

AN ORDINANCE 99706

GRANTING A SIX (6) FOOT WIDE BY 350 LINEAR FOOT SANITARY SEWER EASEMENT WITHIN AN EXISTING PUBLIC RIGHT OF WAY DRAINAGE EASEMENT LOCATED BETWEEN JOHN H. WOOD MIDDLE SCHOOL AND EAGLE RUN STREET ADJACENT TO NCBS 17153, 17999 AND 17800 IN COUNCIL DISTRICT 10, AS REQUESTED BY THE PETITIONER, THE NORTH EAST INDEPENDENT SCHOOL DISTRICT, FOR THE TOTAL CONSIDERATION OF \$2,066.00.

* * * * *

WHEREAS, Petitioner **North East Independent School District (NEISD)**, has requested that the City of San Antonio grant it 6 foot-wide by 350 feet long sanitary sewer easement within an existing Public Right of Way drainage easement located between John H. Wood Middle School and Eagle Run Street, adjacent to NCB's 17153, 17999, and 17800, in connection with the construction of a new band building; and

WHEREAS, the City is agreeable to such grant for a consideration in the amount of \$2,066.00; and

WHEREAS, in compliance with City procedures, Petitioner's request has been canvassed throughout all interested City departments, utilities, and applicable agencies, and Petitioner has agreed to the conditions imposed by the City of San Antonio Public Works Department, Development Services Department, City Public Service, and the San Antonio Water System, and Petitioner has executed a Letter of Agreement evidencing such agreement; and

WHEREAS, this action is consistent with the City Code and Ordinances which require City Council approval for any use of property owned or controlled by the City; **NOW THEREFORE**;

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

SECTION 1. A 6 foot-wide by 350 feet long sanitary sewer easement is hereby granted to Petitioner **North East Independent School District (NEISD)**, within an existing Public Right of Way drainage easement located between John H. Wood Middle School and Eagle Run Street, adjacent to NCB's 17153, 17999, and 17800, in connection with the construction of a new band building, for the consideration of \$2,066.00.

SECTION 2. The City Manager, Interim City Manager, Deputy City Manager, an Assistant City Manager or an Assistant to the City Manager, is authorized to execute the "Sanitary Sewer Easement", a copy of which is attached hereto as Exhibit "A" and incorporated herein verbatim for all purposes. A copy of the Letter of Agreement executed by a representative of NEISD, evidencing NEISD's agreement to comply with the conditions imposed by the City of San Antonio Public Works Department, Development Services Department, City Public Service, and the San Antonio Water System is attached hereto as Exhibit "B" and incorporated herein verbatim for all purposes.

SECTION 3. The \$2,066.00 consideration received from the grant of this Easement shall be deposited into Fund 29-008 entitled "Miscellaneous Special Revenue," Index Code 040337, entitled, "Sale of Land."

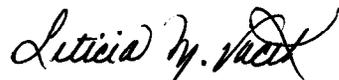
SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This ordinance shall be effective on the 26th day of September, 2004.

PASSED AND APPROVED this 16th day of September, 2004.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney