

## AN ORDINANCE 79500

CLOSING, VACATING AND ABANDONING PARKRIDGE DRIVE FROM JONES MALTSBERGER ROAD ON THE WEST TO WESTERN AVENUE ON THE EAST, HALLMARK DRIVE BETWEEN JONES MALTSBERGER ROAD ON THE WEST AND U. S. HIGHWAY 281 ON THE EAST, WESTERN AVENUE BETWEEN CHULIE DRIVE ON THE SOUTH AND A NORTHERN TERMINUS FORMED BY A WESTWARD EXTENSION OF THE SOUTH LINE OF LOT 22, BLOCK 6-A, NEW CITY BLOCK 11959, AND AUTHORIZING THE QUITCLAIMING OF SUCH VACATED STREET RIGHTS OF WAY TO CONCOURSE 410 LIMITED.

\* \* \* \* \*

**WHEREAS**, pursuant to ordinance No. 72375 passed and approved on 27 September 1990, the City of San Antonio and Centennial Service Corporation entered into an agreement relating to acquisition by the city of right of way for and construction of a segment of Western Avenue Drainage Project No. 74 on, in, upon and across portions of New City Blocks 8673, 8674, 11952, 11953, 11959 and 11960 in exchange for which the city would close, vacate, abandon and quitclaim to Centennial Service Corporation portions of certain streets within the boundaries of the Concourse development project; and

**WHEREAS**, by passage of Ordinance No. 79304 on 16 December 1993 the City Council specifically waived the notice and public hearing requirements of Ordinance No. 58880 as they relate to the closing, vacating, abandoning and quitclaiming of portions of public streets located within the Concourse development project which is bounded on the north by Loop 410, on the west by Jones-Maltsberger Road, on the south by Chulie Drive and on the east by U.S. Highway 281; and

**WHEREAS**, Ordinance No. 79304 further recognized Concourse 410 Limited as the successor in title to the properties within the Concourse project by conveyance from Centennial Services Corporation and authorized amendment of existing agreements to reflect such change in ownership; and

**WHEREAS**, Concourse 410 Limited has advised of its readiness to dedicate to the city the 3.181 acre variable width combined sewer, storm drain and water easement together with a 17.655 acre temporary construction easement within the Concourse development project area as contemplated in the agreements executed pursuant to Ordinances No. 72375 and No. 79304; **NOW THEREFORE**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**Section 1.** Those portions of Parkridge Drive from Jones-Maltsberger Road on the west to Western Avenue on the east, Hallmark Drive between Jones-Maltsberger Road on the west and U. S. Highway 281 on the east and Western Avenue between Chulie Drive on the south and a northern terminus formed by a westward extension

of the south line of Lot 22, Block 6-A, New City Block 11959 are hereby closed, vacated and abandoned as public street rights of way.

**Section 2.** The street rights of way closed, vacated and abandoned in Section 1 hereof are hereby authorized to be quitclaimed to Concourse 410 Limited, save and except for the retention of an all-purpose utility easement within the entire area of such vacated street rights of way for the maintenance, repair, and reconstruction or replacement, if necessary, of all existing utility lines located therein until and unless such existing utility lines are relocated at developer's expense into easements designated and dedicated by Concourse 410 Limited and acceptable to the city at which time the easement retained herein may be released in writing by the city acting by and through its Director of Public Works.

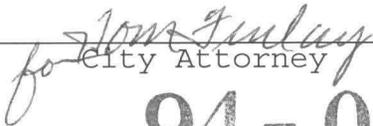
**Section 3.** The City Manager or, in his stead, the Assistant City Manager or the Assistant to the City Manager is hereby authorized to execute on behalf of the city the quitclaim called for in Section 2 in a form acceptable to the City Attorney.

**PASSES AND APPROVED** this 27th day of January, 1994.

ATTEST:

  
ASSISTANT City Clerk

APPROVED AS TO FORM:

  
City Attorney

  
M A Y O R

94-04

ARTS & CULTURAL AFFAIRS
AVIATION
BUILDING INSPECTIONS
BUILDING INSPECTIONS-HOUSE NUMBERING
CITY ATTORNEY
MUNICIPAL COURT
REAL ESTATE (FASSNIDGE)
REAL ESTATE (WOOD)
REAL ESTATE (HUBBARD)
TRIAL SECTION
CITY MANAGER
TRAVIS BISHOP, ASST. TO CITY MGR.
CODE COMPLIANCE
INTERGOVERNMENTAL RELATIONS
INTERNATIONAL RELATIONS
YOUTH INITIATIVES
CITY PUBLIC SERVICE-GENERAL MANAGER
CITY PUBLIC SERVICE-MAPS & RECORDS
COMMERCIAL RECORDER (PUBLISH)
COMMUNITY INITIATIVES
CONVENTION & VISITORS BUREAU
CONVENTION FACILITIES
DOME DEVELOPMENT OFFICE
ECONOMIC DEVELOPMENT
FINANCE DIRECTOR
ASSESSOR
CONTROLLER
GRANTS
RISK MANAGEMENT
TREASURY
FIRE DEPARTMENT
HOUSING & COMMUNITY DEVELOPMENT
INFORMATION SERVICES
INTERNAL REVIEW
LIBRARY
MANAGEMENT SERVICES (BUDGET)
MANAGEMENT SERVICES (PERSONNEL)
MARKET SQUARE
METROPOLITAN HEALTH DISTRICT
MUNICIPAL COURTS
PARKS & RECREATION
PLANNING
DISABILITY ACCESS OFFICE
LAND DEVELOPMENT SERVICES
POLICE DEPARTMENT
POLICE DEPARTMENT-GROUND TRANSPORTATION
PUBLIC INFORMATION OFFICE
PUBLIC UTILITIES
PUBLIC WORKS
CAPITAL PROJECTS
CENTRAL MAPPING
ENGINEERING
PARKING DIVISION
REAL ESTATE (BILL TOUDOUZE)
SOLID WASTE
TRAFFIC ENGINEERING
PURCHASING & GENERAL SERVICES
SAN ANTONIO WATER SYSTEM (SAWS)
SANDRA
MUNICIPAL CODE CORPORATION (PUBLISH)

ITEM NO. 21  
DATE: JAN 27 1994

MEETING OF THE CITY COUNCIL

MOTION BY: \_\_\_\_\_ SECONDED BY: \_\_\_\_\_

ORD. NO. 79500 ZONING CASE \_\_\_\_\_

RESOL. \_\_\_\_\_ PETITION \_\_\_\_\_

	ROLLCALL	AYE	NAY
ROGER PEREZ DISTRICT 1			
RUTH MC-CLENDON DISTRICT 2			
LYNDA BILLA BURKE DISTRICT 3			
HENRY AVILA DISTRICT 4			
JUAN F. SOLIS III DISTRICT 5			
HELEN AYALA DISTRICT 6			
BOB ROSS DISTRICT 7			
BILL THORNTON DISTRICT 8			
HOWARD PEAK DISTRICT 9			
LYLE LARSON DISTRICT 10			
NELSON WOLFF MAYOR			

**94-04**

CONSENT AGENDA

CITY OF SAN ANTONIO  
Interdepartment Correspondence Sheet

CONSENT AGENDA  
ITEM NO. 21

TO : City Council through the City Manager  
FROM : Office of the City Attorney  
COPIES : Director of Public Works  
SUBJECT: Concourse development street closings

20 January 1994

**Summary and recommendation.** The proposed ordinance would close, vacate and abandon portions of Parkridge Drive, Hallmark Drive and Western Avenue within the boundaries of the Concourse development project south of Loop 410 and west of U. S. Highway 281 and authorize quitclaiming of such vacated portions of right of way to the owner and developer, Concourse 410 Ltd. in return for the dedication to the city of a permanent variable width 3.181 acre water, sewer and storm drain easement together with a 17.655 acre temporary construction easement. Passage is recommended.

**Background information.** The actions proposed were projected and contemplated by Ordinance No. 72375 passed and approved on 27 September 1990 and Ordinance No. 79304 passed and approved on 16 December 1993. Agreements made pursuant to such ordinances called for the closing of existing streets within the development boundaries, the quitclaiming of vacated streets to the developer and the dedication in return of drainage right of way to the city. Ordinance No. 79304 expressly waived the notice and public hearing requirements of Ordinance 58880 for street closings in this project.

**Fiscal impact.** There is no direct financial impact on the city. A long-time tax revenue increase may be anticipated as a result of the Concourse project development of this essentially blighted area.

**Policy considerations.** Passage of the ordinance is consistent with the city's established policy of encouraging the private development of properties within the metropolitan area.

Respectfully submitted,

*Jackson C. Hubbard*  
JACKSON C. HUBBARD  
Deputy City Attorney  
Real Estate

RECOMMENDED:

*Fred Starke*

\_\_\_\_\_  
City Attorney

APPROVED:

*[Signature]*

\_\_\_\_\_  
City Manager