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PUBLIC WORKS

P. O. BOX 839966
SAN ANTONIO TEXAS 78283-3966

October 25, 2024
2734 N. St. Marys, LLC
Attn: Patrick Christensen, Attorney
310 S. St. Mary's Street, Suite 2700
San Antonio, Texas 78205

Re: S.P. No. 20220000305 – Request to close, vacate and abandon an improved East Russell Place Public Right-of-Way

Dear Mr. Christensen:

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

CPS ENERGY: An easement is needed to keep the single phase line to continue to feed the services on E. Russell Place. Or a plan for relocating the services will need to be provided. Conditional approval if an electric easement can be included for existing equipment. Houses north of proposed closure will be affected unless easement gets approved.

PLANNING DEPARTMENT: The petitioner should get approval from all affected landowners and will need to make sure no property is inaccessible by this CVA. In the re-plat, they should provide an easement(s) for accessibility to affected properties. They also need to rezone the subject property accordingly.

SAWS: San Antonio Water System (SAWS) has existing sewer facilities on E. Russell Place. While a parking lot is allowed above the sewer easement, no permanent structures are allowed over it. SAWS will maintain perpetual access to its facilities at all times for the purpose of inspecting, maintaining, constructing, reconstructing, replacing, and removing of said facilities. See attached Geocortex map.

SOLID WASTE MANAGEMENT DEPARTMENT: E. Russell and E. Craig must remain accessible for collection crews to enter for curbside service.

VIA: The continued use of the concrete sidewalk for the existing bus stop and bus amenities at E. Russell Place.

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ENVIRONMENTAL SERVICES: It is the Petitioner's responsibility to conduct their own due diligence for this area. The City does not warranty that environmental impacts are not to be encountered when disturbing the land. The City shall not bear any financial burden related to environmental impacts (if any) encountered during the disturbance of the land. If environmental impacts are encountered, it is the Petitioner's responsibility to notify the City and the appropriate regulatory agencies of the issue.

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PROJECT DELIVERY: Entire properties fronting Russell Place shall be replatted and recorded prior to the street closure. All existing utilities in the existing ROW to be closed shall be addressed by remaining in easements or relocated after coordination with the utility agency or provider.

RIGHT-OF-WAY: Petitioner must confirm with all utilities that there are no conflicts with this request.

TRAFFIC ENGINEERING AND OPERATIONS: Access to the parcels that appear to have rear access off of E Russell must be addressed regardless of whether or not they purchase their portion of the ROW. Is there an agreement with these property owners to continue to maintain and provide access or is this a non-issue? Written acknowledgement regarding any access agreement must be provided with this petition. Also, the proposed closure will require the installation of DEAD END signs on the "Unnamed Rd at E Woodlawn" at Craig Place.

The closures, vacations and abandonments of these Public Rights of Way will be authorized by a City Ordinance in accordance with current policies relevant to street/alley closures. The closures will not release rights relating to drainage, water and wastewater lines, electric transmission and distribution lines, gas lines, communication lines of all types, or any other rights except for the right of the public to travel on the subject tract. The City will expressly reserve all rights not released. Petitioner agrees to conform by all applicable local (city and/or county), state and federal governing laws. Petitioner asserts that all evidence of ownership of 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 must take the property subject to all easement rights for existing overhead, surface, or subsurface utilities within the Public Rights of Way proposed to be closed, including but not limited to: electrical, water, sewer, telephone, cable, fiber optic conduit, etc. and allow access to any such utilities or may seek the relocation of a specific utility with express permission and coordination of the respective owner of the utility at the sole expense of the petitioner. Petitioner understands that further coordination will be needed with the affected utility agencies to ensure their operations are not impacted.

2734 N. St. Marys, LLC, plans to incorporate the East Russell Place public right-of-way closure with its current adjacent properties and use the area for a new parking lot.

The fee established for this public right-of-way closure is \$300,000.00 plus \$100.00 for the recording fees. This total fee will be due and payable to the City of San Antonio prior to City Council consideration.

This Letter of Agreement is being offered by City of San Antonio only to the petitioner named below 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, please countersign this letter in the space provided below and return it to the undersigned. Upon receipt of this executed Letter of Agreement, a check payable to the City of San Antonio in the amount of \$300,100.00, and a Contracts Disclosure Form, we will continue processing your request.

Sincerely,



Adrian Ramirez
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:



By: 2734 N. St. Marys, LLC

Vice President/Treasurer

Title:

11/07/2024

Date: