



CITY OF SAN ANTONIO

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

October 23, 2014

Richard Peacock, Richard M. Peacock & Co.
c/o Todd Blackmon, Pape-Dawson Engineers
555 E. Ramsey
San Antonio, Texas 78216

Re: S.P. 1829 Request to close, vacate and abandon an improved portion of Edgar Drive located between Seguin Street and Dignowity in NCB 1195.

Dear Mr. Peacock,

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:

Office of Historic Preservation – Approved with the condition that all federal laws, rules, and regulations are addressed.

CPS Energy – Overhead Engineering: This job will require rerouting of feeder circuit to the front and side of property along Seguin and Walters. We would require an easement from the developer for the installation of poles and wires.

Gas Engineering: CPS Energy currently serves customers at 1815-1819 N. Walters. If customer is to stay, then CPS Energy requests a 14' foot easement for the existing main (centered). If existing building is to be removed, then CPS Energy would have no problem removing existing main, service and meter and would not require an easement.

Development Services – 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/1B531.pdf>. Property shall comply with tree preservation/canopy requirements 35-523, landscape requirements 35-511 and applicable buffer requirements 35-512.

SAWS – SAWS has the right to have water and sewer facilities within the public right-of-way of Edgar Drive where Petitioner is requesting CoSA to close, vacate and abandon; however SAWS does not have facilities within said public right-of-way so we are agreeable to Petitioner's request. Make sure there is language in the agreement document stating that if there will be any demolition or new construction within the public right-of-way or on Petitioner's property, Petitioner will make sure the water and sewer service lines are protected to prevent contamination of SAWS' water distribution system and prevent any debris from entering SAWS collection system. In order to determine exactly where the existing SAWS lines are located, please contact SAWS Mains and Services at (210) 233-2009 and ask for Locates or you can contact them by email at locates@saws.org.

Transportation & Capital Improvements - Storm Water: Platting and development of the subject property shall be in compliance with Section 35-504 (Storm Water Management) of the San Antonio Unified Development Code (UPC). A Storm Water Management Plan shall be submitted for review and approval of the TCI Storm Water engineering staff. This report must demonstrate that storm water runoff from the subject development will not adversely impact adjacent or downstream properties. Drainage improvements and easements may be required with development to insure that existing drainage patterns are maintained. **Traffic:** Dignowity Street shall be connected to the west through the former railroad embankment. This connection, however, will not be made until such time as the substandard section of Dignowity Street to the west of the railroad embankment has been widened. Currently, Dignowity Street west of the rail alignment has a substandard pavement width. The UPRR also owns and intends to sell property along the south side of this section of substandard road. Such widening will be completed by others in conjunction with platting and permitting of the adjacent land as per UDC Section 35-506(d)(9)(B)(1-2). As such, anyone seeking a plat or building permit for the UPRR tract south of Dignowity Street will be required to widen the substandard portion of Dignowity Street. Closure of Edgar Drive may occur in advance of widening of Dignowity Street west of the railroad embankment. The applicant will be required to widen Dignowity Street adjacent to their property from Edgar Drive to Walters Street at the time of platting or build permit as per UDC Section 35-506(d)(9)(B)(1-2). **Transportation:** A continuation of Dignowity between Roper and Edgar is desired in the future in order to provide neighborhood connectivity for the residents south of Edgar. The construction of Dignowity is not recommended at this time due to current neighborhood circulation issues. Residents in the area have concerns with cut-through traffic which includes eighteen-wheelers. A further review of traffic safety that takes into consideration compatible land uses and freeway access control is recommended. **Right of Way:** Contact and confirm with all utilities that there are no conflicts. **Program Management:** Provided that any existing utilities are either relocated or appropriate easements are provided.

EastPoint & Real Estate: The closure, vacation and abandonment of this Public Right 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.

Petitioner agrees to installation of a "Welcome to EastPoint" sign within city right-of-way on Walters near IH-35. City and Petitioner to confer and agree on sign size, materials and design prior to installation. City will handle all permitting issues.

Fees Associated with the closure:

Processing Fee (Property within ICI/IP):	[\$815.00]
Cost of Appraisal:	\$2,000.00.
Fair Market Value of Edgar Drive:	\$84,000.00
Less 100% fee waiver: Property is within ICR/IP, Promise Zone and EastPoint footprint.	[\$84,000.00]
Recording Fees and Sign Notification:	\$115.00
<u>Cost of Closure:</u>	<u>\$86,930.00</u>
<u>Total Amount:</u>	<u>\$2,115.00</u>

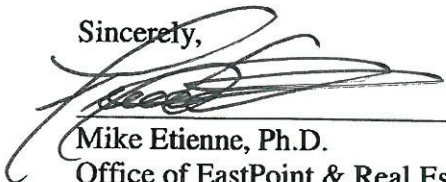
The *Discretionary Contracts Disclosure* form should be completed and returned with this letter and fee. The form can be found at:

<https://www.sanantonio.gov/cforms/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,



Mike Etienne, Ph.D.
Office of EastPoint & Real Estate Services

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER: Richard M. Peacock & Co.

By  _____

President _____
Title

Richard M. Peacock _____
Print Name

October 23, 2014 _____
Date

