

AN ORDINANCE

97113

AUTHORIZING A JOINT USE AGREEMENT BETWEEN THE CITY OF SAN ANTONIO AND CITY PUBLIC SERVICE FOR THE JOINT USE OF APPROXIMATELY 13,000 SQUARE FEET OF LAND IN BEXAR COUNTY, TEXAS VALUED AT APPROXIMATELY \$1,533.08 FOR OVERHEAD ELECTRIC LINES TO SERVE THE NORTHERN PORTION OF THE IRON HORSE CANYON SUBDIVISION.

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WHEREAS, City Public Service (CPS) has requested permission to use approximately 13,000 square feet of land owned by the City of San Antonio to install, operate and maintain electric transmission and distribution adjacent to an existing fifty (50)-foot wide electrical easement to serve the northern portion of the Iron Horse Canyon Subdivision; and

WHEREAS, the premises being sixteen (16) feet wide running for an approximate distance of 840.5 feet as more specifically described in **SECTION 1.** below and is part of a larger tract of land that has been dedicated for park purposes and wildlife sanctuary; and

WHEREAS, the overhead electric lines will not only provide service to the surrounding area but also provide for future development needs; and

WHEREAS, the land is valued at approximately \$1,533.08 and the City and CPS have agreed, under a Joint Use Agreement, that within sixty (60) days after the effective date of the agreement they will identify properties of equal value that are free and clear of all liens to exchange between the City and CPS and if the parties are unable to agree upon such other properties, then CPS will remit to the City of San Antonio the sum of \$1,533.08; and

WHEREAS, this ordinance is consistent with City policy in regulating the use of public land under the control of the City of San Antonio, **NOW THEREFORE**;

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

SECTION 1. The City Manager or her designee is hereby authorized to execute a Joint Use Agreement between the City of San Antonio and City Public Service to use approximately 13,000 square feet of land owned by the City of San Antonio valued at approximately \$1,533.08, being described as sixteen (16) feet wide beginning at the north property line of Iron Horse Canyon Subdivision and being east of and parallel to and abutting an existing fifty (50) foot wide transmission easement recorded in Volume 5519, Page 957, Deed Records of Bexar County, Texas, and extending in a northerly direction to the south property line of Los Reyes Canyons, Unit 10B of that certain 592.9 acre tract of land, Tract I, out of the Manuel Gomez Survey No. 7, Abstract No. 1045, County Block 4518, the T.C. Railroad Company Survey No. 9, Abstract No. 1026, County Block 4519; 17.3 acres out of the John M. Ross Survey No. 222, Abstract No. 647, County Block 4480, the Francisco Marin Survey No. 224 ½, Abstract No. 972, County Block 4521 and the J. Hoffman Survey No. 10, Abstract No. 1209, County Block 4520, Bexar

County, Texas, as described by Deed recorded in Volume 8819, Page 72, Official Public Records of Real Property, Bexar County, Texas, for an approximate distance of 840.5 feet to install, operate and maintain electric transmission and distribution lines to serve the northern portion of the Iron Horse Canyon Subdivision. A copy of said Agreement signed on behalf of City Public Service is attached hereto and incorporated herein verbatim for all purposes as **Attachment I**.

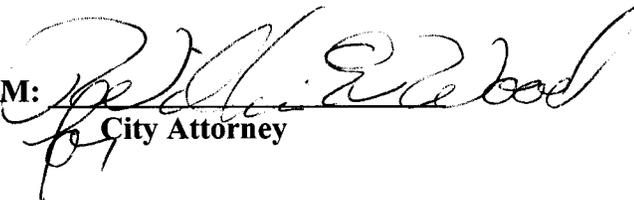
SECTION 2. The amount of \$1,533.08, if paid by City Public Service to the City, under the conditions set forth in the Agreement, will be deposited into a designated fund as assigned by the Director of Finance or his or her designee.

SECTION 3. This Ordinance shall be effective 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