



CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT

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

February 23, 2023

Koontz Properties, LLC
C/o Patrick Christensen
310 South St. Mary's Street, Suite 2700
San Antonio, Texas 78205

S.P. No. 0217 – Request to close, vacate and abandon 1.885 acre (82,110 square feet) of an unimproved portion of Masters Road Public Right-of-Way within New City Block 17497

Dear Mr. Gilbert:

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:

Office of Historic Preservation: This request includes the intention to demolish buildings. In accordance with the San Antonio City Unified Development Code, the Office of Historic Preservation reviews all demolition applications for any property located within the city limits of San Antonio. Approval of the replat does not imply approval of or take the place of such demolition review as directed by the UDC. To date, no application for demolition at this address to accommodate the proposed development has been submitted for review to the Office of Historic Preservation.

CPS Energy: Petitioner must call Texas 811 and verify no gas utilities exist. Overhead Engineering agrees to the described request on the condition that the petitioner dedicates easements for electric lines to feed the proposed industrial park.

Public Works Department: Storm Water Engineering: The Petitioner must comply with all applicable local (city and/or county), state, and federal regulations. Prior to the start of any construction and/or improvements to the subject property, all required studies, permits, and fees must be submitted to and approved by all applicable local (city and/or county), state, and federal governing bodies. 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. Project Delivery: No objections as long as any existing utility lines in the ROW are coordinated with utility providers for easements if needed. Right-of-Way: Contact and confirm with all utilities that there no conflicts.

The closure, vacation and abandonment of this Public Right of Way will be authorized by a City Ordinance in accordance with current policies relevant to street/alley closures. The closure 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 Right 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.

The fee established for this request is \$82,100.00, which includes the assessed value of the public right-of-way of \$82,000.00 plus \$100.00 for the recording fees.

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, the Contracts Disclosure Form from each entity (to be completed on the <https://www.sanantonio.gov/portals/0/files/clerk/ethics/ContractsDisclosure.pdf> website link then printed and signed) and Form 1295 from each entity (located at <http://www.ethics.state.tx.us/dfs/1295Certificates.html> and emailed to ethics@sanantonio.gov), we will continue processing your request.

Sincerely,



Andrew Lake
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS:



By: Troves Gilbert

Title: Chief Financial Officer

2/24/2023

Date: