

AN ORDINANCE 2009-06-11-0497

AUTHORIZING THE ACQUISITION, THROUGH NEGOTIATIONS AND/OR CONDEMNATION, OF FEE SIMPLE TITLE CONSISTING OF APPROXIMATELY 3,002 SQUARE FEET OF PRIVATELY OWNED PROPERTY AT THE NORTHWEST CORNER OF THE INTERSECTION OF STONE OAK PARKWAY AND HUEBNER ROAD IN COUNCIL DISTRICT 9 FOR THE STONE OAK PARKWAY AND HUEBNER ROAD INTERSECTION PROJECT (PROJECT); DECLARING IT TO BE A PUBLIC PROJECT; DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION; AUTHORIZING THE CITY ATTORNEY TO FILE EMINENT DOMAIN PROCEEDINGS, IF NECESSARY; AND AUTHORIZING THE EXPENDITURES OF \$39,650.00 FOR THE ACQUISITION.

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WHEREAS, property interests to approximately 3,002 square feet of privately owned land is required to complete the Advanced Transportation District intersection improvement projects; and

WHEREAS, this acquisition will allow for a southbound right turn lane at the intersection of Stone Oak Parkway and Huebner Road to alleviate heavy traffic congestion at this intersection; and

WHEREAS, this Ordinance authorizes the acquisition of 0.069 acre out of Lot 64, Block 5, New City Block 19223 through negotiation or condemnation; and

WHEREAS, this Ordinance authorizes the appropriation and expenditure of \$39,650.00 for the acquisition of fee simple title and any other expenses; **NOW THEREFORE**,

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

SECTION 1. A public necessity is hereby declared for the City of San Antonio to acquire fee simple title to approximately 3,002 square feet of privately owned real property located at the northwest corner of the intersection of Stone Oak Parkway and Huebner Road in Council District 9. A said parcel of land is generally described as Parcel 18306 – 0.069 acre, being 3,002 square feet out of Lot 64, Block 5, New City Block 19223.

SECTION 2. The City Manager, or her designee, is hereby authorized to direct the City Attorney to institute and prosecute to conclusion all necessary proceedings to condemn such properties if the City of San Antonio is unable to acquire through negotiation by reason of its inability to agree with the owners thereof as to the value of such property, or for any other reason, and to take any other legal action deemed necessary by the City Attorney to accomplish these purposes.

SECTION 3. The prior actions and efforts of City officials to negotiate the purchase of the necessary rights and the steps taken to initiate and prosecute condemnation of the property are hereby ratified and affirmed.

SECTION 4. The following financial adjustments are hereby approved:

The previously appropriated amount of \$39,650.00 in SAP Fund 40099000, Other Capital Projects, SAP Project Definition 23-00990, ATD-Intersection Improvements, is authorized to be encumbered and made payable for land, due diligence and closing costs related to the acquisition of a tract of land located in Bexar County, Texas. The budget shall be revised by increasing\decreasing the SAP WBS Elements as follows:

WBS NO.	WBS NAME	G/L	G/L NAME	CURRENT PLAN VERSION 0 (Optional)	PLAN VERSION 0 REVISION/ Appropriation	REVISED PLAN VERSION 0 (Optional)
23-00990-03-02-04	ROW Acquisition	5209010	Land Acquisition	\$0.00	\$39,650.00	\$39,650.00
23-00990-05-02	Construction Costs	5201140	Construction Cost	\$3,945,000.00	-\$39,650.00	\$3,905,350.00
			TOTALS	\$3,945,000.00	\$0.00	\$3,945,000.00

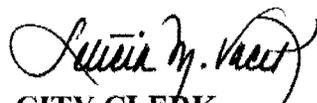
SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This Ordinance shall be effective on the tenth day after passage hereof.

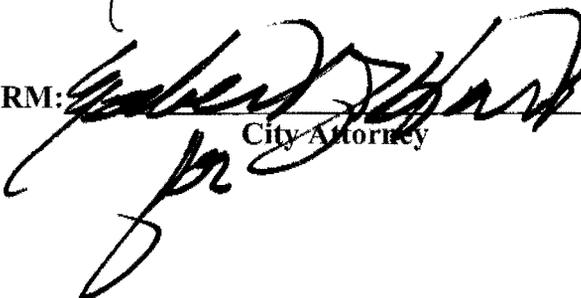
PASSED AND APPROVED this the 11th day of June, 2009.


A Y O R
JULIÁN CASTRO

ATTEST:


CITY CLERK

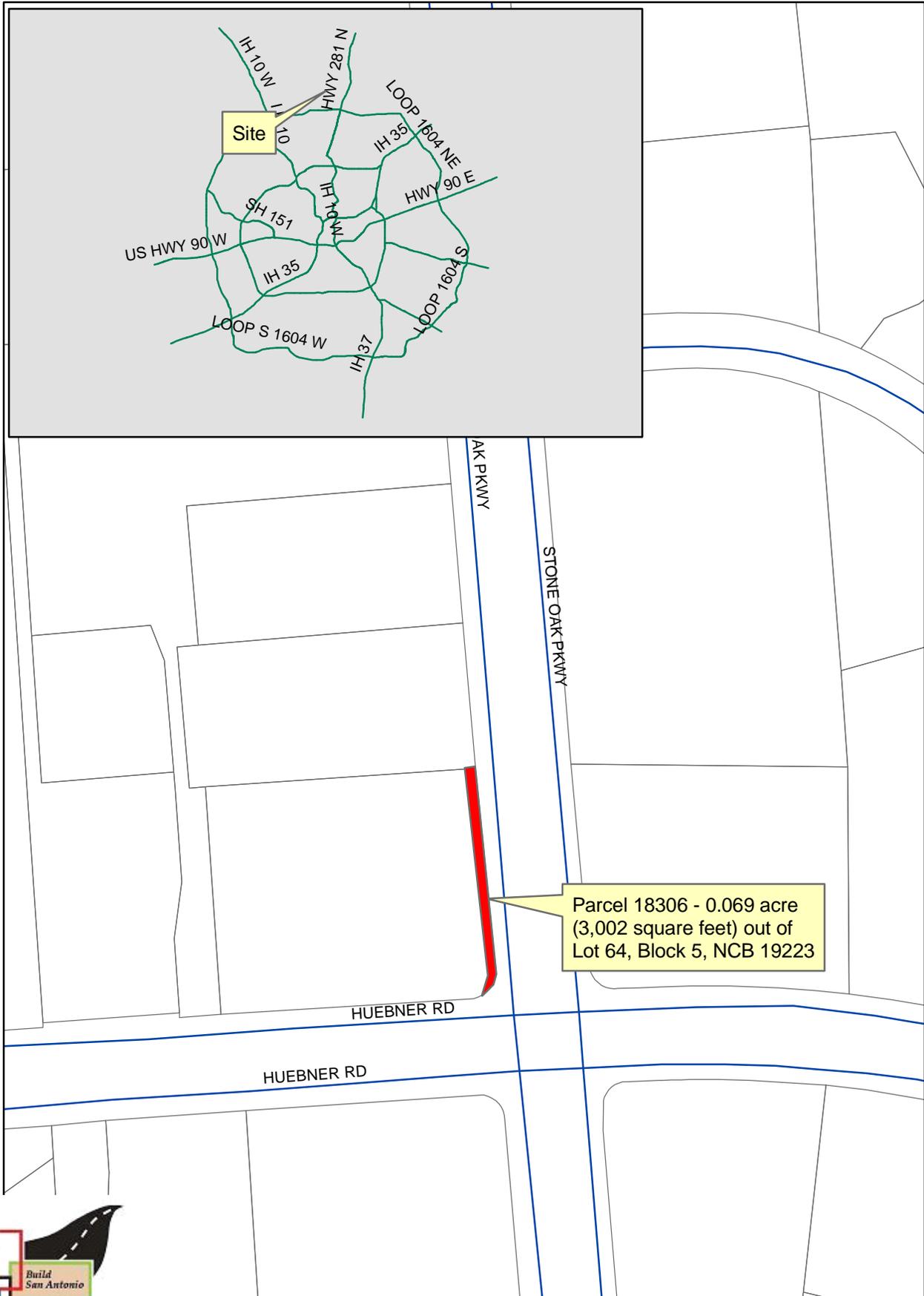
APPROVED AS TO FORM:


City Attorney

LEF

Agenda Item:	20 (in consent vote: 6, 7, 14, 16, 18, 20, 21, 22, 24)						
Date:	06/11/2009						
Time:	09:36:17 AM						
Vote Type:	Motion to Approve						
Description:	An Ordinance authorizing the acquisition, through negotiation and/or condemnation, of fee simple title consisting of approximately 3,002 square feet of privately owned property at the northwest corner of the intersection of Stone Oak Parkway and Huebner Road in Council District 9 for the Stone Oak Parkway and Huebner Road Intersection Project; declaring it to be a public project; declaring a public necessity for the acquisition; and authorizing the expenditure of \$39,650.00 for the acquisition. [Penny Postoak Ferguson, Assistant City Manager; Mike Frisbie, Director, Capital Improvements Management Services]						
Result:	Passed						
Voter	Group	Not Present	Yea	Nay	Abstain	Motion	Second
Julian Castro	Mayor		x				
Mary Alice P. Cisneros	District 1		x			x	
Sheila D. McNeil	District 2	x					
Jennifer V. Ramos	District 3		x				x
Philip A. Cortez	District 4		x				
Lourdes Galvan	District 5		x				
Ray Lopez	District 6		x				
Justin Rodriguez	District 7		x				
Diane G. Cibrian	District 8		x				
Elisa Chan	District 9		x				
John G. Clamp	District 10		x				

ATD Intersection Improvements Stone Oak Parkway and Huebner Road



Not To Scale

