



CITY OF SAN ANTONIO

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

March 29, 2017

**Macedonia Baptist Church, Dr. Jerry Sm. Dailey, Pastor
c/o Civil Engineering Consultants – Mary Stewart
11550 IH 10 West, Suite 395
San Antonio, TX 78230**

[Via Email: mstewart@cectexas.com]

Re: S.P. 1914 Request to close, vacate and abandon an alley ROW (between 40th and 41st Street)

Dear Ms. Stewart,

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.

TCI Storm Water: The petitioner must comply with all local (city and/or county), state and federal regulations prior to the start of any construction and/or improvements to the subject property. **Right-of-Way:** Contact and confirm with all utilities that there are no conflicts. **Project Management:** Closure of alley will be coordinated with Utility surveyors for any active utilities that are remaining. Other property owners in the block also need to approve the alley closure as well as it impacts their properties. **Environmental:** EMD has no records pertaining to the location. 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.

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/IB531.pdf>. Due to the location and use of the existing ROW, the applicant must provide a temporary access easement to address any issues created by the closure until the area is re-platted. Any development of the property will need to meet all applicable tree and landscape requirements per the UDC.

CPS Energy – Overhead Engineering: CPS Energy Overhead Engineering has no objections on the alley closure as long as unimpeded access is provided for the maintenance for the existing all night security lights.

Department of Planning and Community Development: The petitioner should demonstrate that they have obtained consent from the owners of the abutting properties for the closure of the entire alley as required by Chapter 37, Section 11 of the City Code.

San Antonio Water System: The public right-of-way (alley) located between SW 41st Street and SW 40th Street (Coopwood Ave and Hobart St) in NCB 8996 where Petitioner is requesting the City of San Antonio to close, vacate and abandon is a public right-of-way; therefore, we request the City of San Antonio reserve all rights necessary for SAWS to retain its rights within said public right-of-way. Make sure Petitioner is aware and agrees for itself, its heirs, legal representatives, successors and/or assigns that no building or permanent structure of any kind will be placed within the said public right-of-way and that removal of any building or structure placed within the said public right-of-way shall be at the expense of Petitioner, its heirs, legal representatives, successors and/or assigns.

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 closure fee is \$9,230.00 based on surrounding land value, Bexar County Appraisal District. Petitioner agrees to pay Bexar County Recording Fees to record the Ordinance, if approved by City Council.

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 and forms to the undersigned. Upon receipt of this executed Letter of Agreement we will continue processing your request.

In addition, please complete the following forms:

The ***Contracts Disclosure Form*** can be found at:
<https://www.sanantonio.gov/eforms/atty/ContractsDisclosureForm.pdf>

The Texas Ethics Commission Form 1295 – Certificate of Interested Parties can be found here: https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm. [Note; For Contract ID Number, use 'SP1932, 210 Development alley closure'.]

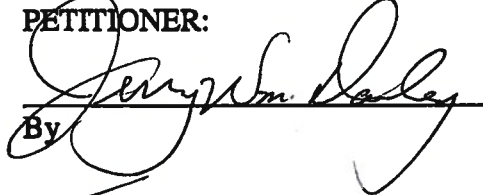
This Letter of Agreement is being offered by City of San Antonio only to the petitioner named above and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioner and granted by the City.

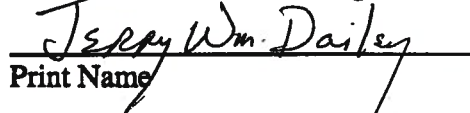
Sincerely,



Steve Hodges
Real Estate Manager


AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:

By 


Print Name


Title


Date