

AN ORDINANCE **98117**

AUTHORIZING THE ACQUISITION OF ONE (1) PERMANENT DRAINAGE EASEMENT AND AUTHORIZING THE EXPENDITURE OF \$144,000.00 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR MEADOWLAWN MEMORIAL PARK, INC. FOR SUCH ACQUISITION AND TITLE FEES IN CONNECTION WITH THE EASTGATE DRAINAGE IMPROVEMENTS COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT, LOCATED IN COUNCIL DISTRICT 2; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City council has previously approved the Eastgate Drainage Improvements Project as part of the Community Development Block Grant (CDBG) Program; and

WHEREAS, in connection with said Project, it is necessary to acquire one (1) permanent drainage easement in order to obtain a right of way for future drainage improvements in the Eastgate Subdivision; and

WHEREAS, monies are available to acquire the necessary permanent drainage easement;
NOW THEREFORE:

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

SECTION 1. The permanent drainage easement set out herein as Attachment I is hereby authorized to be procured in connection with the Eastgate Drainage Improvements Project for a total cost of \$142,500.00.

SECTION 2. The budget of Fund No. 28-024092 is authorized to be revised by transferring \$142,500.00 from Index Code No. 331827, Construction Contract to Index Code No. 314484, Land Acquisition and transferring \$1,500.00 from Index Code No 331827, Construction Contract to Index Code No. 314682, Title Fees.

SECTION 3. The sum of \$142,500.00 is hereby appropriated in Fund No. 28-024092, Index Code No. 314484 entitled, Land Acquisition, in connection with the Eastgate Drainage Improvements Project and is authorized to be encumbered and made payable to Lawyers Title of San Antonio as escrow agent for Meadowlawn Memorial Park, Inc. for acquisition of one (1) permanent easement described as follows:

A foot Drainage Easement containing 2.462 acres (107,241.70 square feet) of land being out of Parcel P-23, New City Block 12867, City of San Antonio, Bexar County, Texas, as recorded in Volume 7252, Page 248, Real Property Records of Bexar County, Texas, being more particularly described by Exhibit "A" of Attachment I.

SECTION 4. The amount of \$1,500.00 is hereby appropriated in Fund No. 28-024092, Index Code No. 314682 entitled Title Fees, and said amount is authorized to be encumbered in a and paid from said account to Lawyers Title of San Antonio.

SECTION 5. A copy of the respective instrument shall be submitted to the City Attorney for approval under Section 54, Charter of the City of San Antonio. If the instrument is approved by the City Attorney then the City of San Antonio will accept title to the respective permanent drainage easement upon closing of this transaction.

SECTION 6. 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 City Manager's designee, correct allocations to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance shall become effective on and after the tenth (10th) day after passage hereof.

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



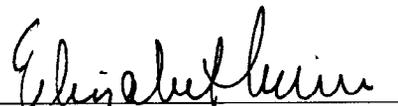
M A Y O R

EDWARD D. GARZA

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney