



**CITY OF SAN ANTONIO  
TRANSPORTATION & CAPITAL IMPROVEMENTS**

October 3, 2016

Manheim Remarketing, Inc.  
c/o Kimley-Horn and Associates, Inc.  
Attn: James W. Russell  
601 NW Loop 410, Suite 350  
San Antonio, TX 78216

**SUBJECT: S. P. No. 1911—Request to close, vacate and abandon a portion of Snell Drive  
Public Right of Way located within NCB 17978**

Dear Mr. Russell:

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**

The site must be platted as applicable in accordance with the Unified Development Code, per Section 35-430.

**CITY PUBLIC SERVICE ENERGY (CPS)**

Petitioner must agree to reserve a perpetual easement for all existing electric and/or gas facilities, (existing distribution line and gas main) 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. Specifically, must retain a 28 foot overhead electric distribution easement with the right to ingress and egress for maintaining facilities; retain easement for existing gas and electric facilities; and fiber optic cable attached to utility poles running North/South on Ackerman Road may not be disturbed.

**SAN ANTONIO WATER SYSTEM (SAWS)**

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. Petitioner may seek the relocation of the facilities with the express permission and coordination with San Antonio Water System and at the sole expense of the petitioner.

**TRANSPORTATION & CAPITAL IMPROVEMENTS DEPT. (TCI)**

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 closure is \$31,150.00, which includes the property appraisal of \$30,000.00, appraisal fees of \$1,100.00 and \$50.00 for recordation of documents. **Accordingly, Petitioner agrees to remit a closure fee of \$31,150.00. 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 fee will be refunded less the appraisal and recordation fees.

In addition, a Contracts Disclosure Form and a 1295 Form are required. Please fill out online at <https://www.sanantonio.gov/efrms/atty/ContractsDisclosureForm.pdf>, and <https://www.ethics.state.tx.us/whatsnew/elfinfoform1295.htm>, print, sign and notarize accordingly.

This Letter of Agreement is being offered by City of San Antonio only to the Petitioner named here in and will expire seven (7) 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, please 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 Disclosure and 1295 forms and the closure fee, we will continue processing subject request with hearings before the Planning Commission and City Council.*

Sincerely,



Steve Hodges  
Real Estate Manager  
Transportation & Capital Improvements

**AGREED AS TO TERMS AND CONDITIONS:**

**PETITIONER: MANHEIM REMARKETING, INC.**

By   
\_\_\_\_\_  
**Shauna Sullivan Muhl**  
\_\_\_\_\_  
Print Name **Secretary**

Title \_\_\_\_\_  
Date **October 6, 2016**