

PUBLIC HEARING
ITEM NO 5(B)
3:00 PM

CITY OF SAN ANTONIO
DEPARTMENT OF ASSET MANAGEMENT
INTERDEPARTMENTAL CORRESPONDENCE SHEET

TO: Mayor and City Council

FROM: Rebecca Waldman, Director, Department of Asset Management

THROUGH: Terry M. Brechtel, City Manager

COPIES: Erik J. Walsh, Assistant to the City Manager; Shawn P. Eddy, Special Projects Manager, Property Disposition

DATE: Thursday, February 5, 2004

SUBJECT: S. P. No. 1093—Request to close, vacate and abandon an unimproved portion of Gertrude Alley Public Right of Way located south of Ellerman Street and dead-ending into NCB 2899

PETITIONER: San Antonio Independent School District
Attn: Kamal Elhabr, P.E.
1702 N. Alamo St., Suite 307
San Antonio, TX 782151213

SUMMARY AND RECOMMENDATIONS

This Ordinance will close, vacate and abandon an unimproved portion of Gertrude Alley Public Right of Way located south of Ellerman Street and dead-ending into NCB 2899, in Council District No. 5, for use by the adjacent Alamo Achievement Center, as requested by San Antonio Independent School District, for the consideration of \$5,461.00.

Staff recommends approval of this Ordinance.

BACKGROUND INFORMATION

Petitioner is requesting closure, vacation and abandonment of an unimproved portion of Gertrude Alley Public Right of Way located south of Ellerman Street and dead-ending into NCB 2899 as shown on attached Exhibit "A." Gertrude Alley currently exists only as a "paper street", which is inaccessible, has never been constructed and abuts an unused Union Pacific Railroad spur to the north as well as Ellerman Street. Petitioner owns all abutting property, which serves as the current location of the Alamo Achievement Center.

POLICY ANALYSIS

This action is consistent with City Ordinances regulating the closure, vacation and abandonment of Public Right of Way within the Corporate Limits of the City of San Antonio.

FISCAL IMPACT

The City will collect \$5,461.00 as consideration for this closure, vacation and abandonment of Public Right of Way.

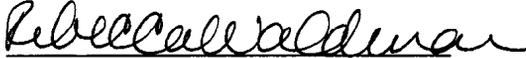
COORDINATION

In compliance with City procedures, this request has been canvassed through interested City departments, public utilities and applicable agencies. A Canvassing Checklist and an executed Letter of Agreement, by which the petitioner agrees with all conditions imposed through this canvassing, are attached for review.

SUPPLEMENTARY COMMENTS

The City of San Antonio's Planning Commission will consider this request at its regular meeting of 1/28/2004 and its finding will be presented to City Council on 2/5/2004.

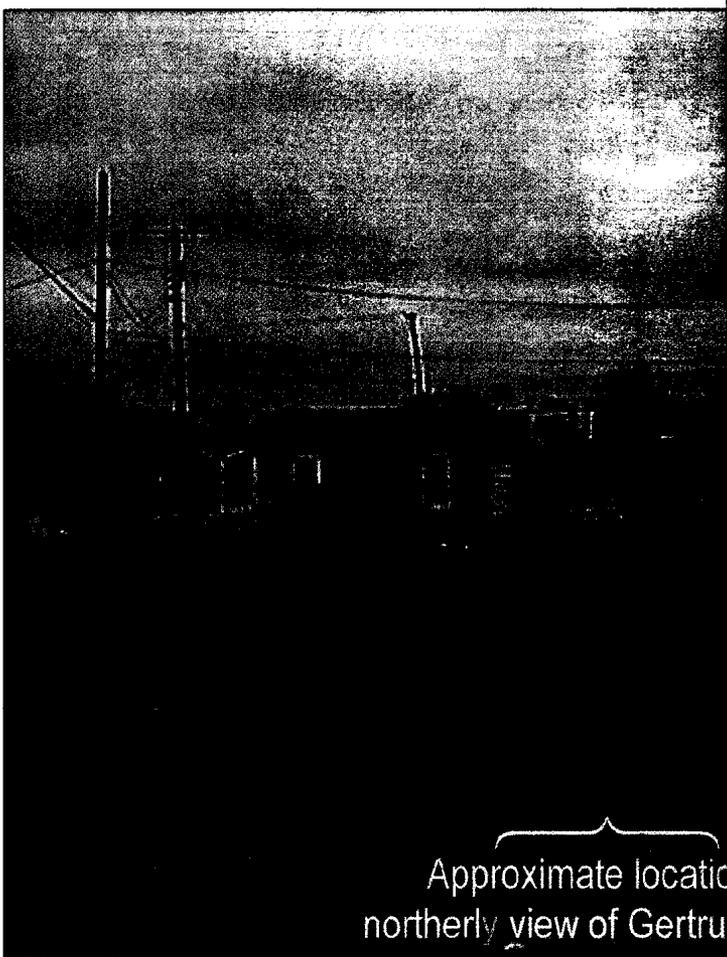
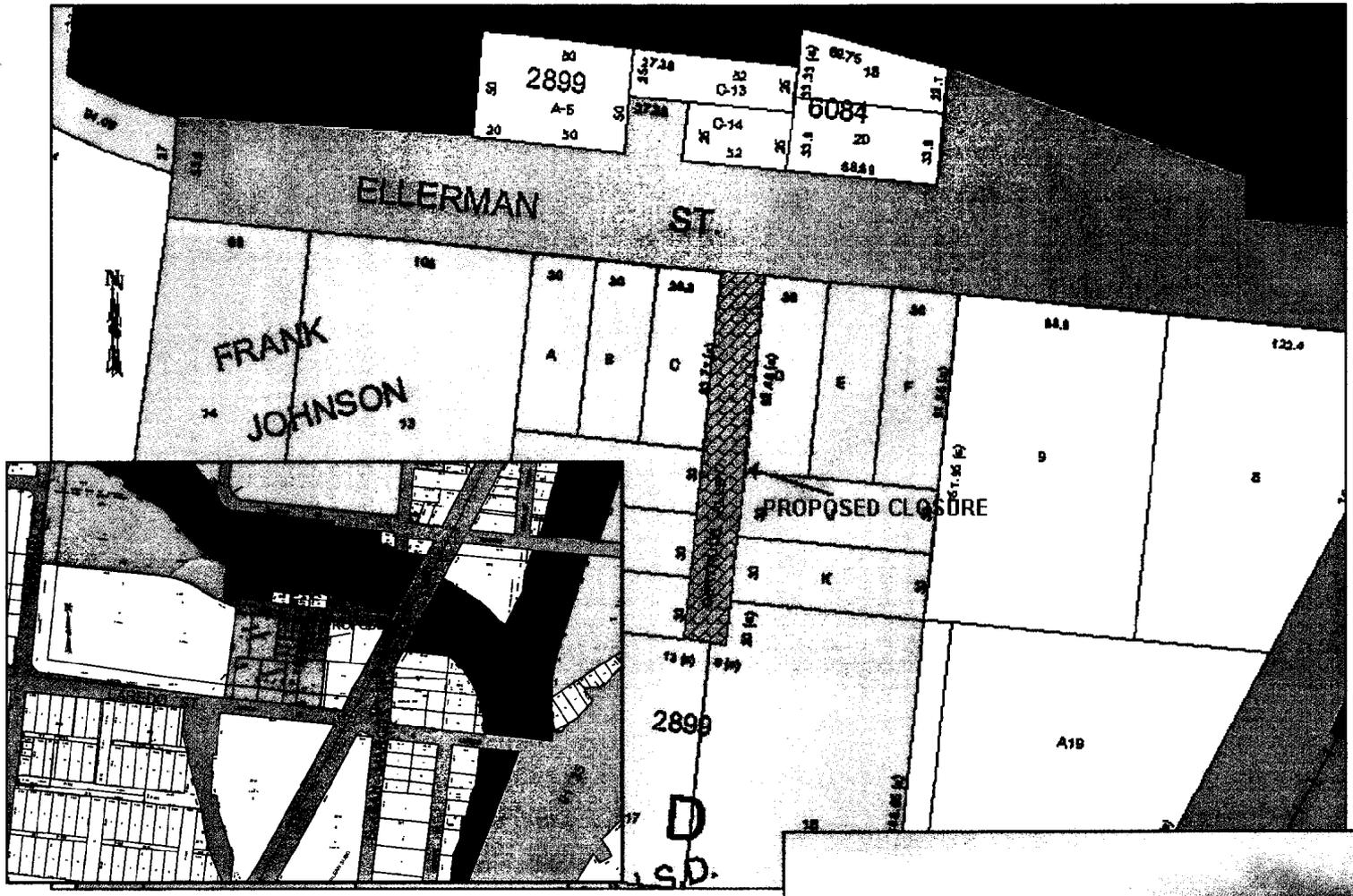
The petitioner is exempt from filing a Discretionary Contracts Disclosure Statement.



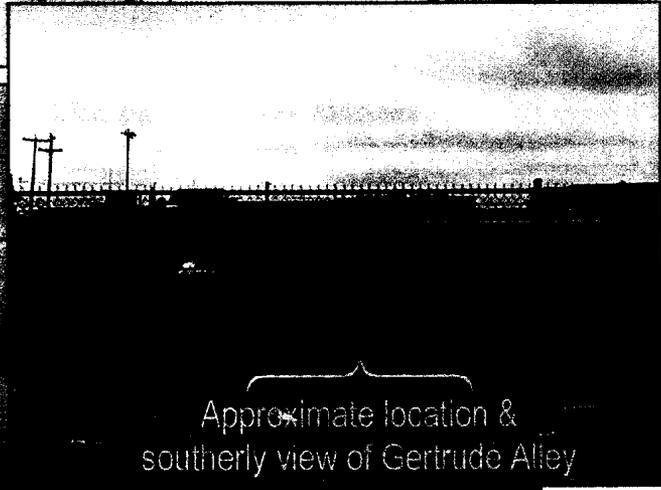
Rebecca Waldman, Director
Department of Asset Management



Erik J. Walsh
Assistant to the City Manager



Approximate location & northerly view of Gertrude Alley



Approximate location & southerly view of Gertrude Alley

Canvassing Checklist

SPNo **1093**

Request: Petitioner is requesting closure, vacation and abandonment of an unimproved portion of Gertrude Alley Public Right of Way located south of Ellerman Street and dead-ending into NCB 2899 as shown on attached Exhibit "A." Gertrude Alley, which currently exists only as a "paper street", abuts an unused Union Pacific Railroad spur to the north as well as Ellerman Street, and is not accessible. Petitioner owns all abutting property, which serves as the current location of the Alamo Achievement Center.

	Included in Canvassing	Out Date	In Date	Uncond. Approval	Conditional Approval	Denial
Planning Department	<input checked="" type="checkbox"/>	3/6/2003	4/22/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PublicWorks	<input checked="" type="checkbox"/>	3/6/2003	12/2/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Development Services	<input checked="" type="checkbox"/>	3/6/2003	4/22/2003	<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"/>	3/6/2003	4/2/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
S.A. Water System (SAWS)	<input checked="" type="checkbox"/>	3/6/2003	3/19/2003	<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 type="checkbox"/>			<input 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"/>	3/6/2003	3/7/2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Canvassing Comments

AVENIDA GUADALUPE ASSN., INC.; ATTN: ROGER CARRILLO; 1327 GUADALUPE, 78207



CITY OF SAN ANTONIO

January 7, 2004

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

San Antonio Independent School District
Attn: Kamal Elhabr, P.E.
Bond Construction Associate Superintendent
1702 N. Alamo, Suite 307
San Antonio, TX 78215-1213

Re: S. P. No. 1093—Request to close, vacate and abandon an unimproved (paper street) portion of Gertrude Alley Public Right of Way located south of Ellerman Street and dead-ending into NCB 2899

Dear Mr. Elhabr:

With reference to the captioned project, please be advised that the City of San Antonio has completed the canvassing process and will recommend approval of your request subject to the following conditions:

DEVELOPMENT SERVICES DEPARTMENT

Approved provided the proposal does not create a land lock condition, and the area is assembled and platted with the petitioner's property.

SAN ANTONIO WATER SYSTEM

Approved provided petitioner agrees to reserve a perpetual easement for all existing water and/or sewer facilities and agrees 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 the San Antonio Water System and at the sole expense of the petitioner.

DEPARTMENT OF ASSET MANAGEMENT:

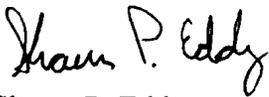
- The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance.
- Petitioner asserts that all evidence of ownership of all property abutting the Public Right of Way proposed to be closed, vacated and abandoned by the City of San Antonio is true and correct.
- The petitioner acknowledges that this property will be accepted in its "as is" condition.
- Petitioner 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 \$5,461.00, which includes the assessed value of \$5,426.00 for the Public Right of Way, and \$35.00 for recording documents. This closure fee will be due and payable to the City of San Antonio, with the return of this letter. If for some reason the closure is not approved by City Council, the closure fee will be refunded to the petitioner.

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

Sincerely,



Shawn P. Eddy
Special Projects Manager
Property Disposition Division

SPE/ma

AGREED AS TO TERMS AND CONDITIONS:

PETITIONER:


By Kamal Elhabr
Print Name

Associate Superintendent
Title
January 7, 2004
Date