

AN ORDINANCE

96643

AUTHORIZING PAYMENT IN THE AMOUNT OF \$15,211.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR STEVEN JAY EPSTEIN, CLYDE B. GOLDSMITH AND THE ROSENSTEIN FAMILY LIMITED PARTNERSHIP FOR FEE SIMPLE TITLE (\$3,411.00), AND A RIGHT OF ENTRY AGREEMENT (\$100.00); AND CLYDE B. GOLDSMITH, STEVEN JAY EPSTEIN, INDIVIDUALLY AND AS INDEPENDENT EXECUTOR OF THE ESTATE OF ERNA ANTONIO EPSTEIN, DECEASED, ROSENSTEIN FAMILY LIMITED PARTNERSHIP AND MORRIS ROSENSTEIN, TRUSTEE, FOR FEE SIMPLE TITLE (\$11,000.00), AND A RIGHT OF ENTRY AGREEMENT (\$100.00)); AND RELATED TITLE CHARGES (\$600.00), FOR A TOTAL AMOUNT OF \$15,211.00 IN CONNECTION WITH STAHL AT O'CONNOR AND JUDSON RECONSTRUCTION METROPOLITAN PLANNING ORGANIZATION PROJECT; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

WHEREAS, it is necessary to obtain fee simple and rights of entry to certain property for the purpose of constructing street, drainage and/or utility improvements; and

WHEREAS, as part of the land transaction, the City staff has negotiated the terms of the transaction with the owners of the property and the City Council finds that the proposed terms are reasonable; and

WHEREAS, funds are available to acquire the necessary parcel; **NOW, THEREFORE**;

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

SECTION 1: The budget in Fund 45-979109, 1999 General Obligation Street Improvement Bonds shall be revised by increasing Index Code 916411, entitled Transfer to 45-970016, in the amount of 15,211.00. The amount of \$15,211.00 is authorized to be transferred from Fund 45-979109 to Fund 45-970016.

SECTION 2: The budget in Fund 45-970000, 2000A Street Bonds shall be revised by increasing Index Code 130708, entitled Transfer from 45-979109 (45-970016), in the amount of 15,211.00.

SECTION 3. The amount of \$3,411.00 is appropriated in Fund 45-970015, Index Code 561530, entitled "Land Acquisition", in connection with the Stahl at O'Connor and Judson Reconstruction Metropolitan Planning Organization Project, and is authorized to be encumbered and made payable to **LAWYERS TITLE OF SAN ANTONIO** as escrow agent for Steven Jay Epstein, Clyde B. Goldsmith and the Rosenstein Family Limited Partnership, for fee simple title to the property described as being 2,729.10 square feet (0.063 acres) out of the remaining portion

of Lot 6, Block B, N.C.B. 15705, Fertile Valley Farms Subdivision, according to plat recorded in Volume 3377, pages 76-78 of the Deed and Plat Records of Bexar County, Texas (Parcel 16580); said 0.063 acres being more particularly described by "Metes and Bounds Description" affixed hereto and incorporated herein as **Attachment I**.

SECTION 4. The amount of \$11,000.00 is appropriated in Fund 45-970016, Index Code 561530, entitled "Land Acquisition", in connection with the Stahl at O'Connor and Judson Reconstruction Metropolitan Planning Organization Project, and is authorized to be encumbered and made payable to **LAWYERS TITLE OF SAN ANTONIO** as escrow agent for Clyde B. Goldsmith, Steven Jay Epstein, Individually and as Independent Executor of the Estate of Erna Antonio Epstein, Deceased, Rosenstein Family Limited Partnership and Morris Rosenstein, Trustee, for fee simple title to the property described as being 8,777.80 square feet (0.202 acres) out of the remaining portion of Lot 5, Block B, N.C.B. 15705, Fertile Valley Farms Subdivision, according to plat recorded in Volume 3377, Pages 76-78, of the Deed and Plat Records of Bexar County, Texas (Parcel 16581), said 0.202 acres being more particularly described by "Metes and Bounds Description" affixed hereto and incorporated herein as **Attachment II**.

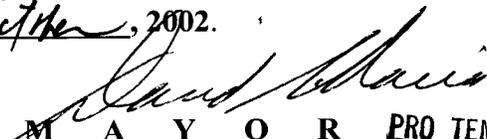
SECTION 5. The amount of \$200.00 is appropriated in Fund 45-970016, Index Code 561555, entitled "Right of Entry Fees" in connection with the Stahl at O'Connor and Judson Reconstruction Metropolitan Planning Organization Project, and is authorized to be encumbered and made payable to **LAWYERS TITLE OF SAN ANTONIO** for right of entry fee expenses.

SECTION 6. The amount of \$600.00 is appropriated in Fund 45-970016, Index Code 561548, entitled "Title Fees", in connection with the Stahl at O'Connor and Judson Reconstruction Metropolitan Planning Organization Project, and is authorized to be encumbered and made payable to **LAWYERS TITLE OF SAN ANTONIO** for title fee expenses.

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Index Codes and funds numbers as necessary to carry out the purpose of this Ordinance.

SECTION 8. This Ordinance shall be effective on the tenth day after passage.

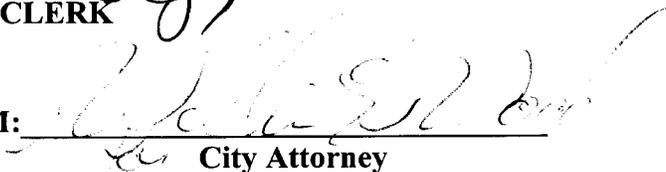
PASSED AND APPROVED this the 21st day of October, 2002.


M A Y O R P R O I E M

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney