

AN ORDINANCE **99141**

AUTHORIZING PAYMENT IN THE AMOUNT OF \$74,100.00 PAYABLE TO ALAMO TITLE AS ESCROW AGENT FOR HELEN A. SPAULDING FOR FEE SIMPLE TITLE TO ONE (1) PARCEL (\$73,000.00), A RIGHT OF ENTRY FEE (\$100.00), AND TITLE FEES (\$1,000.00) IN CONNECTION WITH THE WURZBACH PARKWAY PHASE V PROJECT, LOCATED IN COUNCIL DISTRICT 9; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

WHEREAS, the City Council has previously approved the Wurzbach Parkway Project (the "Project") as part of the Capital Improvements Program; and

WHEREAS, in connection with said Project, it is necessary to acquire one (1) parcel of certain privately owned real property; and

WHEREAS, funds are available to acquire the necessary parcel; **NOW THEREFORE:**

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

SECTION 1. The amount of \$73,000.00 is appropriated in Fund 43-152009, 2002 MPO Improvements, in Index Code 726091, entitled Land Acquisition, and is authorized to be encumbered and made payable to Alamo Title Company as escrow agent for Helen A. Spaulding for fee title to approximately 2.395 acres to be described in a Sales Agreement executed by Helen Spaulding on March 30, 2004. A copy of the Field Notes is attached hereto and incorporated herein as **Exhibit "A"** for all purposes.

SECTION 2. The amount of \$100.00 is appropriated in Fund 43-152009, 2002 MPO Improvements, in Index Code 726505, entitled Right of Entry Fee, and is authorized to be encumbered and made payable to Alamo Title Company for Helen A. Spaulding, for Right of Entry in connection with the Wurzbach Parkway Project.

SECTION 3. The amount of \$1,000.00 is appropriated in Fund 43-152009, 2002 MPO Improvements, in Index Code 726851, entitled Title Fees, and is authorized to be encumbered and made payable to Alamo Title Company.

SECTION 4. The budget in fund 43-172095, 2002 Certificates of Obligation Street Improvements, shall be revised by reducing index code 753046, entitled Unallocated Appropriations, in the amount of \$74,100.00.

SECTION 5. The amount of \$74,100.00 is appropriated in fund 43-172022, 2002 Certificates of Obligation Street Improvements, in index code 942631, entitled "Trf to 43-152009 Wurzbach Pkwy". The amount of \$74,100.00 is authorized to be transferred from fund 43-172022 to fund 43-152009.

SECTION 6. The budget in fund 43-152000, 2002 MPO Improvements, shall be revised by increasing index code 115337, entitled Trf Fr 43-172022 (43-152009) Wurzbach, by the amount of \$74,100.00.

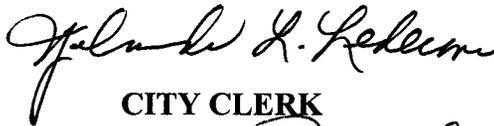
SECTION 7. A copy of the respective instrument shall be submitted to the City Attorney for approval under Section 54, Charter of the City of San Antonio. If the instrument is approved by the City Attorney then the City of San Antonio accepts title to the respective parcel upon closing of this transaction.

SECTION 8. 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 the City Manager's designee, correct allocation to specific Index Codes and funds numbers as necessary to carry out the purpose of this Ordinance.

SECTION 9. This ordinance shall take effect on the 16th day of May, 2004.

PASSED AND APPROVED this 6th day of May, 2004.

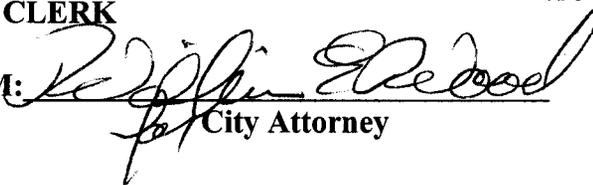
ATTEST:


CITY CLERK


M A Y O R

EDWARD D. GARZA

APPROVED AS TO FORM:


City Attorney