



**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT**

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

March 20, 2020

Central Catholic High School
Attn: Paul Garro
1403 N. St. Mary's St.
San Antonio, Texas 78215

S.P. No. 2207 – Request to close, vacate and abandon an improved portion of Dallas Street Public Right of Way

Dear Mr. Garro:

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 the request subject to the following conditions:

DEVELOPMENT SERVICES DEPARTMENT: Provided proper permits are obtained. (See applicable UDC Sections: 35-506, 35-515, 35-523, 35-477 and 35-8123). The site must be platted, as applicable, 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/dsdocumentscentral/upload/I8531.pdf>. No site work or tree removal allowed without an approved tree permit (35-523, 35-510, 35-511, 35-477). (Melissa Quiroz: 210-207-7874)

PUBLIC WORKS DEPARTMENT: Environmental Services: 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. (John Cantu: 210- 207- 1450)

SAN ANTONIO WATER SYSTEM (SAWS): San Antonio Water System (SAWS) has existing facilities within the Public Right of Way under or near where Petitioner is requesting to close, vacate, and abandon an improved portion of Dallas Street, City Public Right of Way: as shown on Exhibits: 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 attached GeoCortex map and plat. (Bruce Haby 210-233-3636)

CITY PUBLIC SERVICE (CPS) ENERGY: Petitioner must call Texas 811 and verify the location of a twelve (12") inch steel gas main. A twenty (20') foot electric and gas easement is required for existing facilities. (Mark Brumbaugh 210-353-3686)

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 request is \$5,150.00, which includes a closure fee of \$5,000 plus \$150.00 for signs, notifications and recording fees. The fair market value of the Public Right of Way is \$117,750.00, as per the appraisal conducted on November 18, 2019. Based on the I.R.S. Section 501(c)(3) tax-exempt status of the Church, some of its missions, and the fact that Central Catholic High School will provide a fire apparatus ingress/egress easement, a waiver may be considered by City Council. 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 closures are not approved by City Council, the closure fee will be refunded.

This Letter of Agreement is being offered by City of San Antonio only to the petitioners named below 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 space provided below and return it to the undersigned. Upon receipt of this executed Letter of Agreement, a check payable to the City of San Antonio in the amount of \$5,150.00, a Contracts Disclosure Form (to be completed on the <http://www.sanantonio.gov/efrms/atty/ContractsDisclosureForm.pdf> website link then printed and signed) and Form 1295 (located at <http://www.ethics.state.tx.us/dfs/1295Certificates.html> and emailed to ethics@sanantonio.gov), we will continue processing your request.

Sincerely,



Steve Hodges
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:

_____

By:

PRESIDENT

Title:

05/11/2020

Date: