

AN ORDINANCE **9 6 6 8 3**

AUTHORIZING AN AMENDMENT TO SALES CONTRACT APPROVED BY ORDINANCE NO. 96355, DATED SEPTEMBER 12, 2002, WITH MEDLINE INDUSTRIES, INC. ("MEDLINE") TO INCREASE THE AMOUNT AVAILABLE FROM THE SALES PROCEEDS BY \$20,000.00 FOR COSTS ASSOCIATED WITH OVERSIZING VARIOUS UTILITY IMPROVEMENTS TO SERVE FUTURE DEVELOPMENT ON ADJACENT CITY OWNED PROPERTY; AND GRANTING A TEMPORARY ACCESS EASEMENT WITH MEDLINE TO ALLOW ACCESS OVER CITY PROPERTY ON SOUTH CALLAGHAN ROAD DURING THE CONSTRUCTION OF IMPROVEMENTS ON THE ADJACENT PROPERTY OWNED BY MEDLINE.

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WHEREAS, Ordinance Number 96355, passed on September 12, 2002, approved the sale of approximately 18.4 acres of City property in the Southwest Business and Technology Park , to Medline Industries, Inc. (Medline); and

WHEREAS, said Ordinance additionally authorized payment, from the proceeds of the sale of an amount not to exceed \$125,000.00 to be held in an escrow account by Alamo Title Company for distribution to Medline or its designees for the costs of oversizing utility improvements serving future development on adjacent City property in the Southwest Business and Technology Park; and

WHEREAS, it is necessary to authorize an additional \$20,000.00 to be held in escrow to compensate for rerouting the oversized line in order to serve the Southwest Business and Technology Park; and

WHEREAS, this action will facilitate long-range development plans of the Southwest Business and Technology Park; **NOW THEREFORE**;

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

SECTION 1. An Amendment to the Southwest Business Technology Park Sales Contract originally authorized by Ordinance Number 96355, passed on September 12, 2002, approving the sale of approximately 18.4 acres of City property to Medline Industries, Inc. (Medline) is hereby authorized, to provide additional funds in the amount of \$20,000 from the proceeds of said sale, to be placed in an escrow account at Alamo Title Company for distribution to Medline or its designees as compensation for rerouting the oversized line in order to serve the Southwest Business and Technology Park. The City Manager or her designee is hereby authorized to execute such Amendment to 18.4

Acres of the Southwest Business Technology Park-Sales Contract appearing in substantially the same form as Attachment I attached hereto and incorporated herein for all purposes.

SECTION 2. A Temporary Access Easement with Medline Industries, Inc. (Medline) is hereby granted, thereby allowing access over City property located on South Callaghan Road during the construction of improvements on Medline's adjacent property. The City Manager or her designee is hereby authorized to execute such Temporary Access Easement, appearing in substantially the same form as Attachment II attached hereto and incorporated herein for all purposes.

SECTION 3. The additional amount of \$20,000.00 is appropriated in Fund No. 40-003404, Municipal Buildings & Grounds, in Index Code 677427, entitled Costs Associated w/Utility Improvements.

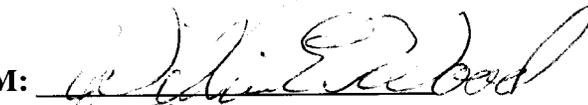
SECTION 4. The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall be effective on November 17th, 2002.

PASSED AND APPROVED this 7th day of November, 2002.


M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney