

AN ORDINANCE **100005**

AUTHORIZING PAYMENT IN THE AMOUNT OF \$15,360.00 TO GERRY RICKHOFF, COUNTY CLERK, FOR THE DEFENDANTS IN CONDEMNATION CAUSE NO. 2004-ED-0009, CITY OF SAN ANTONIO VS. CARMEN MOLINA FOR THE ACQUISITION OF ONE PARCEL (\$9,050.00), AND ONE TEMPORARY EASEMENT (\$5,040.00), AND PAYMENT OF THE AMOUNT OF \$1,270.00 FOR COURT COSTS, IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT #74, PHASE III B & C, LOCATED IN COUNCIL DISTRICT 9; REVISING THE PROJECT BUDGET; APPROPRIATING FUNDS AND PROVIDING FOR PAYMENT.

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WHEREAS, the City of San Antonio proceeded in Condemnation Cause No. 2004-ED-0009, *City of San Antonio vs. Carmen Molina, Et Al*, to acquire fee simple interest in 0.035 acres of land (1,534 square feet), out of Lot 70, Block 2, New City Block 11966, Rolling Acres Subdivision (Parcel 10571), and a fee simple interest in 0.0003 acres of land (13 square feet) out of Lot 70, Block 2, New City Block 119966, Rolling Acres Subdivision (Temporary Easement – Parcel 10571TE) in the City of San Antonio, Bexar County, Texas; and

WHEREAS, the Special Commissioners met on September 13, 2004 and awarded the owners the sum of \$9,050.00 for one parcel and \$5,040 for one temporary easement; and

WHEREAS, the City must pay \$1,270.00 for court costs, and \$5,075.84 for citation by publication services as part of this legal proceeding; and

WHEREAS, the City of San Antonio must deposit the amount of the award and pay the court costs;
NOW THEREFORE:

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

SECTION 1. The following financial adjustments are hereby approved:

A.) The amount of \$15,360.00 is appropriated in SAP fund 45506000, “1985 Gen Obl Drain & Flood”, in SAP GL account 6102100 - Interfund Transfers Out. The amount of \$15,360.00 is authorized to be transferred from SAP fund 45506000 to SAP fund 45099000.

B.) The budget in SAP fund 45099000, General Obligation Capital Projects, Project Definition 23-00628, shall be revised by increasing WBS element 23-00628-90-04, entitled “Trf Fr 45506000”, SAP Gl Account 6101100 - Interfund Transfers In, by the amount of \$15,360.00.

C.) The amount of \$9,050.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, Project Definition 23-00628, in SAP WBS Element 23-00628-03-02-04, entitled Acquisition, and is authorized to be encumbered and made payable to Gerry Rickhoff, County Clerk, for acquisition of one parcel in connection with the Western Avenue Drainage Project #74, when the purchase order is issued.

D.) The amount of \$5,040.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, Project Definition 23-00628, in SAP WBS Element 23-00628-03-02-04, entitled

Acquisition, and is authorized to be encumbered and made payable to Gerry Rickhoff, County Clerk, for a temporary easement in connection with the Western Avenue Drainage Project #74, when the purchase order is issued.

E.) The amount of \$1,270.00 is appropriated in SAP Fund 45099000, General Obligation Capital Projects, Project Definition 23-00628, in SAP WBS Element 23-00628-03-02-04, entitled Acquisition, and is authorized to be encumbered and made payable to Gerry Rickhoff, County Clerk, for court costs in connection with the Western Avenue Drainage Project #74, when the purchase order is issued.

SECTION 2. 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, Interim City Manager, or the designee of either, correct allocation to specific Index Codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 3. This ordinance shall be effective on November 28, 2004.

PASSED AND APPROVED this 18th day of November, 2004.



M A Y O R
EDWARD D. GARZA

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


City Attorney