



CITY OF SAN ANTONIO

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

August 19, 2015

Meritage Homes of Texas, LLC
c/o Golden Steves Cohen & Gordon LLP
300 Convent Street, Suite 2600
San Antonio, TX 78205
Attn: Trey Jacobson

[via email: tjacobson@goldensteves.com]

Re: S.P. 1875 Request to close, vacate and abandon unimproved portions of Link Drive and Anchor Drive

Dear Mr. Jacobson,

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:

- **CPS – Gas Engineering:** All front lot utility easements state gas is in place. **ROW Management:** The following paragraph must be made a part of the ordinance for approval – “All presently existing water and wastewater lines and facilities, electric transmission and distribution lines and facilities, gas lines and facilities, communication lines and facilities, or any other public utility lines and facilities, if any, may remain in place despite this Ordinance and may continue to be used, repaired, enlarged, and maintained in the ordinary course of business. Any person wanting removal of an existing utility line or facility must negotiate separately with the pertinent utility. Any person building on the Right-Of-Way segments based on a claim that the Right-Of-Way segments are retained by the city. The closure does not give up any right arising other than from the plat or other instrument creating the public right-of-way.
- **Development Services:** The project has an approved tree preservation and mitigation plan under Plat 140398.
- **SAWS:** SAWS has existing water facilities within the public right-of-way of Anchor Drive (see attached Geocortex Map); therefore, we request the City of San Antonio

reserve all rights necessary for SAWS to maintain, operate, repair, inspect, patrol, realign and reconstruct its facilities within said public right-of-way. Should SAWS incur any damage to or failure in its facilities due to Petitioner's request, Petitioner, its successors and/or assigns shall, upon notice, promptly reimburse SAWS for any and all damages, and for any expense incurred by SAWS in repairing and/or replacing its facilities. SAWS shall have no obligation to restore and/or replace any of Petitioner's property damaged or destroyed by SAWS during its operations. Petitioner expressly covenants and agrees for itself, its legal representatives, successors and/or assigns, that no building or structure of any kind will be placed within said public right-of-way and that removal of any building or structure placed within said public right-of-way shall be at Petitioner's expense.

- **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. **Environmental:** Please coordinate with ROW. **Right-of-Way:** Contact and confirm with all utilities that there are no conflicts. **Disability Office:** Defer to traffic safety. **Traffic:** Approved.

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.

Fees Associated with the closures:

Processing Fee: \$815.00. Waived – ICR/IP

Fair Market Value of Link Drive/Anchor Drive: \$31,150.00

Less 50% reduction - ICR/IP/Silver Oaks construction: \$15,575.00

Recording Costs: \$62.00

Total Amount: \$15,637.00

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 it with the closure fee. Upon receipt of this executed Letter of Agreement, with the closure fee, we will continue processing your request.

Sincerely,

Marcia Shelf Orlandi, Real Estate Manager
Transportation & Capital Improvements

AGREED AS TO TERMS AND CONDITIONS:
PETITIONER:

By

Title

Print Name

Date



Geocortex Map



0.0 0.01 0.0 Miles

1: 920 SAWS GIS: A wealth of information at your fingertips.

Water Pump
Water Hydrant
Water Valve

Air Release Valve
Blow Off Valve
Bypass Valve
Check Valve
Division Valve
Fire Hydrant Valve
Fire Line Valve
Interconnect Valve
Mainline Valve
Pressure Reducing Valve
Service Line Valve
Swing Tie Valve

Water Wells

Water Fitting

Water Mains

Drain Line Main

Fire Hydrant Branch

Water Distribution Main

Water Transmission

Water Lateral

Storage Unit

Water Proposed Pumps

Water Proposed Hydrants

Water Proposed Valves

Air Release Valve

Blow Off Valve

Bypass Valve

Check Valve

Division Valve

Fire Hydrant Valve

Fire Line Valve

Interconnect Valve

This utility map is for reference only. The information may not represent what actually has been constructed. S.A.W.S. Explicitly disclaims any representation of the accuracy of the information and assumes no liability for any errors, omissions, or inaccuracies in the map regardless of how caused. Field verification should be done as necessary. S.A.W.S. prohibits the reproduction or sale of this document. This utility map may not under any circumstances, be copied, reproduced or published in any form or media, or transferred to another without written permission of the San Antonio Water System.

