



2/28  
CSC

**CITY OF SAN ANTONIO  
PUBLIC WORKS DEPARTMENT**

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

November 4, 2021

First Baptist Church of San Antonio, a Texas non-profit corporation and  
405 Broadway LLC, a Texas limited liability company  
Attn: Danny Cancino, Executive Pastor  
515 McCullough Avenue  
San Antonio, Texas 78215

Re: S.P. No. 2253 – Request to close, vacate and abandon an improved portion of Avenue B Street Public Right-of-Way and an improved 16-foot wide alley Public Right-of-Way

Dear Mr. Cancino:

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:

**DEVELOPMENT SERVICES:** Provided proper permits are obtained. (See applicable UDC Sections: 35-506, 35-515, 35-523, 35-477 and 35-B123)

The site must be platted, as applicable, with the Unified Development Code, per section 35-430. All tree preservation, landscape and buffer requirements shall apply. No site work or tree removal allowed without an approved tree permit (35-532, 35-510, 35-511, 35-477). Please note there are platting exceptions that may apply, please see the enclosed information Bulletin:  
<https://webapps1.sanantonio.gov/dsddocumentscentral/upload/IB531.pdf>.

**FIRE DEPARTMENT:** In order to comply with the City's adopted Fire Codes and with the spirit of the life safety concern for accessibility for fire first responders, Petitioner must provide and maintain emergency vehicle access to the proposed Avenue B and alley public right of way closures. Because of an existing 3 story building on one side and possibly a 4 story building on the other side of Avenue B, the Fire Department must have a means of ingress, egress and operational area in order to mitigate the possibilities of any emergency event for either structure. Petitioner must extend the Fire Lane on the north end of Avenue B to the south end Avenue B. In addition, Petitioner must provide the Fire Department Knox controlled access at both ends of Avenue B.

**CITY PUBLIC SERVICE (CPS) ENERGY:** Request approved with the condition the CPS Energy crews continue to have access to the streetlight pole unless a request is given from the City of San Antonio to remove the streetlight. Petitioner must call Texas 811 and verify location of all gas facilities.

**SAN ANTONIO WATER SYSTEM:** San Antonio Water System (SAWS) has existing facilities within the Public Right of Way under or near where Petitioner is requesting to close, vacate, and abandon an improved portion of Avenue B Street Public Right-of-Way and an improved 16-foot wide Alley Public Right-of-Way located between McCullough Avenue and 4th Street; as shown on Exhibits; therefore, Petitioner will allow SAWS perpetual access to its facilities at all times for the purpose of inspecting, maintaining, constructing, reconstructing, replacing, and removing of said facilities, and should SAWS damage or destroy Petitioner's property during its operations, SAWS shall have no obligation to restore or replace any of Petitioner's property. See attached GeoCortex map.

**PUBLIC WORKS DEPARTMENT:** 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.

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.

The fee established for these public rights-of-way closures is \$285,100.00 which includes the assessed value of \$217,500.00 for Avenue B Street and \$67,500.00 for the 16-foot wide alley plus \$100.00 for the recording fees. Based on the organization's 501c3's tax-exempt status and its mission benefiting the community, the City of San Antonio has reduced fee of the 16-foot wide alley to \$5,000.00. The adjusted total fee for the closures is \$222,600.00 which includes the assessed value of \$217,500.00 for Avenue B Street and \$5,000.00 for the 16-foot wide alley 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 petitioners 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 \$222,600.00, a 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](mailto:ethics@sanantonio.gov)), we will continue processing your request.

Sincerely,

Andrew Lake  
Real Estate Manager

**AGREED AS TO TERMS AND CONDITIONS:**

David Cavett Jr  
By: First Baptist Church of San Antonio, a Texas non-profit corporation

Title:

EXECUTIVE PASTOR, ADMINISTRATION

Date:

11.29.21

David Cavett Jr  
By: 405 Broadway, LLC, a Texas limited liability company

Title:

Manager

Date:

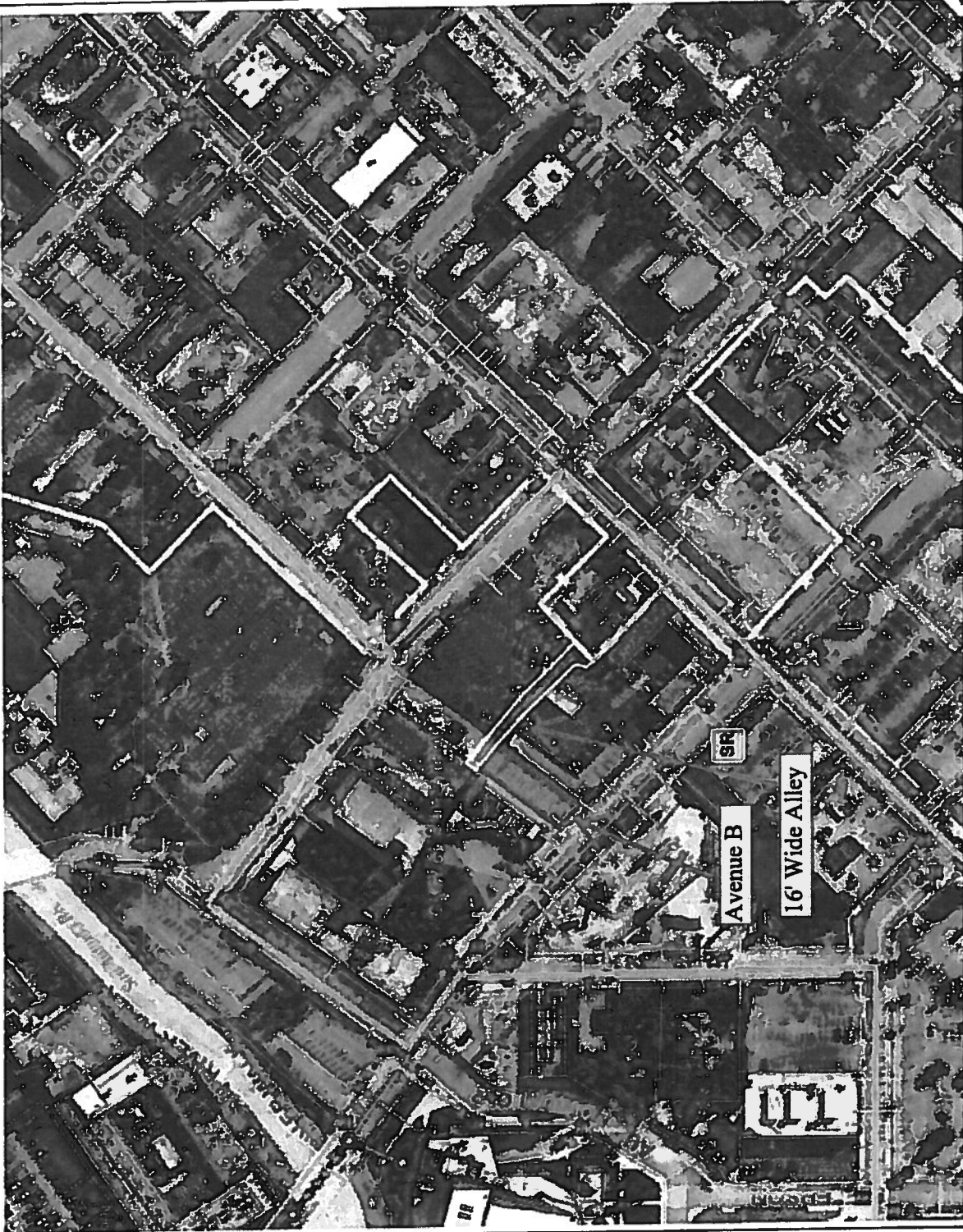
11.29.21



SP 2253  
First Baptist Church

## EZLink Map Portal

515 McCullough Avenue  
NCB 431 Council District 1



- Open Locate SR
- Large Diam WTR Main
- SAWS Facility
- DSP Main
- SWR Main
- RCY Main
- Water Pump
- Water Hydrant
- Water Valve
- Air Release Valve
- Blow Off Valve
- Bypass Valve
- Check Valve
- Division Valve
- Fire Hydrant Valve
- Fire Line Valve
- Interconnect Valve
- Mainline Valve
- Pressure Reducing Valve
- Service Line Valve
- Swing Tie valve
- Water Wells
- Water Fitting
- Water Mains
- Drain Line Main
- Fire Hydrant Branch
- Water Distribution Main
- Water Transmission
- Water Lateral
- Storage Unit
- Chill Water Fittings
- Chill Water Valves
- Chill Water Mains
- Water Proposed Pumps
- Water Proposed Hydrants

This utility map is for reference only. The information may not represent what actually has been constructed. S.A.W.S. Explicitly disclaims any representation of the accuracy of the information and assumes no liability for any errors, omissions, or inaccuracies in the map regardless of how caused. Field verification should be done as necessary. S.A.W.S. prohibits the reproduction or sale of this document. This utility map may not under any circumstances, be copied, reproduced or published in any form or media, or transferred to another without written permission of the San Antonio Water System.



1: 2,500 SAWS GIS: A wealth of information at your fingertips.