

**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 0.122 ACRE (5,327 SQUARE FEET) OF IMPROVED ROSSY
STREET PUBLIC RIGHT-OF-WAY WITHIN NEW CITY BLOCK 132
IN COUNCIL DISTRICT 1 AS REQUESTED BY 425 N. FLORES, LTD.
FOR A FEE OF \$240,100.00.**

* * * * *

WHEREAS, 425 N. Flores, Ltd. (Petitioner) is requesting to close, vacate and abandon 0.122 acre (5,327 square feet) of improved Rossy Street public right-of-way. The proposed closure is within New City Block 132 in City Council District 1. The proposed closure is located between W. Pecan Street and W. Salinas Street. The Petitioner owns the abutting properties to the closure. If approved, Petitioner will incorporate the proposed Rossy Street closure with their adjacent properties to create a contiguous parcel for future development; and

WHEREAS, City Departments and utilities were canvassed and approved with standard conditions. The Petitioner has agreed to all the conditions. There is no active neighborhood association. A notification sign was posted at the proposed Rossy Street closure and letters were mailed to property owners within a 500' radius notifying the public of the proposed closure, vacation, and abandonment as required by City Code Chapter 37-11 Section (e); and

WHEREAS, the City of San Antonio's Planning Commission recommended approval of this request at its regular meeting on May 8, 2024; and

WHEREAS, the fee established for this request is \$240,100.00, which includes the assessed value of the public right-of-way in the amount of \$240,000.00 plus \$100.00 for administrative costs. In compliance with Chapter 37 of the City Code, Section 37-2, the fair market value of the improved public right-of-way was determined by an independent appraisal completed by Noble & Associates, Inc. on January 23, 2023.

NOW THEREFORE,

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

SECTION 1. The City Council hereby authorizes, for a fee of \$240,100.00, which includes the assessed value of the public right-of-way in the amount of \$240,000.00 plus \$100.00 for administrative costs the closure, vacation, and abandonment of its right of way interests as abandon 0.122 acre (5,327 square feet) of improved Rossy Street public right-of-way within New City Block 132 in City Council District 1 as shown in **Exhibit "A"** and more accurately described in **Exhibit "B"**.

SECTION 2. All exhibits are incorporated into this Ordinance for all purposes as if they were fully set forth. **Exhibit “B”** controls over any discrepancy between it and **Exhibit “A”**.

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

SECTION 4. 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 5. 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 _____, **2024**.

M A Y O R
Ron Nirenberg

ATTEST:

APPROVED AS TO FORM:

Debbie Racca-Sittre, City Clerk

Andrew Segovia, City Attorney