

**CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT
CITY COUNCIL AGENDA MEMORANDUM**

TO: Mayor and City Council

FROM: Thomas G. Wendorf, P.E., Director of Public Works

SUBJECT: Hildebrand Avenue – I.H. 10 to Breeden MPO Project

DATE: August 25, 2005

SUMMARY AND RECOMMENDATIONS

This ordinance authorizes and appropriates funds in the amount of \$171,906.91 to Gerry Rickhoff, County Clerk, for Final Judgment and interest in Condemnation Cause No. 99-ED-0029, City of San Antonio vs. Artemio A. Alanis and Nancy K. Alanis, Et Al in connection with the Hildebrand Avenue – I.H. 10 to Breeden, an authorized Metropolitan Planning Organization project, located in Council District 1.

Staff recommends the approval of this ordinance.

BACKGROUND INFORMATION

City Council Ordinance No. 90402, passed and approved September 2, 1999, declared the public necessity for and authorized the condemnation of 0.0057 acres (246 square feet) of land out of Lot 35 and 36, Block 10, New City Block 3111 Fox's Beacon Hill Addition also known as Parcel 10-14630. A hearing was held on January 10, 2000 and Special Commissioners rendered their decision awarding \$1,132 as compensation for the condemnation of the property. These funds were deposited with the Registry of the Court.

On January 28, 2000 the property owners filed their objections to the Award, thereby vacating the Award of the Special Commissioners, and requested a trial by jury, which was scheduled for December 13, 2004. Prior to the commencement of the trial, the Court also ruled that the condemnation of the 0.0057 acres caused a permanent partial restriction of access to the remainder of the property. At the conclusion of the trial it was ordered that the property owners were entitled to \$130,000 plus pre-judgment and post-judgment interest.

Since the City previously deposited \$1,132 into the Registry, it is only obligated to deposit the additional amount of \$128,868 plus pre-judgment interest of \$41,158.36, and post-judgment interest of \$1,880.55, for a total amount of \$171,906.91.

POLICY ANALYSIS

Approval of this ordinance for payment of Final Judgment is necessary to complete the real estate transaction for this project. Approval of this ordinance will be a continuation of City Council policy to complete previously approved Capital Improvement Projects.

FISCAL IMPACT

This is a one-time capital improvement expenditure not within budget and is not included in the FY05-FY10 Capital Improvement Program Budget. Funds in the amount of \$171,906.91 are available from the City's Liability Fund.

COORDINATION

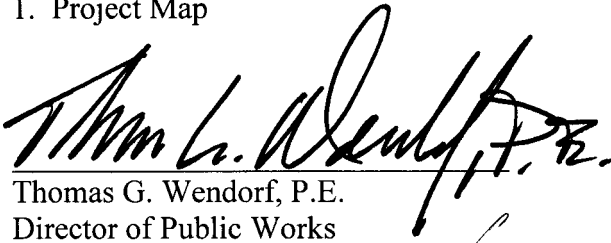
This ordinance was coordinated with the City Attorney's Office, the Finance Department, and the Office of Management and Budget.

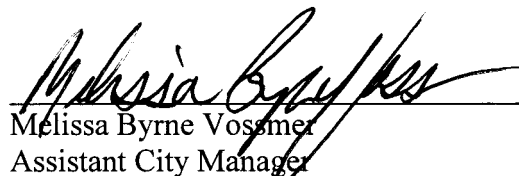
SUPPLEMENTARY COMMENTS

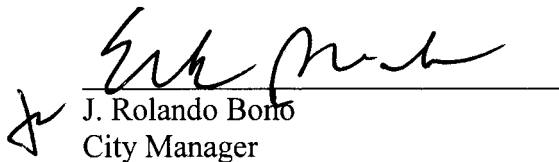
This ordinance does not require a Discretionary Contracts Disclosure Form.

ATTACHMENTS

1. Project Map


Thomas G. Wendorf, P.E.
Director of Public Works


Melissa Byrne Vossmer
Assistant City Manager


J. Rolando Bono
City Manager

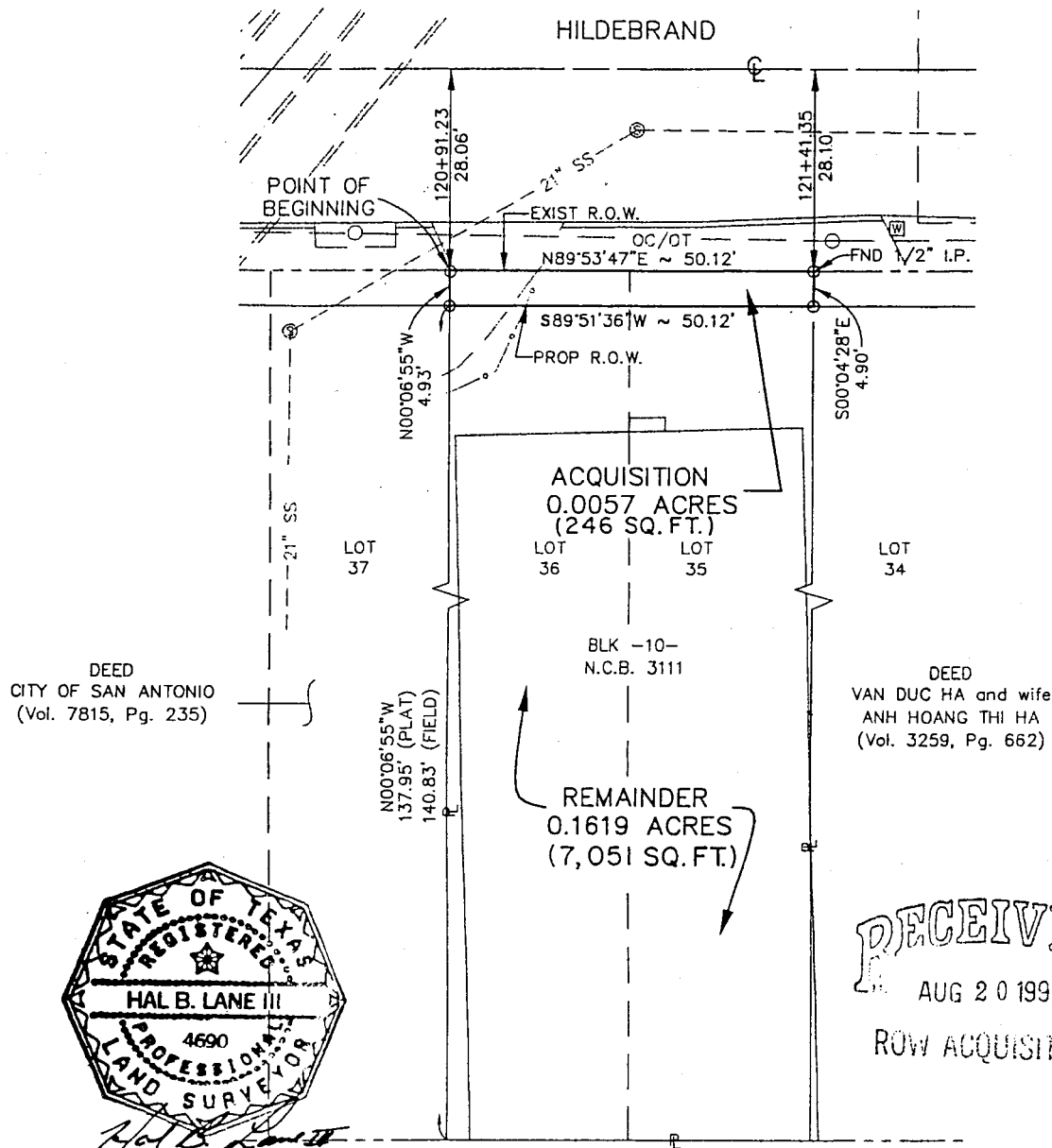
NOTES:

- 1 - UNDERGROUND UTILITY LINES FROM MAPS FURNISHED BY VARIOUS AGENCIES.
- 2 - BASIS OF BEARING TEXAS DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP.
- 3 - 1/2" REBAR WITH VICKREY & ASSOCIATES PROPERTY CORNER CAP SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
- 4 - REFERENCE TIES TO BACK LOT CORNERS REFERRED TO AS FIELD, ARE THE RESULT OF MATHEMATICAL CALCULATION.

PARCEL 10-14630

OWNER: L.E.T.J. LIMITED PARTNERSHIP
(Vol. 5532, Pg. 94)

SCALE: 1" = 20'



DEED
CITY OF SAN ANTONIO
(Vol. 7815, Pg. 235)

DEED
VAN DUC HA and wife
ANH HOANG THI HA
(Vol. 3259, Pg. 662)



RECEIVED
AUG 20 1997
ROW ACQUISITION

PLAT OF: FOX'S BEACON HILL ADDITION (VOL. 105, PG. 121)

LOT NO. 35 & 36 BLOCK NO. 10 N.C.B. NO. 3111
STREET ADDRESS 922 W. HILDEBRAND
CITY SAN ANTONIO COUNTY BEXAR
TEXAS. SURVEYED FOR TEXAS DEPARTMENT OF TRANSPORTATION

STATE OF TEXAS
COUNTY OF BEXAR

I HEREBY CERTIFY THAT THE ABOVE PLAT IS
BASED ON AN ACTUAL SURVEY MADE ON THE
GROUND UNDER MY SUPERVISION AND THAT
THERE ARE NO VISIBLE EASEMENTS OR
ENCROACHMENTS OF BUILDINGS ON ADJOINING
PROPERTY.

EXHIBIT A

VICKREY & ASSOCIATES, INC.
CONSULTING ENGINEERS & SURVEYORS
7334 Blanco Road, Suite 109 San Antonio, Texas 78216
Telephone: (210)349-3271

THIS 20th DAY OF JANUARY, 1997 A.D.
REVISED JUNE 6, 1997

HILDEBRAND - IH 10 to BREEDEN

