

AN ORDINANCE

97112

**AUTHORIZING A TEN (10) YEAR LICENSE AGREEMENT WITH J.P. MORGAN CHASE BANK TO USE PUBLIC RIGHT OF WAY FOR AN EXISTING FIBER OPTIC CONDUIT BENEATH AND ACROSS THE 500 BLOCK OF EAST HIGHLAND BOULEVARD, BETWEEN NCB'S 3323 AND 3335, FOR THE CONSIDERATION OF \$6,500.00.**

\* \* \* \* \*

**WHEREAS**, the petitioner, J. P. Morgan Chase Bank, is requesting to use Public Right of Way for an existing fiber optic conduit beneath and across the 500 Block of East Highland Boulevard between New City Blocks 3323 and 3335; and

**WHEREAS**, the City is agreeable to granting a License Agreement for a license fee of \$6,500.00 for a term of ten (10) years to the Petitioner for said used; and

**WHEREAS**, Petitioner's request has been circulated through all interested City departments and utility agencies involved and Petitioner has agreed to the conditions and/or restrictions imposed by the Departments of Planning, Public Works, and Development Services, City Public Service and San Antonio Water System through a letter agreement dated February 22, 2002; **NOW THEREFORE**,

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

**SECTION 1.** A License Agreement between the City of San Antonio and J. P. Morgan Chase Bank as Licensee for a term of ten (10) years to use Public Right of Way for an existing fiber optic conduit beneath and across the 500 Block of East Highland Boulevard between New City Blocks 3323 and 3335, is hereby authorized. . A copy of the License Agreement, signed on behalf of the Licensee, is attached hereto as **Attachment I** and incorporated herein verbatim for all purposes.

**SECTION 2.** The grant of the License is contingent on Licensee's compliance with the conditions and/or restrictions set forth in a letter agreement, a copy of which is attached hereto as **Attachment II**.

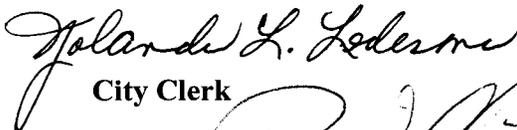
**SECTION 3.** The Proceeds of the Agreement shall be deposited into Fund No. 11-000 entitled "General Fund", Index Code No. 012732, entitled "License Agreements – Use of Right of Way".

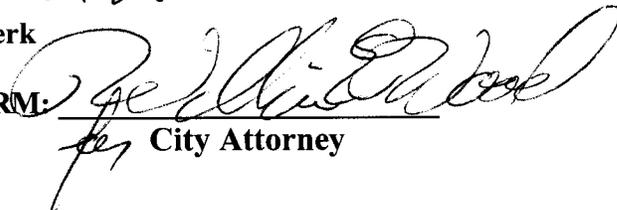
**SECTION 4.** This ordinance shall take effect on the 9th day of February 2003.

**PASSED AND APPROVED** this 30th day of January 2003.



M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
City Attorney