



CITY OF SAN ANTONIO

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

November 17, 2020

305 Soledad Lot Ltd
112 E Pecan St Ste 100
San Antonio, TX 78205

Re: Request to close, vacate and abandon portions of Main Street (to accommodate the garage cantilevered over the right-of-way) and Soledad Street right-of-way between Travis Street and Pecan Street located in NCB 154.

Dear Reeves Craig and Mark Jensen,

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 Department (DSD): Provided proper permits are obtained. (See applicable UDC Sections: 35-506, 35-515, 35-523, 35-477, and 35-B123. The site must be platted, as applicable, with the Unified Development Code, per section 35-430. All tree preservation, landscape and buffer requirements shall apply. No site work or tree removal allowed without an approved tree permit (35-523, 35-510, 35-511 and 35-477). Please note there are platting exceptions that may apply, please see the enclosed Information Bulletin: <https://webapps1.sanantonio.gov/dsddocumentcentral/upload/IB531.pdf>. (Melissa Quiroz, 210.207.7874)

Office of Historic Preservation (OHP): This property is zoned Downtown and, in the RIO-3 District. Any proposed new construction or exterior alterations associated with the proposal will require approval from the Historic and Design Review Commission. Approval of a site plan or renderings submitted as part of this petition does not supersede any requirements for design review outlined in Article VI of the Unified Development Code. To date, no application has been made to the Office of Historic Preservation for this project. (Lauren Sage, 210.207.3327)

Public Works (PW): Storm Water: The city may have some storm water manhole/inlets in the area along Soledad. **Petitioner must verify that the drainage system is in or outside of the area requested for closure on the survey. We may need this area to be retained as a drainage easement. The drainage easement could be dedicated during the replat, if required. If they do not replat and if drainage system is within the area requested for**

closure, it should remain right-of-way. (Mendi Litman, 210.207.8046) Traffic/Plan Review: Ground level pedestrian easement shall be irrevocable and shall not be blocked in any manner (Lilly Banda, 210.207.7770) Environmental Services: It is the Petitioner's responsibility to conduct their own due diligence 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. (John Cantu, 210,207.1450). Project Delivery: No objections as long as a platted pedestrian easement is provided for the sidewalks under the overhang areas and there are no unobstructed sidewalks less than six (6) feet in width at any location. David McBeth, PE, Assistant City Engineer (210) 207-6342

San Antonio Water System (SAWS): SAWS has existing facilities within the public right-of-way under or near where Petitioner is requesting to close, vacate and abandon portions of Main Street and Soledad Street, 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. See GeoCortex map and plat. (Bruce Haby, 210.233.36363)

CPS Energy: Easements must be given when property is platted for all existing CPS facilities. Customer must call Texas 811 and verify location of existing gas main. Customer must maintain a 5' separation from existing gas main with any planters or overhangs. The customer/entity shall pay for the full relocation cost of CPS Energy's infrastructure. CPS Energy's infrastructure includes several electrical duct banks, conduits, 600V electrical cables, 15kV primary circuit cables, streetlights, street light pilot wire circuits, communication circuit cables, manholes and any and all manhole components. (Mark F. Brumbaugh, 210. 353.3686)

The closure, vacation and abandonment of these public rights-of-way will be authorized by a City Ordinance in accordance with current policies relevant to street/alley closures, which City Ordinance shall be recorded, and via a Quitclaim Deed in form approved by City and Petitioner. 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 recorded 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.

An independent appraisal was completed by Noble & Associates, Inc. to determine the fair market value (closure fees). The Main Street public right-of-way was valued at \$218,000.00. The Soledad Street public right-of-way was valued at \$118,000.00. The total fee for the Main Street and Soledad Street closures is \$336,000.00. Petitioner is responsible for the Bexar County Clerk recordings fees.

Please complete and return the following forms:

- **Contracts Disclosure:**
<https://www.sanantonio.gov/Portals/0/Files/NHSD/Coordinated%20Housing%20Web-page/HTC/Contracts%20Disclosure%20Form.pdf?ver=2019-12-02-085136-587>
- **Texas Ethics Commission Form 1295 – Certificate of Interest Parties:**
https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. [Note: For Contract ID Number use: SP 2246, 305 Soledad Lot Ltd.]

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 total closure fee of \$336,000.00 (check made payable to City of San Antonio), and the ethics forms, as outlined above. Upon receipt of this executed Letter of Agreement we will continue processing your request.

Sincerely,



Steve Hodges
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:



By

Randal C. Smith

Print Name

Manager of its General Partner

Title

11.17.20

Date