



CITY OF SAN ANTONIO
PUBLIC WORKS DEPARTMENT

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December 3, 2021

JUV Properties, LLC
c/o Ashley Farrimond, Killen, Griffin & Farrimond, PLLC
13138 Willowthorn Lane
San Antonio, TX 78249

[VIA EMAIL: sean@kgftx.com; ashley@kgftx]

**Re: Request to close, vacate and abandon portions of Kimball Drive,
Sumack Drive and Haven Drive**

Dear Ms. Farrimond,

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 your request subject to the following conditions:

- **Public Works Environmental:** 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. John Cantu, (210) 207-1450.
- **Project Delivery:** Developer will provide an approved fire department turn around at the proposed dead end at Haven Drive per attached email from MTR Engineers dated 11/22/2021. This will be performed during the platting process with Development Services. David McBeth, (210) 207-6342.
- **Public Works Storm Water:** The petitioner must comply with all local (city and/or county), state and federal regulations prior to the start of any construction and/or improvements to the subject property. Ben Marshall, (210) 207-5032.
- **CPS Energy Overhead Engineering:** OHE has no objections provided the following conditions are met. A 28' electric easement will be required for existing

CPSE facilities. Drivable access to all existing CPSE facilities, and a 14' gate with CPSE lock for access. It may be possible to move existing facilities into public ROW at customer expense. Antulio Garcia, (210) 353-4868.

- **CPS Energy ROW Management:** CPS will need easements granted for any existing facilities within the proposed closures. CPS agrees to release any unnecessary easements for facilities that will be removed after the property is platted. Mark Brumbaugh, (210) 353-3686.
- **Development Services Department:** The closure of these road segments shall not create any property to be land lock. The area of closure will ultimately need to be replatted as applicable in accordance with the Unified Development Code and proper permits obtained. (See applicable UDC Sections: 35-502, 35-506, 35-515, 35-526 and 35-B122. Property shall be platted as required. All tree preservation, landscape, and buffer requirements shall apply. No site work or tree removal permitted without an approved tree permit (35-523, 35-510, 35-511, 35-477). Note there are platting exceptions that may apply, please see enclosed Information Bulletin: <https://webapps1.sanantonio.gov/dsddocumentcentral/upload/IB531.pdf>. Christina De La Cruz, (210) 207-7732.

The closure, vacation and abandonment of these public rights-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.

In compliance with Chapter 37 of the City Code, fair market value of the proposed closure was based upon an independent State of Texas Certified Professional Appraisal Report prepared by The Glen Company on November 25, 2020 and the subject property was appraised at \$43,000.00. Petitioner is responsible for the Bexar County Clerk

recordings fees. The amount will be determined prior to recording, and petitioner will provide a check for that amount payable to the Bexar County Clerk.

Please complete and return the following forms:

- Contracts Disclosure - Link to complete form electronically: <https://webappl.sanantonio.gov/ContractsDisclosure/>
- Link to access PDF form to print and handwrite information: <https://www.sanantonio.gov/portals/0/files/clerk/ethics/ContractsDisclosure.pdf>
- Texas Ethics Commission Form 1295 - Certificate of Interest Parties: <https://www.ethics.state.tx.us/whatsnew/elfinfoform1295.htm>. [Note: For Contract ID Number use: SP 2264 – JUV Properties.]

This Letter of Agreement is being offered by City of San Antonio only to the petitioner named above and will expire thirty (30) days after date of issuance unless a specific extension is requested by the petitioner and granted by the City.

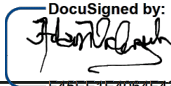
If you concur with the above-mentioned conditions, please countersign this letter in the spaces provided below and return it with the total closure fee of \$43,000.00 (check payable to City of San Antonio), and the ethics forms, as outlined above. Upon receipt of this executed Letter of Agreement we will continue processing your request.

Sincerely,



Andrew Lake
Real Estate Manager

AGREED AS TO TERMS AND CONDITIONS
PETITIONER:

DocuSigned by:

F45EE1E4064F432...
By _____

Adam Valenzuela

Print Name

Manager

Title

12/13/2021

Date

SP #2264

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Council District 7

