



# CITY OF SAN ANTONIO

OFFICE OF EASTPOINT & REAL ESTATE SERVICES

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

July 7, 2015

Foxy Terrace LLC  
Attn: P. W. Christensen, PC  
1800 W. Commerce St., Suite 1  
San Antonio, TX 78707

Re: S. P. No. 1710—Request to close, vacate and abandon a 10 foot-wide alley Public Right of Way located between Belden Avenue and East Southcross Boulevard

Dear Mr. Christensen:

With reference to the captioned project, please be advised that the canvassing process has been completed and staff will recommend approval of your request subject to the following conditions:

## DEVELOPMENT SERVICES DEPARTMENT

Approved provided the proper permits are obtained.

## PLANNING & COMMUNITY DEVELOPMENT

The site must be assembled with Petitioner's property and platted in accordance with the Unified Development Code. Use of the property should conform to the existing zoning. The "Mixed Use" future land use classification in the South Central San Antonio Community Plan shall not be amended.

## TRANSPORTATION & CAPITAL IMPROVEMENTS DEPT. (TCI)

Petitioner to pay for improving the new access easement for use by vehicular traffic, if necessary.

## CITY PUBLIC SERVICE ENERGY

Petitioner must agree to reserve a perpetual easement for all existing electric and/or gas facilities and agree to allow perpetual access to any such utilities for inspection, operation and maintenance purposes. Petitioner may seek the relocation of the facilities with the express permission and coordination with City Public Service Energy and at the sole expense of the petitioner.

## SAN ANTONIO WATER SYSTEM

Petitioner must agree to reserve a perpetual easement for all existing water and/or sewer facilities and agree to allow perpetual access to any such utilities for inspection, operation and maintenance purposes or may seek the relocation of the facilities with the express permission and coordination with the San Antonio Water System and at the sole expense of the petitioner.

## DEPARTMENT OF CAPITAL IMPROVEMENTS MANAGEMENT SERVICES

- 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 Right 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 Right 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.
- This requested partial closure, vacation and abandonment of the alley will be mitigated by Petitioner with the dedication of a 10 foot-wide easement out of his property being Lot 28, Block 19, NCB 7077. Subject easement to commence from the north line of the existing east-west alley thru Lot 28 ending at the south line of Belden Avenue for a total of 0.032 acres (1,394 square feet). *A Public Street Right-of-Way Dedication will be provided, please return executed document.*
- The fee established for this closure is \$12,450.00, which includes the property appraisal of \$9,800.00, appraisal fees of \$2,600.00 and \$50.00 for recordation of documents. *Accordingly, Petitioner agrees to remit a closure fee of \$12,450.00. This closure fee will be due and payable to the City of San Antonio, and is to be submitted with this executed Letter of Agreement.* If for some reason the closure is not approved by City Council, the closure fee will be refunded less the appraisal and recordation fees.

Also, a Discretionary Contracts Disclosure form is required. Please fill out online at <https://www.sanantonio.gov/eforms/atty/ContractsDisclosureForm.pdf>, print and submit Disclosure along with this letter.

This Letter of Agreement is being offered by City of San Antonio only to the Petitioner named here in 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 Petitioner concurs with the above mentioned conditions, Petitioner must countersign this letter in the spaces provided below and return to Ms. Martha Almeria at the above address. *Upon receipt of this executed Letter of Agreement, the Public Street Right-of-Way Dedication, the Disclosure form and the closure fee, we will continue processing subject request and schedule for hearings before the Planning Commission and City Council.*

Regards,

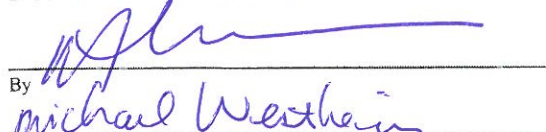



Mike Etienne, Ph.D.  
Director  
Office of EastPoint & Real Estate Services

**AGREED AS TO TERMS AND CONDITIONS:**

**PETITIONER:**

**FOXY TERRACE LLC**

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

  
\_\_\_\_\_  
Title  
7-31-2015  
\_\_\_\_\_  
Date