



# CITY OF SAN ANTONIO

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

March 13, 2015

**Big Diamond, LLC**  
c/o Bury-SAN, Inc.  
922 Isom Road, Suite 100  
San Antonio, Texas 78216  
Attn: Michael Sharp and Mark R. Johnson  
[Via Email: [msharp@buryinc.com](mailto:msharp@buryinc.com) and [mjohnson@buryinc.com](mailto:mjohnson@buryinc.com) ]

**Re: S.P. 1857 Big Diamond, LLC request to close, vacate and abandon an unimproved alley between Anacacho and O'Connor**

Dear Mr. Sharp and Mr. Johnson,

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:

**Development Services:**

Provided proper permits area obtained.

The site must be platted as applicable 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>.

**Transportation & Capital Improvements (TCI):**

**Storm Water:** Prior to any construction and/or improvements to the property all required studies, permits and fees must be submitted to and approved by all applicable local (city and/or county), state and federal governing bodies. Furthermore, all local (city and/or county), state and federal regulations must be complied with.

**Right-of-Way:** Contact and confirm with all utilities that there are no conflicts. Note: CPS and SAWS approved this project. Petitioner will contact AT&T and Time Warner Cable for review of the alley closure. Prior to construction, petitioner will contact utility locates. **Program**

**Management:** Need to provide 43-feet of ROW on O'Connor, as per the City of San Antonio Major Thoroughfare Plan.

**Environmental:** Coordinate with Right-of-Way Management.

**EastPoint & Real Estate:** The closure, vacation and abandonment of these Public Rights of Way will be authorized by a City Ordinance.

Petitioner asserts that all evidence of ownership of property abutting the Public Rights 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 Rights 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.

Total Closure Fee:

**Fees Associated with the closures:**

- Cost of Appraisal \$2,400.00
- Fair Market Value of Alley: \$48,000.00
- Recording Fees: \$74.00
- Total Amount: \$50,474.00**

The *Discretionary Contracts Disclosure* form should be completed and returned with this letter and fee. The form can be found at:

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

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.

If you concur with the above mentioned conditions, please countersign this letter in the spaces provided below and return to the undersigned. Upon receipt of this executed Letter of Agreement we will continue processing your request.

Sincerely,



\_\_\_\_\_  
 Marcia Shelf Orlandi  
 Office of EastPoint & Real Estate Services

AGREED AS TO TERMS AND CONDITIONS:  
 PETITIONER:

\_\_\_\_\_  
 By

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Print Name

\_\_\_\_\_  
 Date