

AN ORDINANCE 2007-01-04-0003

AUTHORIZING CLOSURE, VACATION, AND ABANDONMENT OF NORTH MITTMAN STREET BETWEEN MONTANA AND WYOMING AND TWO ALLEYS INTERSECTING THE CLOSED SEGMENT OF MITTMAN BETWEEN GEVERS AND WALTERS STREETS, ADJACENT TO NCBS 1455 & 1456, DISTRICT 2, AS REQUESTED BY ALAMO COMMUNITY COLLEGE DISTRICT FOR A FEE OF \$25,370

* * * * *

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

SECTION 1. Subject to the reservation below, the City finds the following rights-of-way surplus to its needs and authorizes the City Manager to sign and deliver an instrument closing, vacating, and abandoning them upon satisfaction of the conditions of this ordinance:

- A. That portion of North Mittman Avenue bounded on the east by block 21, NCB 1455 and on the west by Block 20, NCB 1456, San Antonio, Bexar County, Texas, and more particularly described on **Exhibit A**.
- B. A 15-foot alley running east-west through the middle of Block 21, NCB 1455, San Antonio, Bexar County, Texas, and more particularly described on **Exhibit B**.
- C. A 15-foot alley running east-west through the middle of Block 20, NCB 1456, San Antonio, Bexar County, Texas, and more particularly described on **Exhibit C**.

SECTION 2. All exhibits are incorporated into this ordinance for all purposes as if fully set forth.

SECTION 3. Before the City Manager may deliver a certificate closing the subject rights of way, the Alamo Community College District must construct, in locations directed by the Director of the Planning Department, crosswalks/sidewalks on Mittman between Wyoming and Montana Streets. The District must assure the improvements conform in all material respects to the city's Unified Development Code. The District must further plant shade trees as required by the Planning Director to shade pedestrians. If the improvements have been properly completed upon passage of this ordinance, the City Manager may immediately deliver the street closing certificate.

SECTION 4. This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, electric transmission lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract.

SECTION 5. The City Manager or her designee is authorized and directed to execute and deliver all documents and to do all other things necessary or convenient to reflect this closure, abandonment, and vacation upon satisfaction of the pertinent conditions.

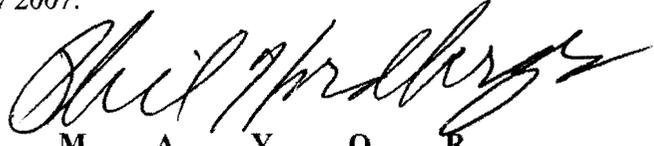
SECTION 6. Funds generated by this ordinance are to be deposited into Fund 76002000 BUILDING MAINTENANCE, Internal order 22400000010 SALE OF LAND, General Ledger 4903101 Sales - Land.

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance for the City of San Antonio for the City of San Antonio. The Director may, subject to

concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 8. This ordinance becomes effective January 14, 2007.

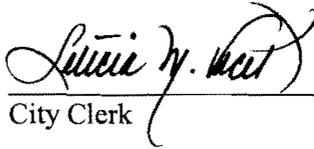
PASSED AND APPROVED this 4th day of January 2007.



M A Y O R

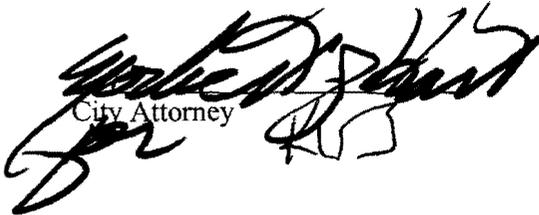
PHIL HARDBERGER

Attest:



City Clerk

Approved As To Form:



City Attorney

Agenda Voting Results

Name: 7.

Date: 01/04/07

Time: 10:14:53 AM

Vote Type: Multiple selection

Description: Public hearing and consideration of an ordinance authorizing closure, vacation, and abandonment of North Mittman Street between Montana and Wyoming and two alleys intersecting the closed segment of Mittman between Gevers and Walters Streets, adjacent to NCBs 1455 & 1456, District 2, as requested by Alamo Community College District for a fee of \$25,370. [Presented by Shawn Eddy, Director, Asset Management; Pat DiGiovanni, Deputy City Manager] KEN BENNIGHT

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1		x		
SHEILA D. MCNEIL	DISTRICT 2		x		
ROLAND GUTIERREZ	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5		x		
DELICIA HERRERA	DISTRICT 6		x		
ELENA K. GUAJARDO	DISTRICT 7		x		
ART A. HALL	DISTRICT 8		x		
KEVIN A. WOLFF	DISTRICT 9	Not present			
CHIP HAASS	DISTRICT_10		x		
MAYOR PHIL HARDBERGER	MAYOR		x		

**THE STATE OF TEXAS:
COUNTY OF BEXAR:**

**FIELD NOTES
FOR THE CLOSURE
OF A PORTION OF
NORTH MITTMAN STREET**

**BEING 13,828 SQUARE FEET (0.317 ACRES) LOCATED WITHIN
THE RIGHT-OF-WAY OF NORTH MITTMAN STREET
BOUNDED ON THE EAST BY BLOCK 21, N.C.B. 1455 AND ON
THE WEST BY BLOCK 20, N.C.B. 1456, ON THE NORTH BY THE
SOUTH RIGHT-OF-WAY LINE OF MONTANA STREET AND ON
THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF
WYOMING STREET AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS;**

BEGINNING, at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain" (hereinafter called set ½" iron rod) at the intersection of the north right-of-way line of Wyoming Street and the west right-of-way line of North Mittman Street, said west right-of-way line being the east line of said Block 20, N.C.B. 1456 for the southwest corner of this tract, same point being the southeast corner of said Block 20;

THENCE, North 00°14'54" West, 259.64 feet, departing said north right-of-way line, and along said east line of Block 20, N.C.B. 1456 and said west right-of-way line of North Mittman Street to a set ½" iron rod at the beginning of a curve to the left, said curve being a right-of-way return to the left from North Mittman Street to Montana Street for a corner of this tract;

THENCE, along said curve to the left 23.61 feet along the ARC, having a RADIUS of 15.00 feet, CENTRAL ANGLE of 90°09'57", TANGENT of 15.04 feet, CHORD BEARING of N45°19'53" and a CHORD LENGTH of 21.24 feet to a set ½" iron rod in the south right-of-way line of Montana Street, same line being the north line of Block 20, N.C.B. 1456 for the northwest corner of this tract, same point being the northeast corner of said Block 20;

THENCE, North 89°35'09" East, 80.00 feet, crossing North Mittman Street and along the extended south right-of-way line of Montana Street to a set ½" iron rod at its intersection with a curve to the left, same curve being a right-of-way return from Montana Street to North Mittman Street, same point being in the north line of Block 21, N.C.B. 1455 for the northeast corner of this tract, same point being the northwest corner of said Block 21;

CLOSURE OF A PORTION OF NORTH MITTMAN STREET

THENCE, along said curve to the left 23.52 feet along the ARC, having a RADIUS of 15.00 feet, CENTRAL ANGLE of 89°50'03", TANGENT of 14.96 feet, CHORD BEARING of S44°40'07"W and a CHORD LENGTH of 21.18 feet to a set ½" iron rod in the east right-of-way line of North Mittman Street, same line being the west line of Block 21, N.C.B. 1455 for a corner of this tract;

THENCE, South 00°14'54" East, 259.59 feet along the east right-of-way line of North Mittman Street, same line being the west line of Block 21, N.C.B. 1455 to a set ½" iron rod at its intersection with the north right-of-way line of Wyoming Street for the southeast corner of this tract, same point being the southwest corner of said Block 21;

THENCE, South 89°25'32" West, 50.00 feet along the extended north right-of-way line of Wyoming Street to the **POINT OF BEGINNING**, and containing 13,828 square feet (0.317 acres) of land more or less.

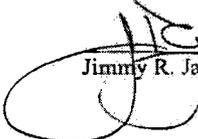
Bearing source: NAD 83/93, Texas State Plane Coordinates, Texas South Central Zone

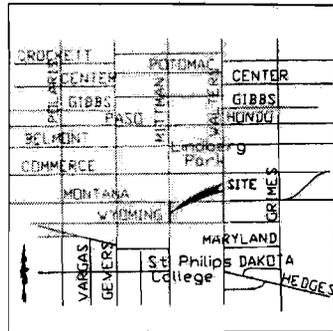
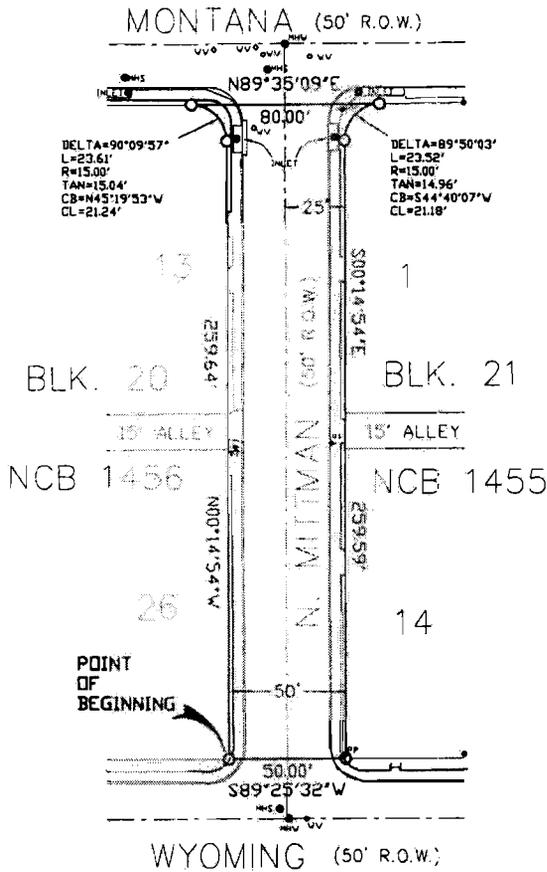
A survey plat accompanies this description.

Plat prepared this day, May 30, 2006

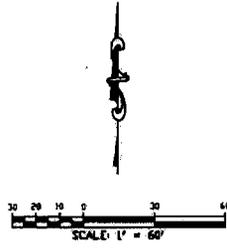
Surveyed on the ground the 1st Day of August, 2006




Jimmy R. Janecek, RPLS 5868



LOCATION MAP
N.T.S.



BEARING SOURCE:
MAD 83/93
TEXAS STATE PLANE COORDINATES
TEXAS SOUTH CENTRAL ZONE

- LEGEND:
- = FOUND IRON ROD
 - = SET 1/2" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "BAIN MEDINA BAIN"
 - ⊙ = SEWER MAN HOLE
 - ⊙ = STORM SEWER MAN HOLE
 - ⊙ = WATER VALVE
 - ⊙ = POWER POLE

PLAT SHOWING:
BEING 13,828 SQUARE FEET (0.317 ACRES) LOCATED WITHIN THE RIGHT-OF-WAY OF NORTH MITTMAN STREET BOUNDED ON THE EAST BY BLOCK 21, N.C.B. 1455 AND ON THE WEST BY BLOCK 20, N.C.B. 1456, ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF MONTANA STREET AND ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF WYOMING STREET.

A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS SURVEY PLAT.



STATE OF TEXAS
COUNTY OF COMAL
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Ave
San Antonio, Texas 78216
210/494-7223

THIS 1st DAY OF AUGUST, 2006 A.D.
[Signature]
REGISTERED PROFESSIONAL LAND SURVEYOR 5868

Exhibit B

THE STATE OF TEXAS:
COUNTY OF BEXAR:

PAGE 1

**FIELD NOTES
FOR A 15' ALLEY-WAY**

**BEING 9,851 SQUARE FEET (0.226 ACRES) OUT OF THE EAST
END ADDITION, BLOCK 21, N.C.B. 1455, RECORDED IN
VOLUME 72, PAGE 501-503, DEED RECORDS BEXAR COUNTY,
TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS;**

BEGINNING, at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain" (hereinafter called "set ½" iron rod") in the east right-of-way line of Mittman Street, and being in the south line of a 15.00 foot alley-way, same point being the northwest corner of Lot 14, Block 21 for the southwest corner of this tract from which the southwest corner of said Lot 14, Block 21, same point being the intersection of the east right-of-way line of Mittman Street and the north right-of-way line of Wyoming Street, bears S00°14'54"E, 129.79 feet;

THENCE, North 00°14'54" West, 15.00 feet along said east right-of-way line of Mittman Street to a set ¼" iron rod in the north line of said 15.00 foot alley-way, same point being the southwest corner of Lot 1, Block 21 for the northwest corner of this tract;

THENCE, North 89°36'08" East, 656.77 feet, departing said east right-of-way line of Mittman Street and crossing said Block 21, N.C.B. 1455, and along the north line of said 15.00 foot alley-way to a set ¼" iron rod in the west right-of-way line of Walters Street, same point being the southeast corner of Lot 13, Block 21 for the northeast corner of this tract;

THENCE, South 00°00'22" East, 15.00 feet, along said west right-of-way line of Walters Street to a set ¼" iron rod in the south line of said 15.00 foot alley-way, same point being the northeast corner of Lot 26, Block 21 for the southeast corner of this tract, from which the southeast corner of said Lot 26, Block 21, same point being the intersection of the west right-of-way line of Walters Street and the north right-of-way line of Wyoming Street, bears S00°00'22"E, 129.94 feet;

15' ALLEY-WAY

THENCE, South 89°36'08" West, 656.71 feet, departing said west right-of-way line of Walters Street and along said south line of said 15.00 foot alley-way to the POINT OF BEGINNING, and containing 9,851 square feet (0.226 acres) of land more or less.

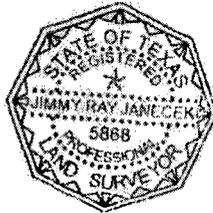
A survey plat accompanies this description.

Plat prepared this day, May 24, 2006.

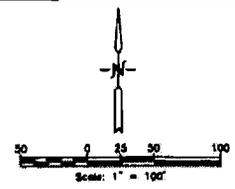
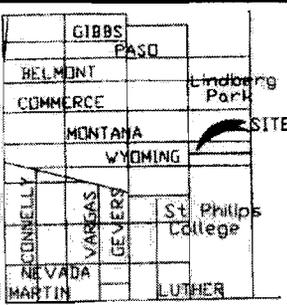
Bearing basis; NAD 83/93, Texas State Plane Coordinates, Texas South Central Zone.

Revised October 11, 2006

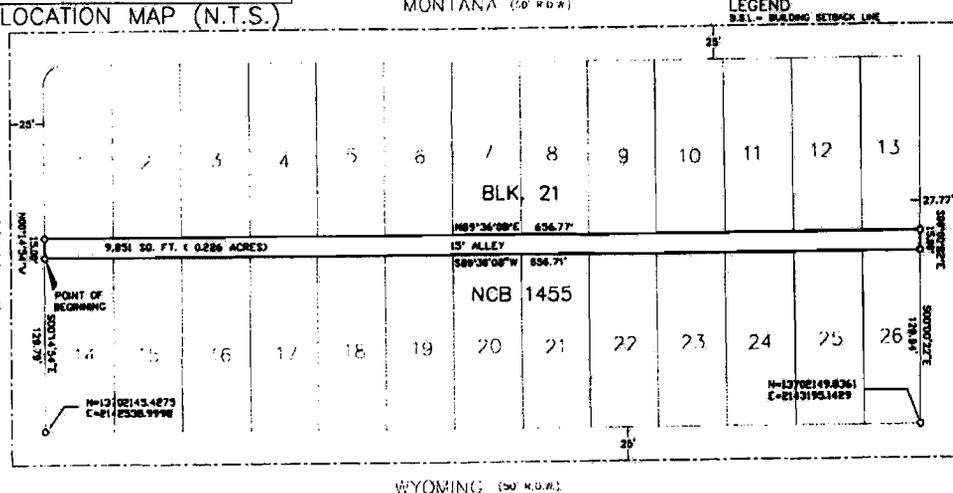
Surveyed on the ground the 1st Day of AUGUST, 2006




Jimmy R. Janeczek, RPLS 5868



BEARING SOURCE
 BASIS OF BEARINGS:
 MAG. SURVEY
 TEXAS STATE PLANE COORDINATES
 TEXAS SOUTH CENTRAL ZONE
 ON 1/2" IRON PIVOT WITH BRASS PLATE
 OR STAMPED BAIN MEDINA BAIN GALLEY
 OTHERWISE NOTED
LEGEND
 B.S.L. - BUILDING SETBACK LINE



SURVEY PLAT:
 BEING 9,851 SQUARE FEET (0.226 ACRES)
 OUT OF THE EAST END ADDITION, BLOCK 21,
 N.C.B. 1455, RECORDED IN VOLUME 72,
 PAGE 501-503, DEED RECORDS OF BEXAR
 COUNTY, TEXAS.

STATE OF TEXAS
 COUNTY OF BEXAR

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
 SURVEY MADE ON THE GROUND UNDER MY SUPERVISION,
 AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE
 PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY
 THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

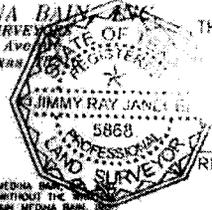
A METES AND BOUNDS DESCRIPTION OF EVEN DATE
 HEREWITH ACCOMPANIES THIS SURVEY PLAT.



BAIN MEDINA BAIN & ASSOCIATES
 ENGINEERS & SURVEYORS
 7873 San Pedro Avenue
 San Antonio, Texas
 210/494-7223

THIS 1ST DAY OF AUGUST, 20 06 A.D.

DATE: 5-24-06
 DRAWN BY: Y.G.



REGISTERED PROFESSIONAL LAND SURVEYOR

JOB NO.: C-1062

THIS DRAWING IS THE PROPERTY OF BAIN MEDINA BAIN & ASSOCIATES. IT SHALL NOT BE USED FOR ANY PURPOSE WITHOUT THE CONSENT OF AN AUTHORIZED AGENT OF BAIN MEDINA BAIN & ASSOCIATES. BAIN MEDINA BAIN & ASSOCIATES ACCEPTS NO RESPONSIBILITY FOR THE USE OF THIS DRAWING FOR ANY PURPOSE AFTER SIX MONTHS FROM THE DATE INDICATED ON THIS DRAWING. ALL RIGHTS RESERVED. COPYRIGHT 2004. BAIN MEDINA BAIN, INC.

SHEET 3 OF 3
 REVISED: OCT. 11, 2006

Exhibit C

THE STATE OF TEXAS:
COUNTY OF BEXAR:

PAGE 1

**FIELD NOTES
FOR A 15' ALLEY-WAY**

**BEING 9,951 SQUARE FEET (0.228 ACRES) OUT OF THE EAST
END ADDITION, BLOCK 20, N.C.B. 1456, RECORDED IN
VOLUME 72, PAGE 501-503, DEED RECORDS BEXAR COUNTY,
TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS;**

BEGINNING, at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain" (hereinafter called "set ½" iron rod") in the east right-of-way line of Gevers Street, and being in the south line of a 15.00 foot alley-way, same point being the northwest corner of Lot 14, Block 20 for the southwest corner of this tract from which the southwest corner of said Lot 14, Block 20, same point being the intersection of the east right-of-way line of Gevers Street and the north right-of-way line of Wyoming Street, bears S00°09'04"E, 129.64 feet;

THENCE, North 00°09'04" West, 15.00 feet along said east right-of-way line of Gevers Street to a set ½" iron rod in the north line of said 15.00 foot alley-way, same point being the southwest corner of Lot 1, Block 20 for the northwest corner of this tract;

THENCE, North 89°36'20" East, 663.36 feet, departing said east right-of-way line of Gevers Street and crossing said Block 20, N.C.B. 1456, and along the north line of said 15.00 foot alley-way to a set ½" iron rod in the west right-of-way line of Mittman Street, same point being the southeast corner of Lot 13, Block 20 for the northeast corner of this tract;

THENCE, South 00°14'54" East, 15.00 feet, along said west right-of-way line of Mittman Street to a set ½" iron rod in the south line of said 15.00 foot alley-way, same point being the northeast corner of Lot 26, Block 20 for the southeast corner of this tract, from which the southeast corner of said Lot 26, Block 20, same point being the intersection of the west right-of-way line of Mittman Street and the north right-of-way line of Wyoming Street, bears S00°14'54"E, 129.82 feet;

PAGE 2

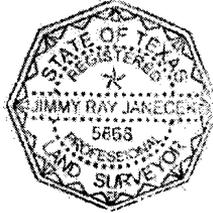
THENCE, South 89°36'20" West, 663.38 feet, departing said west right-of-way line of Mittman Street and along said south line of said 15.00 foot alley-way to the **POINT OF BEGINNING**, and containing 9,951 square feet (0.228 acres) of land more or less.

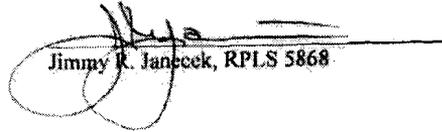
A survey plat accompanies this description.

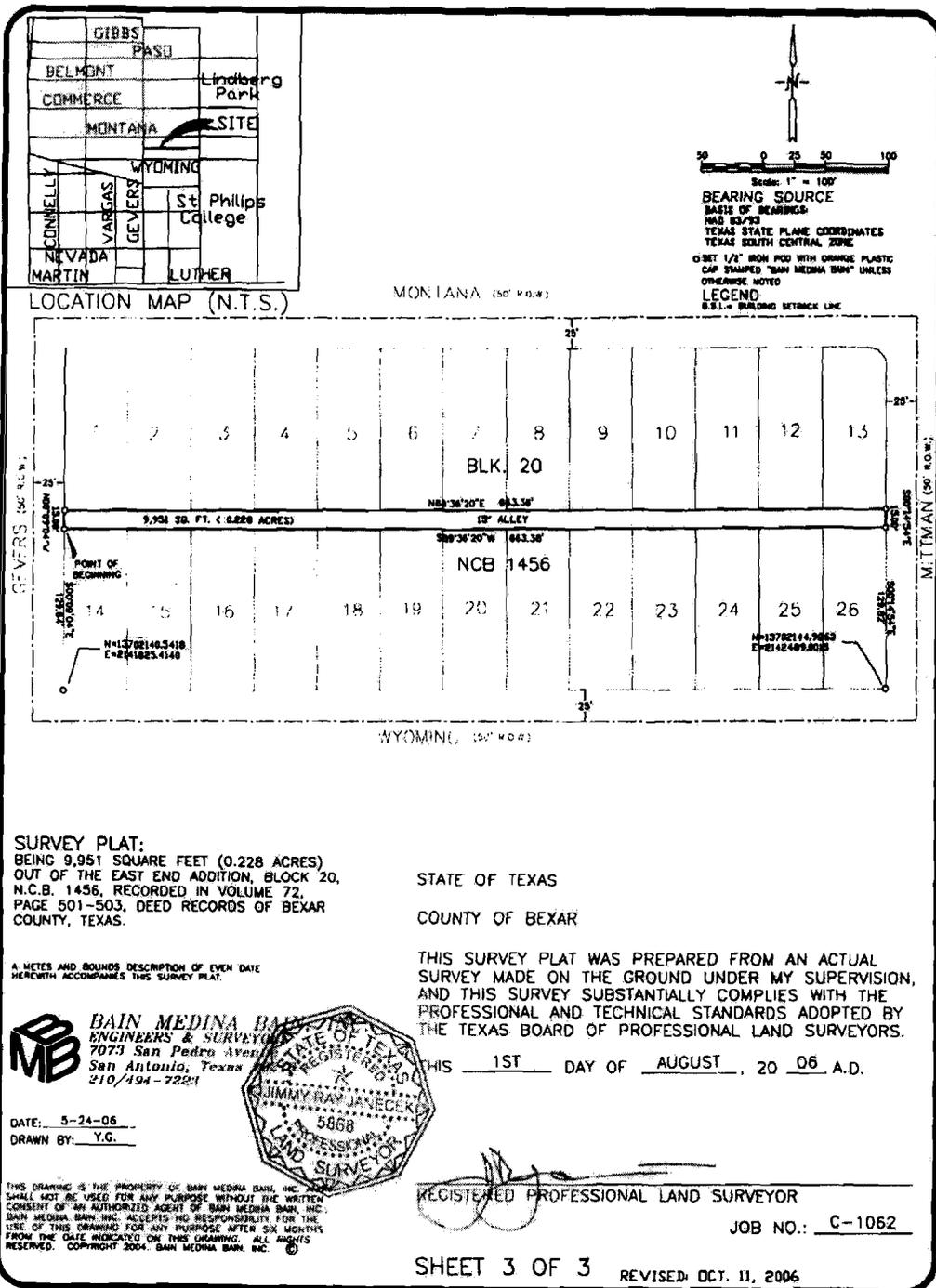
Plat prepared this day, April 11, 2006.

Bearings basis; NAD 83/93, Texas State Plane Coordinates, Texas South Central Zone
Revised October 11, 2006

Surveyed on the ground the 1st Day of AUGUST, 2006




Jimmy R. Janacek, RPLS 5868



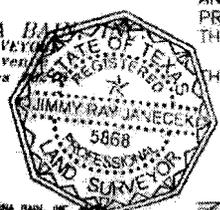
SURVEY PLAT:
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 OUT OF THE EAST END ADDITION, BLOCK 20,
 N.C.B. 1456, RECORDED IN VOLUME 72,
 PAGE 501-503, DEED RECORDS OF BEXAR
 COUNTY, TEXAS.

STATE OF TEXAS
 COUNTY OF BEXAR

A METERS AND BOUNDS DESCRIPTION OF EVEN DATE
 HEREWITH ACCOMPANIES THIS SURVEY PLAT.

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
 SURVEY MADE ON THE GROUND UNDER MY SUPERVISION,
 AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE
 PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY
 THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

BAIN MEDINA BAIN
 ENGINEERS & SURVEYORS
 7073 San Pedro Avenue
 San Antonio, Texas 78242
 210/494-7221



THIS 1ST DAY OF AUGUST, 20 06 A.D.

DATE: 5-24-06
 DRAWN BY: Y.G.

[Signature]
 REGISTERED PROFESSIONAL LAND SURVEYOR
 JOB NO.: C-1062

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SHEET 3 OF 3 REVISED: OCT. 11, 2006



AN ORDINANCE 2007-01-04-0003

SCANNED

AUTHORIZING CLOSURE, VACATION, AND ABANDONMENT OF NORTH MITTMAN STREET BETWEEN MONTANA AND WYOMING AND TWO ALLEYS INTERSECTING THE CLOSED SEGMENT OF MITTMAN BETWEEN GEVERS AND WALTERS STREETS, ADJACENT TO NCBS 1455 & 1456, DISTRICT 2, AS REQUESTED BY ALAMO COMMUNITY COLLEGE DISTRICT FOR A FEE OF \$25,370

* * * * *

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

SECTION 1. Subject to the reservation below, the City finds the following rights-of-way surplus to its needs and authorizes the City Manager to sign and deliver an instrument closing, vacating, and abandoning them upon satisfaction of the conditions of this ordinance:

- A. That portion of North Mittman Avenue bounded on the east by block 21, NCB 1455 and on the west by Block 20, NCB 1456, San Antonio, Bexar County, Texas, and more particularly described on **Exhibit A**.
- B. A 15-foot alley running east-west through the middle of Block 21, NCB 1455, San Antonio, Bexar County, Texas, and more particularly described on **Exhibit B**.
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SECTION 2. All exhibits are incorporated into this ordinance for all purposes as if fully set forth.

SECTION 3. Before the City Manager may deliver a certificate closing the subject rights of way, the Alamo Community College District must construct, in locations directed by the Director of the Planning Department, crosswalks/sidewalks on Mittman between Wyoming and Montana Streets. The District must assure the improvements conform in all material respects to the city's Unified Development Code. The District must further plant shade trees as required by the Planning Director to shade pedestrians. If the improvements have been properly completed upon passage of this ordinance, the City Manager may immediately deliver the street closing certificate.

SECTION 4. This ordinance does not release any public rights in the subject tract for drainage, water and wastewater lines, electric transmission lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract.

SECTION 5. The City Manager or her designee is authorized and directed to execute and deliver all documents and to do all other things necessary or convenient to reflect this closure, abandonment, and vacation upon satisfaction of the pertinent conditions.

SECTION 6. Funds generated by this ordinance are to be deposited into Fund 76002000 BUILDING MAINTENANCE, Internal order 22400000010 SALE OF LAND, General Ledger 4903101 Sales - Land.

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance for the City of San Antonio for the City of San Antonio. The Director may, subject to



concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers, WBS Elements, Internal Orders, General Ledger Accounts, and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 8. This ordinance becomes effective January 14, 2007.

PASSED AND APPROVED this 4th day of January 2007.

Phil Hardberger
M A Y O R
PHIL HARDBERGER

Attest:

Leticia N. West
City Clerk

Approved As To Form:

Robert J. ...
City Attorney



STATE OF TEXAS
COUNTY OF BEXAR
CITY OF SAN ANTONIO

} SS.

CERTIFIED COPY

The undersigned, the City Clerk of the City of San Antonio in the State and County of Bexar, Texas, do hereby certify that the attached and foregoing is a true and correct copy of a part of the records, papers and books in the Office of the City Clerk; and, that I am the custodian of such papers, books and records as an officer of the City of San Antonio.

Given under my hand and the official seal of the City of San Antonio, this 27 day of January, A. D. 20 07

(SEAL) *Melinda ...*
City Clerk, City of San Antonio.

Exhibit A

PAGE 1

THE STATE OF TEXAS:
COUNTY OF BEXAR:

**FIELD NOTES
FOR THE CLOSURE
OF A PORTION OF
NORTH MITTMAN STREET**

**BEING 13,828 SQUARE FEET (0.317 ACRES) LOCATED WITHIN
THE RIGHT-OF-WAY OF NORTH MITTMAN STREET
BOUNDED ON THE EAST BY BLOCK 21, N.C.B. 1455 AND ON
THE WEST BY BLOCK 20, N.C.B. 1456, ON THE NORTH BY THE
SOUTH RIGHT-OF-WAY LINE OF MONTANA STREET AND ON
THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF
WYOMING STREET AND BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS;**

BEGINNING, at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain" (hereinafter called set ½" iron rod) at the intersection of the north right-of-way line of Wyoming Street and the west right-of-way line of North Mittman Street, said west right-of-way line being the east line of said Block 20, N.C.B. 1456 for the southwest corner of this tract, same point being the southeast corner of said Block 20;

THENCE, North 00°14'54" West, 259.64 feet, departing said north right-of-way line, and along said east line of Block 20, N.C.B. 1456 and said west right-of-way line of North Mittman Street to a set ½" iron rod at the beginning of a curve to the left, said curve being a right-of-way return to the left from North Mittman Street to Montana Street for a corner of this tract;

THENCE, along said curve to the left 23.61 feet along the ARC, having a RADIUS of 15.00 feet, CENTRAL ANGLE of 90°09'57", TANGENT of 15.04 feet, CHORD BEARING of N45°19'53" and a CHORD LENGTH of 21.24 feet to a set ½" iron rod in the south right-of-way line of Montana Street, same line being the north line of Block 20, N.C.B. 1456 for the northwest corner of this tract, same point being the northeast corner of said Block 20;

THENCE, North 89°35'09" East, 80.00 feet, crossing North Mittman Street and along the extended south right-of-way line of Montana Street to a set ½" iron rod at its intersection with a curve to the left, same curve being a right-of-way return from Montana Street to North Mittman Street, same point being in the north line of Block 21, N.C.B. 1455 for the northeast corner of this tract, same point being the northwest corner of said Block 21;

CLOSURE OF A PORTION OF NORTH MITTMAN STREET

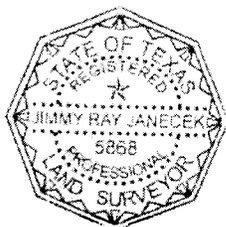
THENCE, along said curve to the left 23.52 feet along the ARC, having a RADIUS of 15.00 feet, CENTRAL ANGLE of 89°50'03", TANGENT of 14.96 feet, CHORD BEARING of S44°40'07"W and a CHORD LENGTH of 21.18 feet to a set ½" iron rod in the east right-of-way line of North Mittman Street, same line being the west line of Block 21, N.C.B. 1455 for a corner of this tract;

THENCE, South 00°14'54" East, 259.59 feet along the east right-of-way line of North Mittman Street, same line being the west line of Block 21, N.C.B. 1455 to a set ½" iron rod at its intersection with the north right-of-way line of Wyoming Street for the southeast corner of this tract, same point being the southwest corner of said Block 21;

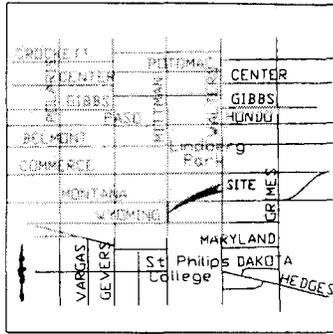
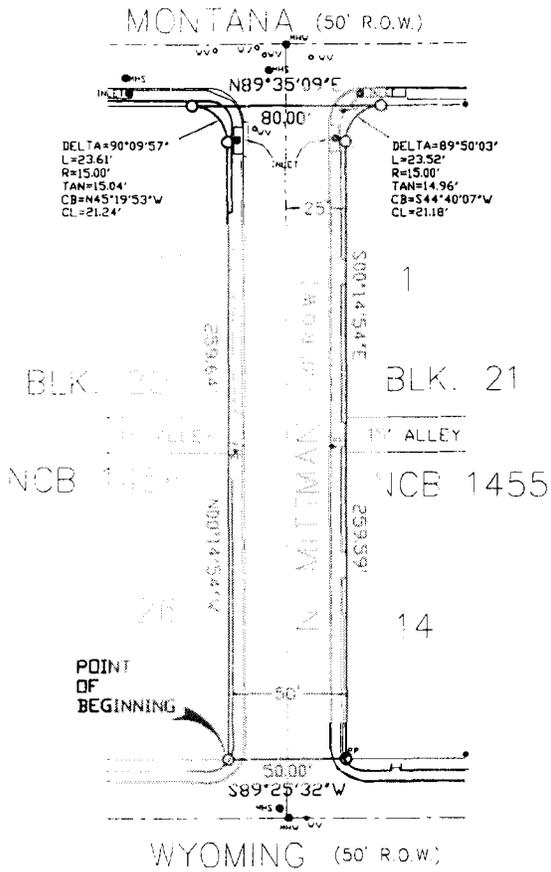
THENCE, South 89°25'32" West, 50.00 feet along the extended north right-of-way line of Wyoming Street to the **POINT OF BEGINNING**, and containing 13,828 square feet (0.317 acres) of land more or less.

Bearing source: NAD 83/93, Texas State Plane Coordinates, Texas South Central Zone
A survey plat accompanies this description.
Plat prepared this day, May 30, 2006

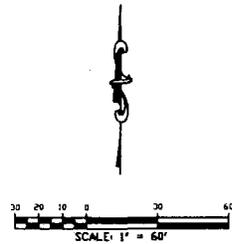
Surveyed on the ground the 1st Day of August, 2006




Jimmy R. Janecek, RPLS 5868



LOCATION MAP
N.T.S.



BEARING SOURCE:
NAD 83/93
TEXAS STATE PLANE COORDINATES
TEXAS SOUTH CENTRAL ZONE

- LEGEND:
- = FOUND IRON ROD
 - = SET 1/2" IRON ROD WITH ORANGE PLASTIC CAP STAMPED "BAIN MEDINA BAIN"
 - ⊙MHV = SEWER MAN HOLE
 - ⊙MHS = STORM SEWER MAN HOLE
 - VV = WATER VALVE
 - PP = POWER POLE

PLAT SHOWING:
BEING 13,828 SQUARE FEET (0.317 ACRES) LOCATED WITHIN THE RIGHT-OF-WAY OF NORTH MITTMAN STREET BOUNDED ON THE EAST BY BLOCK 21, N.C.B. 1455 AND ON THE WEST BY BLOCK 20, N.C.B. 1456. ON THE NORTH BY THE SOUTH RIGHT-OF-WAY LINE OF MONTANA STREET AND ON THE SOUTH BY THE NORTH RIGHT-OF-WAY LINE OF WYOMING STREET.

* METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS SURVEY PLAT.



STATE OF TEXAS
COUNTY OF COMAL
THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

BAIN MEDINA BAIN, INC.
ENGINEERS & SURVEYORS
7073 San Pedro Ave.
San Antonio, Texas 782
210-494-1223

THIS 1st DAY OF August, 2006 A.D.

REGISTERED PROFESSIONAL LAND SURVEYOR 5868

Exhibit B

THE STATE OF TEXAS:
COUNTY OF BEXAR:

PAGE 1

**FIELD NOTES
FOR A 15' ALLEY-WAY**

**BEING 9,851 SQUARE FEET (0.226 ACRES) OUT OF THE EAST
END ADDITION, BLOCK 21, N.C.B. 1455, RECORDED IN
VOLUME 72, PAGE 501-503, DEED RECORDS BEXAR COUNTY,
TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS;**

BEGINNING, at a set $\frac{1}{4}$ " iron rod with orange plastic cap stamped "Bain Medina Bain" (hereinafter called "set $\frac{1}{4}$ " iron rod") in the east right-of-way line of Mittman Street, and being in the south line of a 15.00 foot alley-way, same point being the northwest corner of Lot 14, Block 21 for the southwest corner of this tract from which the southwest corner of said Lot 14, Block 21, same point being the intersection of the east right-of-way line of Mittman Street and the north right-of-way line of Wyoming Street, bears $S00^{\circ}14'54''E$, 129.79 feet;

THENCE, North $00^{\circ}14'54''$ West, 15.00 feet along said east right-of-way line of Mittman Street to a set $\frac{1}{2}$ " iron rod in the north line of said 15.00 foot alley-way, same point being the southwest corner of Lot 1, Block 21 for the northwest corner of this tract;

THENCE, North $89^{\circ}36'08''$ East, 656.77 feet, departing said east right-of-way line of Mittman Street and crossing said Block 21, N.C.B. 1455, and along the north line of said 15.00 foot alley-way to a set $\frac{1}{2}$ " iron rod in the west right-of-way line of Walters Street, same point being the southeast corner of Lot 13, Block 21 for the northeast corner of this tract;

THENCE, South $00^{\circ}00'22''$ East, 15.00 feet, along said west right-of-way line of Walters Street to a set $\frac{1}{4}$ " iron rod in the south line of said 15.00 foot alley-way, same point being the northeast corner of Lot 26, Block 21 for the southeast corner of this tract, from which the southeast corner of said Lot 26, Block 21, same point being the intersection of the west right-of-way line of Walters Street and the north right-of-way line of Wyoming Street, bears $S00^{\circ}00'22''E$, 129.94 feet;

15' ALLEY-WAY

THENCE, South 89°36'08" West, 656.71 feet, departing said west right-of-way line of Walters Street and along said south line of said 15.00 foot alley-way to the POINT OF BEGINNING, and containing 9,851 square feet (0.226 acres) of land more or less.

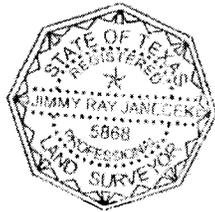
A survey plat accompanies this description.

Plat prepared this day, May 24, 2006.

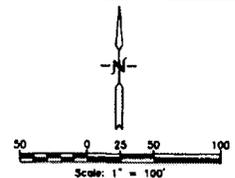
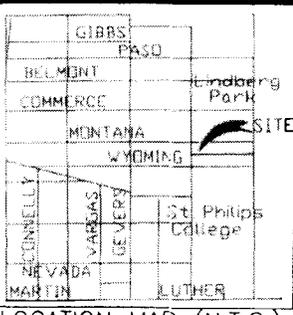
Bearing basis; NAD 83/93, Texas State Plane Coordinates, Texas South Central Zone.

Revised October 11, 2006

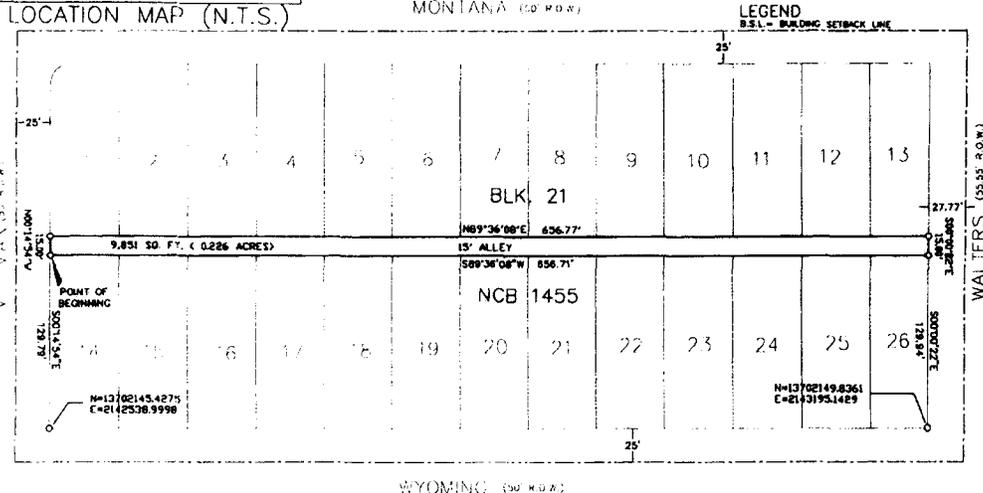
Surveyed on the ground the 1st Day of AUGUST, 2006




Jimmy R. Janicek, RPLS 5868



BEARING SOURCE
 BASIS OF BEARINGS:
 NAD 83/93
 TEXAS STATE PLANE COORDINATES
 TEXAS SOUTH CENTRAL ZONE
 SET 1/2" IRON PIVOT WITH ORANGE PLASTIC
 CAP STAMPED "BAIN MEDINA BAIN" UNLESS
 OTHERWISE NOTED
LEGEND
 D.S.L. - BUILDING SETBACK LINE



SURVEY PLAT:
 BEING 9.851 SQUARE FEET (0.226 ACRES)
 OUT OF THE EAST END ADDITION, BLOCK 21,
 N.C.B. 1455, RECORDED IN VOLUME 72,
 PAGE 501-503, DEED RECORDS OF BEXAR
 COUNTY, TEXAS.

STATE OF TEXAS
 COUNTY OF BEXAR

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
 SURVEY MADE ON THE GROUND UNDER MY SUPERVISION,
 AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE
 PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY
 THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

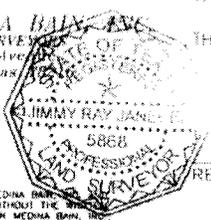
A METES AND BOUNDS DESCRIPTION OF EVEN DATE
 HEREWITH ACCOMPANIES THIS SURVEY PLAT



BAIN MEDINA BAIN, INC.
 ENGINEERS & SURVEYORS
 7077 San Pedro Ave., Suite 200
 San Antonio, Texas 78216
 210/494-7223

THIS 1ST DAY OF AUGUST, 20 06 A.D.

DATE: 5-24-06
 DRAWN BY: Y.C.



JIMMY RAY DANIEL
 REGISTERED PROFESSIONAL LAND SURVEYOR

JOB NO.: C-1062

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SHEET 3 OF 3

REVISED: OCT. 11, 2006

THE STATE OF TEXAS:
COUNTY OF BEXAR:

PAGE 1

FIELD NOTES
FOR A 15' ALLEY-WAY

BEING 9,951 SQUARE FEET (0.228 ACRES) OUT OF THE EAST
END ADDITION, BLOCK 20, N.C.B. 1456, RECORDED IN
VOLUME 72, PAGE 501-503, DEED RECORDS BEXAR COUNTY,
TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS
FOLLOWS;

BEGINNING, at a set ½" iron rod with orange plastic cap stamped "Bain Medina Bain" (hereinafter called "set ½" iron rod") in the east right-of-way line of Gevers Street, and being in the south line of a 15.00 foot alley-way, same point being the northwest corner of Lot 14, Block 20 for the southwest corner of this tract from which the southwest corner of said Lot 14, Block 20, same point being the intersection of the east right-of-way line of Gevers Street and the north right-of-way line of Wyoming Street, bears S00°09'04"E, 129.64 feet;

THENCE, North 00°09'04" West, 15.00 feet along said east right-of-way line of Gevers Street to a set ½" iron rod in the north line of said 15.00 foot alley-way, same point being the southwest corner of Lot 1, Block 20 for the northwest corner of this tract;

THENCE, North 89°36'20" East, 663.36 feet, departing said east right-of-way line of Gevers Street and crossing said Block 20, N.C.B. 1456, and along the north line of said 15.00 foot alley-way to a set ½" iron rod in the west right-of-way line of Mittman Street, same point being the southeast corner of Lot 13, Block 20 for the northeast corner of this tract;

THENCE, South 00°14'54" East, 15.00 feet, along said west right-of-way line of Mittman Street to a set ½" iron rod in the south line of said 15.00 foot alley-way, same point being the northeast corner of Lot 26, Block 20 for the southeast corner of this tract, from which the southeast corner of said Lot 26, Block 20, same point being the intersection of the west right-of-way line of Mittman Street and the north right-of-way line of Wyoming Street, bears S00°14'54"E, 129.82 feet;

THENCE, South 89°36'20" West, 663.38 feet, departing said west right-of-way line of Mittman Street and along said south line of said 15.00 foot alley-way to the **POINT OF BEGINNING**, and containing 9,951 square feet (0.228 acres) of land more or less.

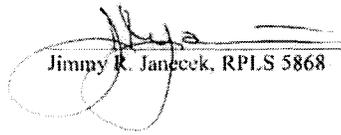
A survey plat accompanies this description.

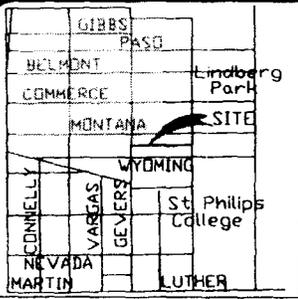
Plat prepared this day, April 11, 2006.

Bearings basis; NAD 83/93, Texas State Plane Coordinates, Texas South Central Zone
Revised October 11, 2006

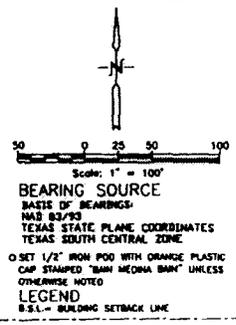
Surveyed on the ground the 1st Day of AUGUST, 2006



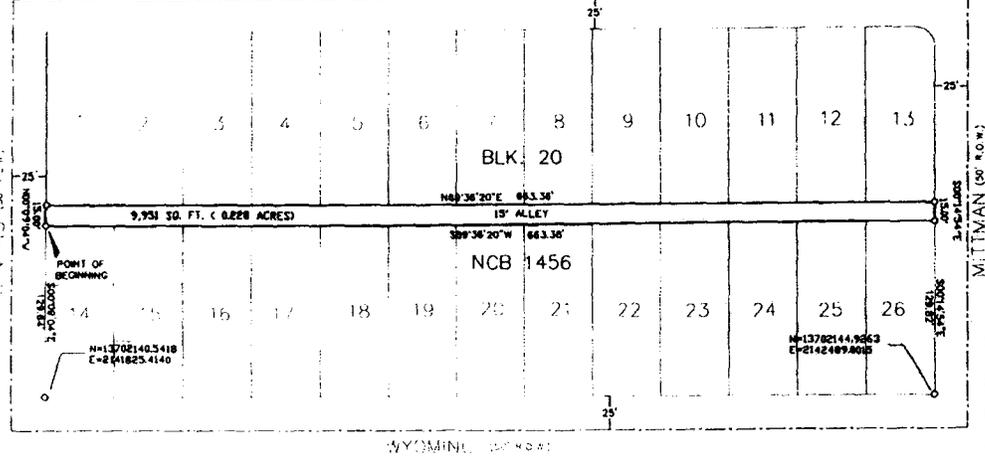

Jimmy R. Janacek, RPLS 5868



LOCATION MAP (N.T.S.)



BEARING SOURCE
 BASIS OF BEARINGS:
 NAD 83/93
 TEXAS STATE PLANE COORDINATES
 TEXAS SOUTH CENTRAL ZONE
 O SET 1/2" IRON POU WITH ORANGE PLASTIC
 CAP STAMPED "BAIN MEDINA BAIN" UNLESS
 OTHERWISE NOTED
LEGEND
 B.S.L. = BUILDING SETBACK LINE



SURVEY PLAT:
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 OUT OF THE EAST END ADDITION, BLOCK 20,
 N.C.B. 1456, RECORDED IN VOLUME 72,
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 COUNTY, TEXAS.

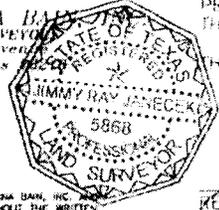
STATE OF TEXAS
 COUNTY OF BEXAR

THIS SURVEY PLAT WAS PREPARED FROM AN ACTUAL
 SURVEY MADE ON THE GROUND UNDER MY SUPERVISION,
 AND THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE
 PROFESSIONAL AND TECHNICAL STANDARDS ADOPTED BY
 THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYORS.

A METES AND BOUNDS DESCRIPTION OF EVEN DATE
 HEREWITH ACCOMPANIES THIS SURVEY PLAT

THIS 1ST DAY OF AUGUST, 20 06 A.D.

BAIN MEDINA BAIN
 ENGINEERS & SURVEYORS
 7073 San Pedro Avenue
 San Antonio, Texas 78240
 210/494-7222



DATE: 5-24-06
 DRAWN BY: Y.G.

[Signature]
 REGISTERED PROFESSIONAL LAND SURVEYOR
 JOB NO.: C-1062

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 FROM THE DATE INDICATED ON THIS DRAWING. ALL RIGHTS
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SHEET 3 OF 3 REVISED: OCT. 11, 2006

RECORDER'S MEMORANDUM
AT THE TIME OF RECORDATION, THIS
INSTRUMENT WAS FOUND TO BE INADEQUATE
FOR THE BEST PHOTOGRAPHIC REPRODUCTION
BECAUSE OF ILLEGIBILITY, CARBON OR
PHOTO COPY DISCOLORED PAPER ETC.

Any instrument found to be illegible and unenforceable under Federal law
property because of type is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby certify that this instrument was FILED in File Number Sequence on
the date and at the time stamped hereon by me and was duly RECORDED
in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 10 2007



Gerry Rickhoff

COUNTY CLERK BEXAR COUNTY, TEXAS

Doc# 20070008458 Fees: \$60.00
01/10/2007 2:35PM # Pages 12
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERRY RICKHOFF COUNTY CLERK

Proposed closure of portions of North Mittman Street & 2 alleys Public Rights of Way

Petitioner: Alamo Community College
District

Presented by: Department of Asset
Management

Items 7, Public Hearing

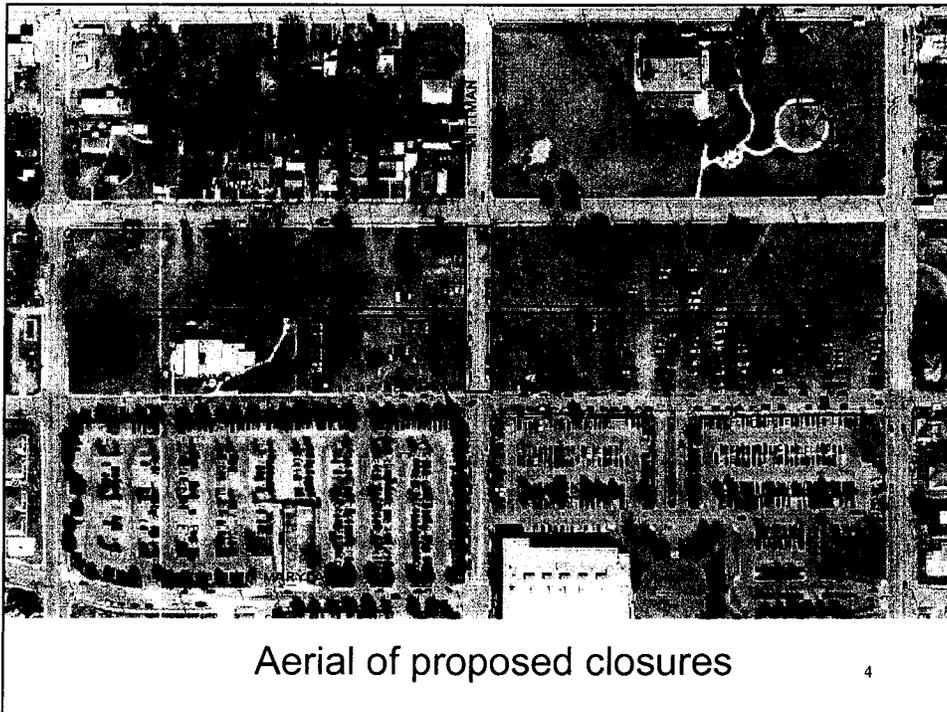
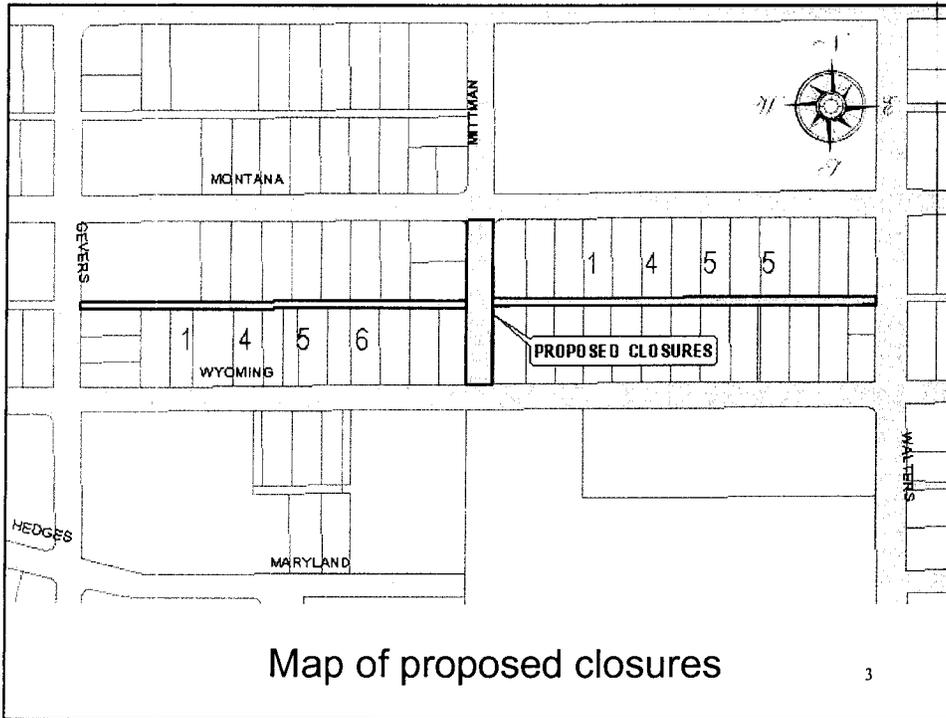
City Council Meeting

January 4, 2007

Proposed closure of North Mittman Street & 2 alleys (Cont.)

Issue

- Petitioner is requesting the closure, vacation and abandonment of 0.771 acres (33,630 sf) of N. Mittman St. & 2 alleys Public Rights of Way, located between Gevers & Walters Streets, adjacent to NCBs 1455 & 1456, in Council District 2
- The petitioner owns all of the abutting property & would like to incorporate this street with its property for expansion & development of St. Phillips College Campus



Proposed closure of North Mittman Street & 2 alleys (Cont.)

Staff Coordination:

- Request was coordinated through all interested City Departments and Utility Agencies and petitioner has agreed to comply with all imposed conditions

Notification:

- 115 notices were mailed to property owners within a 500 foot radius of the proposed closure
- 3 notices were returned in favor
- 0 notices were returned in opposition

5

Proposed closure of North Mittman Street & 2 alleys (Cont.)

Fiscal Impact:

- The City will collect a closure fee of \$25,370 for this closure, vacation and abandonment.

Supplemental Comments:

- The Planning Commission recommended approval of this request at its regular meeting of December 13, 2006

Recommendation:

- Staff recommends approval

6

Proposed closure of a portion of Chavaneaux Road Public Right of Way

Petitioner: Alamo Community College
District

Presented by: Department of Asset
Management

Item 8, Public Hearing

City Council Meeting

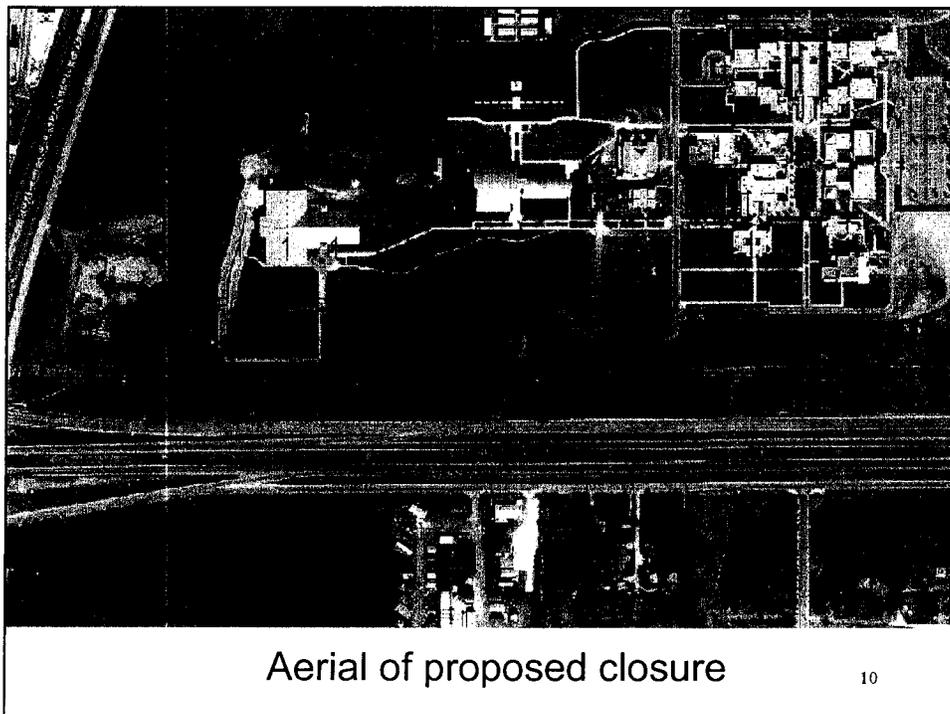
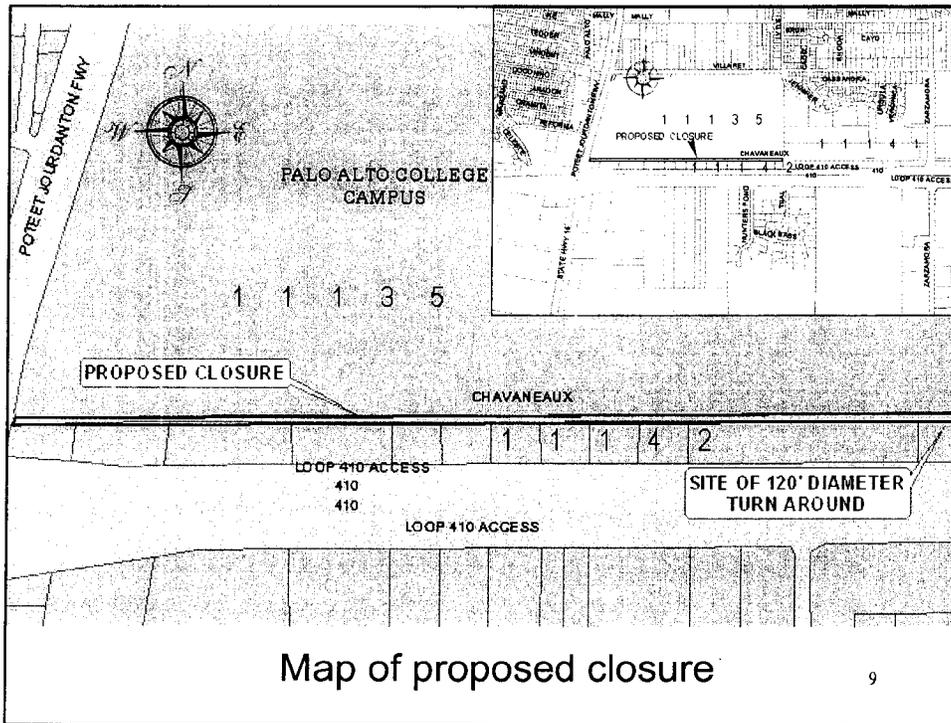
January 4, 2007

Proposed closure of Chavaneaux Road (Cont.)

Issue

- Petitioner is requesting the closure, vacation and abandonment of 4.12 acres (179,467 sf) of Chavaneaux Rd. Public Right of Way, located between Villaret Street & Loop 410 SW, adjacent to NCB 11135, in Council District 4
- The petitioner owns all of the abutting property & would like to incorporate this street with its property for expansion & development of Palo Alto College Campus

8



Proposed closure of Chavaneaux Road (Cont.)

Issue (cont.)

- Petitioner plans to dedicate a 120' diameter turn around right of way at the east end of the proposed closure

Staff Coordination:

- Request was coordinated through all interested City Departments and Utility Agencies and petitioner has agreed to comply with all imposed conditions

11

Proposed closure of Chavaneaux Road (Cont.)

Notification:

- 14 notices were mailed to property owners within a 500 foot radius of the proposed closure
- 3 notices were returned in favor
- 0 notices were returned in opposition

Fiscal Impact:

- The City will collect a closure fee of \$53,539 for this closure, vacation and abandonment.

12

Proposed closure of Chavaneaux Road (Cont.)

Supplemental Comments:

- The Planning Commission recommended approval of this request at its regular meeting of December 13, 2006

Recommendation:

- Staff recommends approval

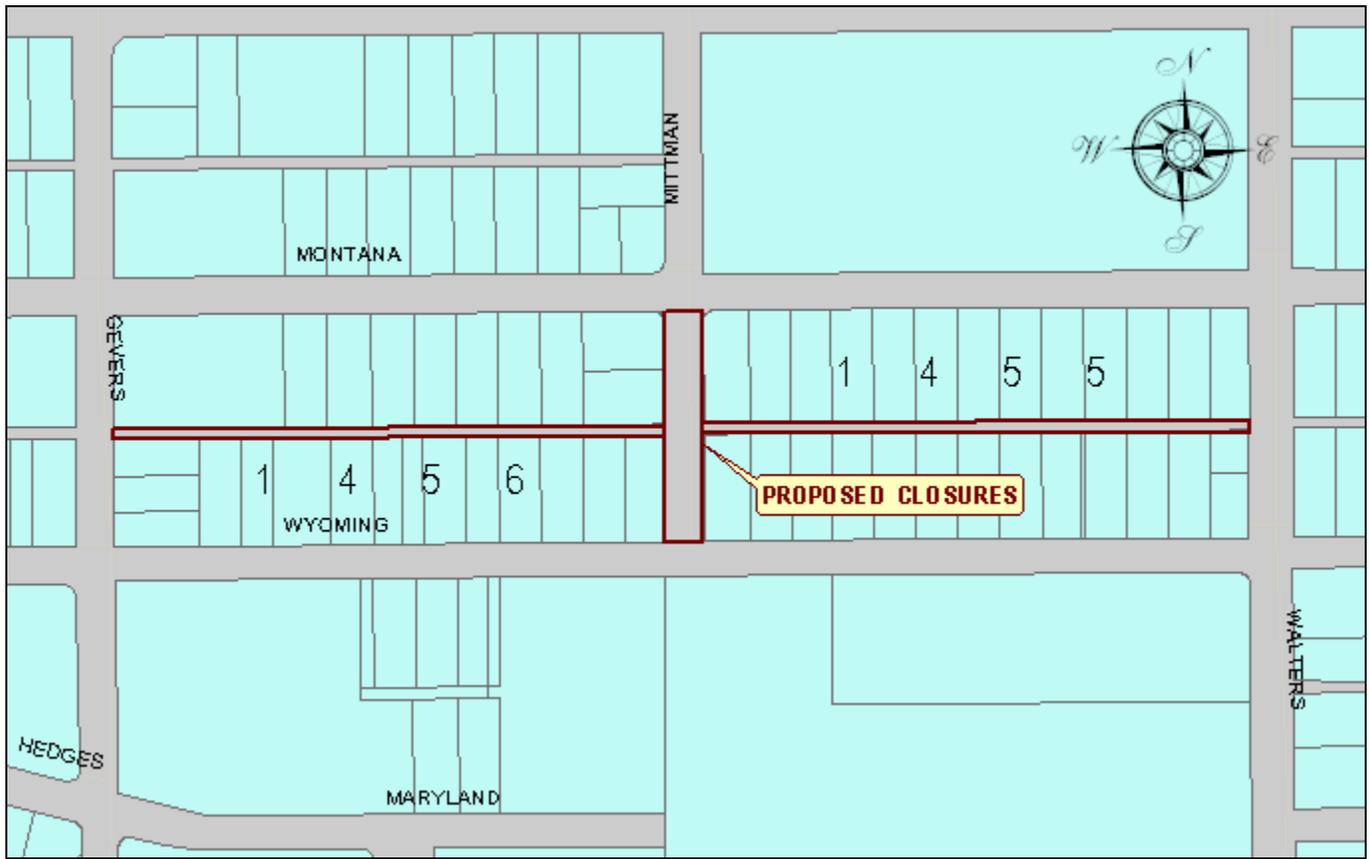


Exhibit "A"



CITY OF SAN ANTONIO
Request for Council Action

Agenda Item # 7
Council Meeting Date: 1/4/2007
RFCAs Tracking No: R-822

DEPARTMENT: Asset Management Department **DEPARTMENT HEAD:** Shawn Eddy

COUNCIL DISTRICT(S) IMPACTED:
Council District 2

SUBJECT:
Closure of a portion of North Mittman St. & 2 Alleys ROW

SUMMARY:
Public hearing and consideration of an ordinance authorizing closure, vacation, and abandonment of North Mittman Street and two alleys located between Gevers and Walters Streets, adjacent to NCBs 1455 & 1456, District 2, as requested by Alamo Community College District for a fee of \$25,370.

BACKGROUND INFORMATION:
Petitioner is requesting the closure, vacation and abandonment of a portion of North Mittman Street and two alleys Public Rights of Way located between Gevers and Walters Streets adjacent to NCBs 1455 and 1456 as shown on attached Exhibit "A." Petitioner owns all the abutting properties and would like to incorporate these rights of way for the expansion and development of the adjacent St. Phillips College Campus.

ISSUE:
This Ordinance will authorize closure, vacation, and abandonment of a portion of North Mittman Street and two alleys Public Rights of Way.

ALTERNATIVES:
The alternative would be to not grant this vacation and abandonment, which would inhibit the expansion and development of the St. Phillips College Campus.

FISCAL IMPACT:
The City will collect \$25,370.00 as consideration for this closure, vacation and abandonment of Public Rights of Way. Revenue collected is to be deposited in the Facilities Services I & C fund.

RECOMMENDATION:
Staff recommends approval of this Ordinance.

ATTACHMENT(S):

File Description	File Name
Exhibit	Exhibit.doc
Canvassing Sheet	Canvassing Sheet.pdf
Letter of Agreement	Letter of Agreement.pdf
Ordinance/Supplemental Documents	200701040003.pdf

DEPARTMENT HEAD AUTHORIZATIONS:

Shawn Eddy Director Asset Management Department

APPROVED FOR COUNCIL CONSIDERATION:

Pat DiGiovanni Deputy City Manager

Canvassing Checklist

SPNo 1294

Request: Petitioner is requesting the closure, vacation and abandonment of a portion of North Mittman Street and two alleys located between Gevers and Walters Streets adjacent to NCBs 1455 and 1456 as shown on attached Exhibit "A." Petitioner owns all the abutting properties and would like to incorporate these rights of way for the expansion and development of the adjacent St. Phillips College Campus facilities.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	8/16/2006	10/3/2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	8/16/2006	9/27/2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	8/16/2006	8/31/2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Fire Department	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Parks and Recreation	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Action (NAD)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
City Public Service	<input checked="" type="checkbox"/>	8/16/2006	9/8/2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	8/16/2006	8/22/2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
TXDOT	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. River Authority (SARA)	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
VIA Metropolitan	<input checked="" type="checkbox"/>	8/16/2006	8/25/2006	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Environmental Services	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other Agency	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Association	<input checked="" type="checkbox"/>	8/16/2006	9/8/2006	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

ARENA DISTRICT NA, ATTN: ANN GARCIA, 1706 NEVADA, 78203 & JEFFERSON HEIGHTS NA, ATTN: CHARLES ENGLISH, P. O. BOX 831336, 78283 - NO RESPONSE RECEIVED FROM JEFFERSON HEIGHTS.



CITY OF SAN ANTONIO

DEPARTMENT OF ASSET MANAGEMENT
P.O. BOX 839966 SAN ANTONIO, TEXAS 78283-3966
TEL. 210-207-4032 FAX 210-207-7888

October 13, 2006

Alamo Community College District
c/o Bain Medina Bain, Inc.
Attn: Carl Bain, P.E.
7073 San Pedro Ave.
San Antonio, TX 78216

Re: S.P. No. 1294—Request to close, vacate & abandon a portion of North Mittman Street and two alleys
Public Rights Of Way located between Gevers & Walters Streets adjacent to NCBs
1455 and 1456

Dear Mr. Bain:

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:

PLANNING DEPARTMENT

The Arena District / Eastside Community Plan places significant emphasis on creating pedestrian corridors throughout the community, as well as developing an interconnected open space system. The applicant has indicated that the subject area for closure on Mittman will not be immediately closed to auto traffic; therefore, as a condition of this approval, while the subject portion of Mittman remains open to auto traffic, crosswalks should be constructed on Mittman between Wyoming and Montana Streets to ensure pedestrian safety. Subject sidewalks should also be maintained and when necessary, repaired to provide continuous pedestrian access and accessibility. Appropriate landscaping including street trees should be incorporated into the site plan along Mittman to accommodate shading for pedestrians.

PUBLIC WORKS DEPARTMENT

There is an existing storm drain system located on Mittman between Montana and Wyoming, access must be provided to this and all area drainage facilities for maintenance. Submit detailed plans to Storm Water Engineering for all improvements and give calculations showing existing vs. ultimate for current system.

DEVELOPMENT SERVICES DEPARTMENT

Approved provided proper permits are obtained and the site must be assembled with petitioner's property and platted in accordance with Code.

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, operational and maintenance purposes or 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, operational and maintenance purposes or 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.

DEPARTMENT OF ASSET MANAGEMENT

- The closure, vacation and abandonment of these Public Rights of Way will be authorized by a City Ordinance.
- Petitioner asserts that all evidence of ownership of property abutting the Public Rights of Way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct.
- The petitioner acknowledges that these properties 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.
- *Petitioner agrees to remit a closure fee of \$25,370.00, which includes the assessed value of \$25,191.00 for the Public Rights of Way, a fee of \$144.00 for posting of signs notifying the public of the proposed street closure and \$35.00 for recording documents. 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 to the petitioner less the fee for posting of signs.*

Also, please provide the deeds for all properties abutting the proposed closures.

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.

If your client concurs with the above mentioned conditions, including the payment of the assessed closure fee, please have your client countersign this letter in the spaces provided below and return to the undersigned. *Upon receipt of this executed Letter of Agreement, the property deeds and closure fee we will continue processing your request.*

Sincerely,



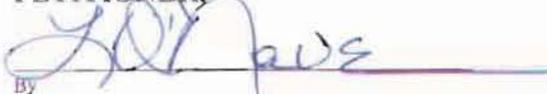
Todd Olson
Real Estate Manager
Property Disposition Division

TO/MA

CERTIFIED MAIL 7002 2030 0005 8524 4662

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:



J. O'Nave
Print Name

ACCD Director of Acquisitions &
Title Administrative Services
11/10/06
Date