

**CITY OF SAN ANTONIO
INTERDEPARTMENTAL MEMORANDUM
SAN ANTONIO WATER SYSTEM**

CONSENT AGENDA
ITEM NO. 12

TO: Mayor and City Council

FROM: Leonard D. Young, P.E., Interim President/Chief Executive Officer, San Antonio Water System and Thomas G. Wendorf, P.E., Director of Public Works, City of San Antonio

THROUGH: Terry M. Brechtel, City Manager

COPIES: Melissa Byrne Vossmer, Assistant City Manager, File

SUBJECT: Ordinance Declaring a Public Necessity for the Acquisition of Permanent and Temporary Easement Interests in Certain Privately Owned Real Properties by Negotiation and/or Condemnation if Necessary, for the Espada Un-Sewered Area Project.

DATE: August 5, 2004

SUMMARY AND RECOMMENDATIONS

This ordinance declares a public necessity for the acquisition of parcels as described herein for permanent and temporary easement interests in certain privately owned real properties by negotiation and/or condemnation if necessary, for a San Antonio Water System (SAWS) project. This project will meet the SAWS commitment for sewer service for the continued growth in the South Central area of San Antonio.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

The San Antonio Water System Board of Trustees requires the acquisition of parcels as described herein for permanent easement and temporary interests in certain privately owned real properties by negotiation and/or condemnation if necessary, for the Espada Un-Sewered Area Project.

- It is in the best interest of the City of San Antonio and necessary for the efficient operation of the San Antonio Water System (SAWS) to construct, operate, and maintain the Espada Un-Sewered Area Project upon the privately owned property described in Attachment I to the resolution for this item.

- Acquisition of thirty-nine easements is required for the proposed alignment. The easements are described herein and will require acquisition by eminent domain.
- The City of San Antonio, acting by and through representatives of SAWS, has been unable to acquire title to the parcels, which are fully described herein.

In order to exercise its power of eminent domain, the City of San Antonio must declare a public necessity for the acquisition of property to be utilized by SAWS. The City exercises this authority on behalf of its departments and agencies when property cannot be acquired for fair market value, or property owners cannot be located. Staff has compiled the list of available information on current owners as shown herein.

OWNERS	PERMANENT TEMPORARY EASEMENTS	LEGAL DESCRIPTION
Victoria & Maximo Cano	0.053-Acre 0.083-Acre	NCB-11173
Edward Ruiz, Jr.	0.073-Acre 0.111-Acre	NCB-11173
Gilbert Jimenez	0.107-Acre 0.160-Acre	NCB-11173
Lucinda Casias	0.077-Acre 0.130-Acre	NCB-11173
Julia Casias	0.024-Acre 0.061-Acre	NCB-11173
Reinaldo & Amparo Sanchez	0.003-Acre 0.009-Acre	NCB-11173
Charles M. Montoya, Et Ux	0.100-Acre 0.373-Acre	NCB-11173
Linda Bishop	0.057-Acre 0.089-Acre	NCB-11173
Edward G. Gutierrez, Et Ux	0.022-Acre 0.034Acre	NCB-11173
George A. Gutierrez, Et Ux	0.020-Acre 0.032-Acre	NCB-11173
Tomas Padilla, Et Ux	0.069-Acre 0.108-Acre	NCB-11173
Richard Esquivel & Mario Esquivel	0.048-Acre 0.074-Acre	NCB-11173
Bert James Elwood	0.077-Acre 0.122-Acre	NCB-11173
Ernesto Olivas, Et Al	0.016-Acre 0.027-Acre	NCB-11173
Manuel Del Los Santos	0.070-Acre 0.110-Acre	NCB-11173
Euglogia C. Segura, Et Vir	0.136-Acre 0.194-Acre	NCB-11173

Julia Diana Riojas	0.018-Acre 0.029-Acre	NCB-11173
Rachel Z. Stuart	0.019-Acre 0.032-Acre	NCB-11173
Edward G. Gutierrez, Et Ux	0.115-Acre 0.163-Acre	NCB-11173
Sara Lara Fuentes, Et Al	0.364-Acre 0.360-Acre	NCB11169
Raul Cerda, Et Ux	0.097-Acre 0.097-Acre	NCB-11169
Manuel P. Gonzalez, Jr. Et Ux	0.074-Acre 0.074-Acre	NCB-11169
Ashley Salvage Company, A Texas Corporation	0.220-Acre 0.220-Acre	NCB-11169
Jesus Guia	0.068-Acre 0.068-Acre	NCB-11171
S. Leonardo Blangiardo	0.068-Acre 0.068-Acre	NCB-11171
Estanislado Linares, Et Ux	0.068-Acre 0.068-Acre	NCB-11171
Eva T. Martinez	0.043-Acre 0.068-Acre	NCB-11171
Alejandra Cabrales	0.068-Acre 0.068-Acre	NCB-11171
Janet Ann Krusell	0.068-Acre 0.068-Acre	NCB-11171
Dolores H. Martinez	0.068-Acre 0.068-Acre	NCB-11171
Alfredo G. Martinez, Et Ux	0.136-Acre 0.212-Acre	NCB-11172
Eufemia L. De La Garza	0.179-Acre 0.179-Acre	NCB-11171
Angelina G. Moncivais	0.060-Acre 0.105-Acre	NCB-11168
Belia Gutierrez Meza	0.017-Acre 0.022-Acre	NCB-11168
Belia Gutierrez Meza	0.205-Acre 0.257-Acre	NCB-11168
Alice G. Morrison	0.225-Acre 0.277-Acre	NCB-11168
Justin Newell Triesch, III	0.606-Acre 0.923-Acre	NCB-11168
River City Steel & Recycling, Inc., A Texas Corporation	0.337-Acre 0.0527-Acre	NCB-11168
A.D. Saucedo, Et Ux	0.252-Acre 0.394-Acre	NCB-11168

FISCAL IMPACT

The passage of this ordinance will not have a financial impact on the City of San Antonio. Any condemnation costs including awards will be paid by the San Antonio Water System.

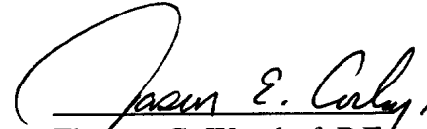
ETHICS DISCLOSURE

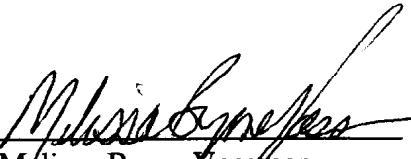
This ordinance does not require an Ethics Disclosure Form.

COORDINATION

San Antonio Water System with the City's Public Works Department and the City Attorney's Office has coordinated the request for ordinance.


for Leonard D. Young, P.E.
Interim President/Chief Executive Officer
San Antonio Water System


for Thomas G. Wendorf, P.E.
Director of Public Works
City of San Antonio


Melissa Byrne Wosmer
Assistant City Manager
City of San Antonio

Approved:


Terry M. Brechtel
City Manager

PARCEL NO.	ACERAGE SQUARE FEET	LEGAL DESCRIPTION	TYPE OF EASEMENT
SAWS-8187 SAWS-8187T	0.053-Acre/2,304 Square Feet 0.083-Acre/2,599 Square Feet	NCB-11173	Permanent Temporary
SAWS-8188 SAWS-8188T	0.073-Acre/4663 Square Feet 0.111-Acre/4818 Square Feet	NCB-11173	Permanent Temporary
SAWS-8189 SAWS-8189T	0.107-Acre/4946 Square Feet 0.160-Acre/6987 Square Feet	NCB-11173/LOT 9	Permanent Temporary
SAWS-8190 SAWS-8190T	0.077-Acre/3377 Square Feet 0.130-Acre/5683 Square Feet	NCB-11173/TRACT 3	Permanent Temporary
SAWS-8190B SAWS-8190BT	0.024-Acre/1,082 Square Feet 0.061-Acre/2,694 Square Feet	NCB-11173/TRACT 4	Permanent Temporary
SAWS-8190C SAWS-8190CT	0.003-Acre/141 Square Feet 0.009-Acre/428 Square Feet	NCB-11173/TRACT 5	Permanent Temporary
SAWS-8194 SAWS-8194T	0.100-Acre/4370 Square Feet 0.373-Acre/16261 Square Feet	NCB-11173.TRACT A3	Permanent Temporary
SAWS-8195 SAWS-8195T	0.057-Acre/2505 Square Feet 0.089-Acre/3889 Square Feet	NCB-11173/ARB.E2	Permanent Temporary
SAWS-8197 SAWS-8197T	0.022-Acre/973 Square Feet 0.034-Acre/1521 Square Feet	NCB-11173/ARB.D2	Permanent Temporary
SAWS-8199 SAWS-8199T	0.020-Acre/906 Square Feet 0.032-Acre/1414 Square feet	NCB-11173/ARB.C2	Permanent Temporary
SAWS-8200 SAWS-8200T	0.069-Acre/3012 Square feet 0.108-Acre/4710 Square Feet	NCB-11173/ARB. B2	Permanent Temporary
SAWS-8201 SAWS-8201T	0.048-Acre/2111 Square Feet 0.074-Acre/3255 Square Feet	NCB-11173/ARB. A2	Permanent Temporary
SAWS-8202 SAWS-8202T	0.077-Acre/3376 Square Feet 0.122-Acre/5324 Square Feet	NCB-11173/TRACT H1	Permanent Temporary
SAWS-8204 SAWS-8204T	0.016-Acre/729 Square Feet 0.027-Acre/1191 Square Feet	NCB-11173/LOT G1	Permanent Temporary
SAWS-8205 SAWS-8205T	0.070-Acre/3080 Square Feet 0.110-Acre/4820 Square Feet	NCB-11173/ARB.F1	Permanent Temporary
SAWS-8206 SAWS-8206T	0.136-Acre/5964 Square Feet 0.194-Acre/8462 Square Feet	NCB-11173/ARB. E1	Permanent Temporary
SAWS-8209 SAWS-8209T	0.018-Acre/826 Square Feet 0.029-Acre/1291 Square Feet	NCB-11173/TRACT 1	Permanent Temporary
SAWS-8210 SAWS-8210T	0.019-Acre/861 Square Feet 0.032-Acre/1406 Square Feet	NCB-11173//B1	Permanent Temporary
SAWS-8211 SAWS-8211T	0.115-Acre/5027 Square Feet 0.163-Acre/7139 Square Feet	NCB-11173//A1, LOT 80	Permanent Temporary
SAWS-8247 SAWS-8247T	0.364-Acre/15,872 Square Feet 0.360-Acre/15,706 Square Feet	NCB11169/ARB-4	Permanent Temporary
SAWS-8251 SAWS-8251T	0.097-Acre/4265 Square Feet 0.097-Acre/4265 Square Feet	NCB-11169/ARB-3	Permanent Temporary
SAWS-8255 SAWS-8255T	0.074-Acre/3248 Square Feet 0.074-Acre/3258 Square Feet	NCB-11169/ARB-7	Permanent Temporary
SAWS-8256 SAWS-8256T	0.220-Acre/9616 Square Feet 0.220-Acre/9616 Square Feet	NCB-11169/TR-17	Permanent Temporary
SAWS-8261 SAWS-8261T	0.068-Acre/2982 Square Feet 0.068-Acre/2982 Square Feet	NCB-11171/TR-7	Permanent Temporary
SAWS-8262 SAWS-8262T	0.068-Acre/2982 Square Feet 0.068-Acre/2982 Square Feet	NCB-11171/TR-6	Permanent Temporary
SAWS-8263 SAWS-8263T	0.068-Acre/2982 Square Feet 0.068-Acre/2982 Square Feet	NCB-11171/TR-5	Permanent Temporary
SAWS-8264 SAWS-8264T	0.043-Acre/1908 Square Feet 0.068-Acre/2982 Square Feet	NCB-11171/TR-4	Permanent Temporary

SAWS-8265	0.068-Acre/2983 Square Feet	NCB-11171/TR-3	Permanent
SAWS-8265T	0.068-Acre/2983 Square Feet		Temporary
SAWS-8266	0.068-Acre/2983 Square Feet	NCB-11171/TR-2	Permanent
SAWS-8266T	0.068-Acre/2983 Square Feet		Temporary
SAWS-8267	0.068-Acre/2983 Square Feet	NCB-11171/TR-1	Permanent
SAWS-8267T	0.068-Acre/2983 Square Feet		Temporary
SAWS-8268	0.136-Acre/5930 Square Feet	NCB-11172/TR-P-104	Permanent
SAWS-8268T	0.212-Acre/9262 Square Feet		Temporary
SAWS-8269	0.179-Acre/20,845 Square Feet	NCB-11171/TR-6A	Permanent
SAWS-8269T	0.179-Acre/20,845 Square Feet		Temporary
SAWS-8291	0.060-Acre/2652 Square Feet	NCB-11168/TR-A	Permanent
SAWS-8291T	0.105-Acre/4597 Square Feet		Temporary
SAWS-8292	0.017-Acre/776 Square Feet	NCB-11168/TR-6	Permanent
SAWS-8292T	0.022-Acre/968 Square Feet		Temporary
SAWS-8293	0.205-Acre/8970 Square Feet	NCB-11168/TR-B	Permanent
SAWS-8293T	0.257-Acre/11,212 Square Feet		Temporary
SAWS-8296	0.225-Acre/9,837 Square Feet	NCB-11168/TR-B	Permanent
SAWS-8296T	0.277-Acre/12,108 Square Feet		Temporary
SAWS-8297	0.606-Acre/26,399 Square Feet	NCB-11168/TR P-101	Permanent
SAWS-8297T	0.923-Acre/40,214 Square Feet		Temporary
SAWS-8298	0.337-Acre/14,717 Square Feet	NCB-11168/TR 16A	Permanent
SAWS-8298T	0.0527-Acre/22,997 Square Feet		Temporary
SAWS-8299	0.252-Acre/11010 Square Feet	NCB-11168/TR 16C	Permanent
SAWS-8299T	0.394-Acre/17204 Square Feet		Temporary