

AN ORDINANCE **98103**

DECLARING AS SURPLUS TO THE CITY OF SAN ANTONIO'S RIGHT OF WAY NEEDS AN UNUSED 0.276 OF AN ACRE, MORE OR LESS, TRACT OF LAND, (12,045 SQUARE FEET) BEING A PORTION OF LOOP 13, LOCATED AT THE NORTHEAST CORNER OF S.E. MILITARY DRIVE (LOOP 13) AND OLD U. S. 81 (SOUTH PRESA STREET), ADJACENT TO THE REMAINING PORTION OF LOT 8, NCB 10930, WHICH IS OWNED AND CONTROLLED BY THE STATE OF TEXAS; AND REQUESTING THAT THE STATE OF TEXAS, ACTING BY AND THROUGH ITS TEXAS TRANSPORTATION COMMISSION, DECLARE SUCH TRACT TO BE SURPLUS TO THE NEEDS OF THE STATE OF TEXAS, AND SOLD TO MR. R.J. KELLER, THE ABUTTING LANDOWNER.

* * * * *

WHEREAS, R. J. Keller, the abutting landowner, has requested the release of a 0.276 of an acre, more or less (12.045 square feet), tract of land owned by the State of Texas and controlled by the Texas Department of Transportation (TxDOT), being a portion of Loop 13, located at the Northeast corner of S.E. Military Drive (Loop 13) and Old U.S. 81 (South Presa Street), as more specifically identified in **Exhibit A** affixed hereto and incorporated herein verbatim for all purposes; and

WHEREAS, the State of Texas and TxDOT policies require that the City offer input as to the status of land as surplus property before release by the State of Texas, and that the City request the State of Texas to declare the property surplus to its needs, and to be sold to the abutting owner; and

WHEREAS, the Asset Management Department of the City of San Antonio canvassed all City departments to see if any department had a need for this property and no department expressed an interest in retaining the property; and

WHEREAS, this property will be conveyed to the abutting landowner, R. J. Keller, once it is determined that the 0.276 of an acre, more or less, is declared surplus to the City's needs and declared by the State of Texas as surplus to its needs for highway purposes; and

WHEREAS, staff recommends approval of the above mentioned action; **NOW THEREFORE;**

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

SECTION 1. The 0.276 of an acre, more or less (12,045 square feet), tract of land owned and controlled by the State of Texas, through the Texas Department of Transportation, being a tract of land located at the Northeast corner of S.E. Military Drive (Loop 13) and Old U.S.

81 (South Presa Street), adjacent to the remaining portion of Lot 8, NCB 10930 is hereby declared surplus to the needs of the City of San Antonio; such property is more specifically identified in **Exhibit A** affixed hereto and incorporated herein verbatim for all purposes.

SECTION 2. The City hereby requests that the State of Texas, acting by and through its Texas Transportation Commission declare such 0.276 of an acre, more or less, tract of land to be surplus and sold to the abutting landowner R. J. Keller, once the State determines that such tract is no longer needed for highway purposes by the Texas Department of Transportation.

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.

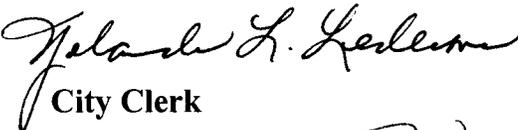
SECTION 4. This ordinance shall be effective on September 14, 2003.

PASSED AND APPROVED this 4th day of September, 2003.



M A Y O R

EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
City Attorney