

AN ORDINANCE **96579**

**DECLARING A 100 FOOT BY 100 FOOT (0.230 ACRE) TEXAS DEPARTMENT OF TRANSPORTATION CHANNEL DRAINAGE EASEMENT SURPLUS TO THE CITY'S NEEDS AND, CONCURRENTLY, ACCEPTING A 15 FOOT BY 138 FOOT (0.0478 ACRE) CHANNEL DRAINAGE EASEMENT ADJACENT TO AND EASTERLY OF BLANCO ROAD, FROM BLANCO MARKET LIMITED PARTNERSHIP.**

\* \* \* \* \*

**WHEREAS**, Blanco Market Limited Partnership, as the property owner holding the underlying fee simple title, has requested the release by the Texas Department of Transportation (TxDOT), of a channel drainage easement measuring 100 feet by 100 feet (0.230 acre) tract located generally at Loop 1604 and Blanco Road, as more specifically identified in Attachment I affixed hereto and incorporated herein for all purposes; and

**WHEREAS**, TxDOT policy requires that the City offer input as to the status of the easement as surplus property before release by TxDOT; and

**WHEREAS**, upon canvassing City Departments, the Department of Public Works has imposed a specific condition for the release of the above-mentioned drainage easement that Blanco Market Limited Partnership grant the City of San Antonio a channel drainage easement measuring 15 feet by 138 feet (0.0478 acre), adjacent to and easterly of Blanco Road, more specifically identified in the plat affixed hereto and incorporated herein for all purposes as Attachment II; and

**WHEREAS**, the City of San Antonio Planning Commission considered said request at its regular meeting of September 25, 2002 and recommended approval by a unanimous vote; and

**WHEREAS**, this action is consistent with those previously taken for the release of right of way determined to be surplus to the City's needs; **NOW THEREFORE;**

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

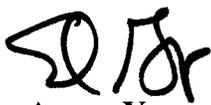
**SECTION 1.** A Texas Department of Transportation channel drainage easement measuring 100 feet by 100 feet (0.230 acre), located generally at Loop 1604 and Blanco Road, is hereby declared surplus to the needs of the City of San Antonio, such easement being more specifically identified in Attachment I affixed hereto and incorporated herein verbatim for all purposes.

**SECTION 2.** The release by the Texas Department of Transportation of the channel drainage easement described in **SECTION 1** is conditioned upon the granting to the City by Blanco Market Limited Partnership of a channel drainage easement measuring 15 feet by 138 feet (0.0478 acre), adjacent to and easterly of Blanco Road, more specifically identified in the plat attached hereto and incorporated herein verbatim for all purposes as Attachment II.

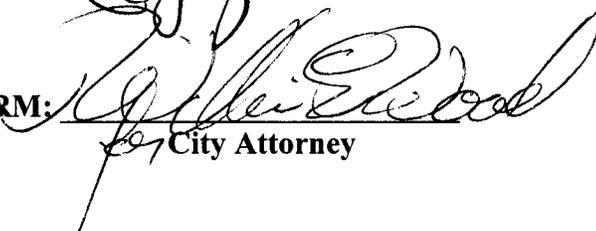
**SECTION 3.** The City Manager, or her designee, is hereby authorized to implement this ordinance by the execution of any documents necessary to complete the transaction upon prior review of such documents in accordance with Section 54, Charter, City of San Antonio.

**SECTION 4.** This ordinance shall be effective on November 3, 2002.

**PASSED AND APPROVED** this 24<sup>th</sup> day of October, 2002.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney