here: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. [Note; For *Contract ID Number*, use 'SP1932, 210 Development alley closure'.]


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


Sincerely,



Steve Hodges
Real Estate Manager


AGREED AS TO TERMS AND CONDITIONS:
PETITIONER:

By  _____



Print Name

 _____
Title

 _____
Date