



CITY OF SAN ANTONIO
TRANSPORTATION & CAPITAL IMPROVEMENTS

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

October 14, 2019

Rio Perla Properties, LP
Attn: Shawn Hatter
303 Pearl Parkway, Ste 300
San Antonio, TX

S.P. No. 2202 – Request to close, vacate and abandon Karnes Street, an improved Public Right of Way

Dear Mr. Craig Wilson:

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 the request subject to the following conditions:

DEVELOPMENT SERVICES DEPARTMENT (DSD): 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. No site work or tree removal allowed without an approved tree permit (35-510, 35-511). The site must be platted, as applicable, 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/dsdocumentscentral/upload/IB531.pdf>.

DEPARTMENT OF TRANSPORTATION & CAPITAL IMPROVEMENTS (TCI): Environmental Services: 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.

SAN ANTONIO FIRE DEPARTMENT (SAFD): Petitioner must provide a fire apparatus ingress/egress via easement.

SAN ANTONIO WATER SYSTEM (SAWS): San Antonio Water System (SAWS) has existing facilities within the Public Right of Way under or near where Petitioner is requesting to close, vacate, and abandon an improved portion of Karnes Street Public Right of Way: therefore, Petitioner will allow SAWS perpetual access to its facilities at all times for the purpose of inspecting, maintaining, constructing, reconstructing, replacing, and removing of said facilities, and should SAWS damage or destroy Petitioner's property during its operations. SAWS shall have no obligation to restore or replace any of Petitioner's property.

CITY PUBLIC SERVICE ENERGY (CPS): CPS Energy must be able to access manholes and transformers to perform maintenance activities when necessary. CPS Energy must be granted easements for all existing easements in the replatting of the property.

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 fee established for this request is \$487,650.00, which includes the assessed value of the Public Rights of Way of \$975,000.00 with a 50% ICRIP fee waiver reduction of \$487,500.00 plus \$150.00 for the recording fees and administrative costs.

This Letter of Agreement is being offered by City of San Antonio only to the petitioners named below 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 space provided below and return it to the undersigned. Upon receipt of this executed Letter of Agreement, a check payable to the City of San Antonio in the amount of \$487,650.00, a Contracts Disclosure Form (to be completed on the <http://www.sanantonio.gov/eforms/atty/ContractsDisclosureForm.pdf> website link then printed and signed) and Form 1295 (located at <http://www.ethics.state.tx.us/dfs/1295Certificates.html> and emailed to ethics@sanantonio.gov), we will continue processing your request.

Sincerely,



Steve Hodges
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:

H



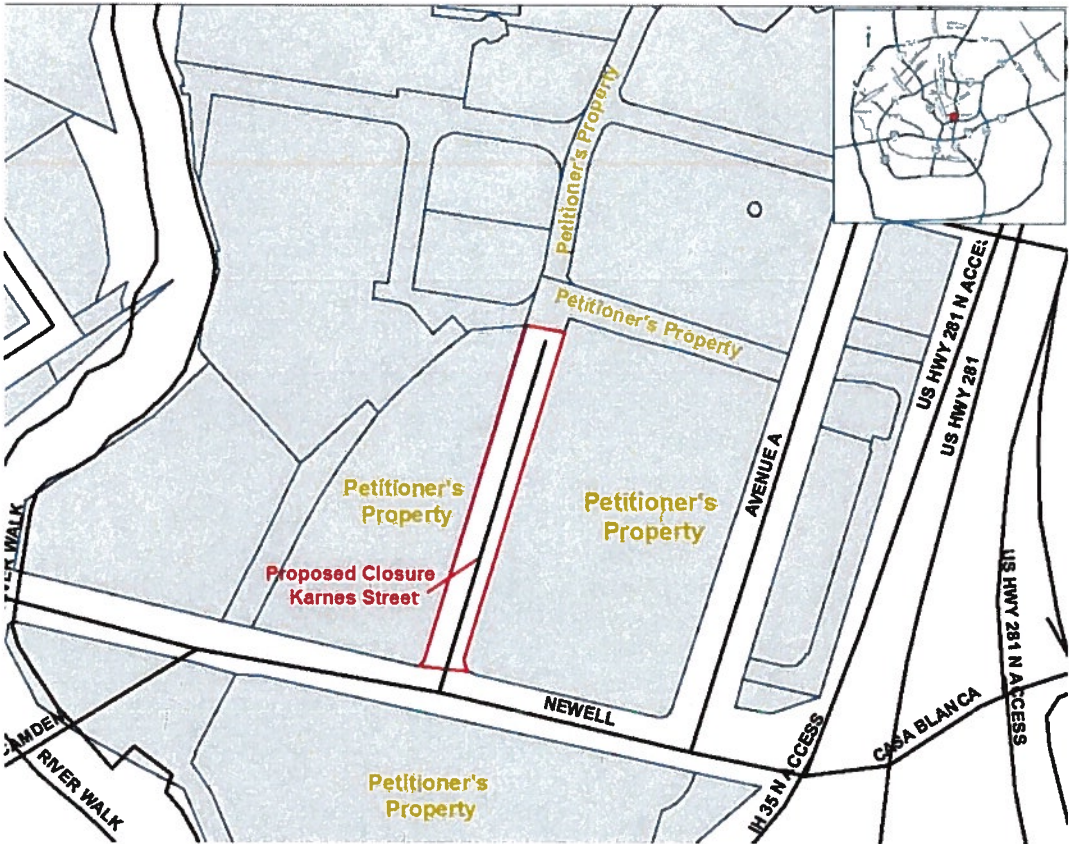
By: Vice President
Rio Perla Properties, LP
Rio Perla Management, LLC, its General Partner

Title:

10 / 30 / 14

Date:

Exhibit A





SP 2202
Rio Perla Properties LP

EZLink Map Portal

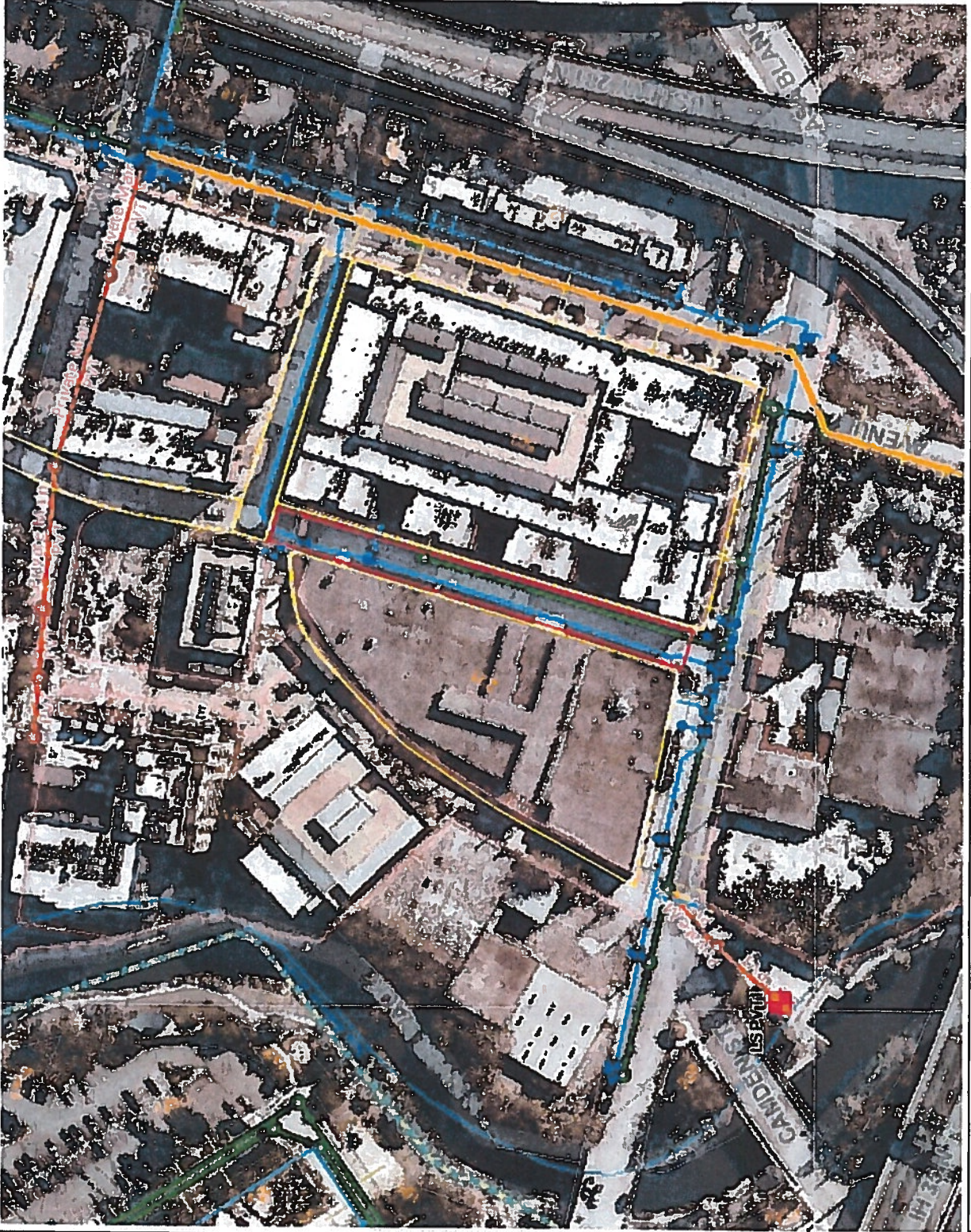
221 Newell Avenue
NCB 959 & 14164 District 1

- Open Locate SR
- Large Diam WTR Main
- SAWS Facility
- DSP Main
- SWR Main
- RCY Main
- 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
- Chill Water Fittings
- Chill Water Valves
- Chill Water Mains
- Water Proposed Pumps
- Water Proposed Hydrants

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.



1: 1,730 SAWS GIS: A wealth of information at your fingertips.