

**THIS IS A DRAFT AND WILL BE REPLACED BY THE FINAL, SIGNED
ORDINANCE OR RESOLUTION ADOPTED BY CITY COUNCIL.**

ORDINANCE

**AUTHORIZING THE CLOSURE, VACATION, AND ABANDONMENT
OF AN UNIMPROVED PORTION OF MASTERS STREET PUBLIC
RIGHT-OF-WAY WITHIN NEW CITY BLOCK 17497 IN COUNCIL
DISTRICT 4 AS REQUESTED BY KOONTZ PROPERTIES, LLC, FOR
A FEE OF \$82,100.00.**

* * * * *

WHEREAS, Koontz Properties, LLC (Petitioner) requests to close, vacate and abandon an unimproved portion of Masters Street Public Right-of-Way within New City Block 17497, as shown on **Attachment I**. The public right-of-way consists of 1.885 acre (82,110 square feet). If approved, the Petitioner plans to build a new industrial park. The Petitioner owns all abutting properties; and

WHEREAS, City of San Antonio departments and utilities were canvassed and approved with standard conditions and Petitioner has agreed to all the conditions. There is no neighborhood association.

WHEREAS, in compliance with Chapter 37 of the City Code, Section 37-11 (e), notification signs and letters are unnecessary for undeveloped public right-of-way; and

WHEREAS, the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on March 22, 2023. This action is consistent with the City Code and Ordinances, which requires City Council approval for the sale or disposition of City-owned or controlled real property.

WHEREAS, the fee established for this request is \$82,100.00, which includes the property's assessed value in the amount of \$82,000.00 plus \$100.00 for administrative costs. In compliance with Chapter 37 of the City Code, Section 37-2, the property's fair market value was determined by an independent appraisal completed by Noble & Associates, Inc. on December 21, 2022. These funds will be deposited into the General Fund in accordance with the FY 2023 Adopted Budget.

NOW THEREFORE,

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

SECTION 1. The City Council hereby authorizes, for a final closure fee of \$ 82,100.00 the closure, vacation, and abandonment of its right-of-way interests of 1.885 acre (82,110 square feet) within New City Block 17497 in Council District 4, as requested by Koontz Properties, LLC as shown in **Attachment I**.

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

SECTION 3. Funds generated by this ordinance will be deposited into Fund 11001000, Internal Order 223000000253 and General Ledger 4903101.

SECTION 4. The disposition of surplus property must be coordinated through the city's Finance Department to assure the removal of these assets into the City's financial records and to record the proper accounting transactions.

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 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 6. This ordinance becomes effective 10 days after passage, unless it receives the eight votes requisite to immediate effectiveness under San Antonio Municipal Code § 1-15, in which case it becomes effective immediately.

PASSED AND APPROVED this _____ day of _____, 2023.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney

Attachment I

