

AN ORDINANCE 100153

GRANTING A LICENSE AGREEMENT TO THE HEIGHTS BUILDING, LTD., A TEXAS LIMITED PARTNERSHIP, TO USE AND MAINTAIN A THIRTY FOOT (30') BY ONE HUNDRED SIXTY FOOT (160') PORTION OF PUBLIC RIGHT OF WAY, LOCATED BETWEEN BROADWAY AND THE PREVIOUSLY CLOSED THIRTY FOOT (30') BY SEVENTY TWO FOOT (72') FOOT PORTION (BY ORDINANCE NO. 98510), ONLY FOR THE PURPOSE OF AN ENTRY AND EXITING INTO THE PARKING FACILITY, AND DEVELOPING PARKING SPACES, CURBING, AND LANDSCAPING, ADJACENT TO THE NEW OFFICE BUILDING LOCATED AT 7373 BROADWAY IN COUNCIL DISTRICT 9, FOR A TEN (10) YEAR TERM AND THE TOTAL CONSIDERATION OF \$36,621.00.

* * * * *

WHEREAS, the Heights Building, Ltd. owns and operates an office building near the intersection of Broadway and Claywell in San Antonio, Texas; and

WHEREAS, the City owns an unused public right of way adjacent to Height's Building, Ltd's property that Heights Building Ltd would like to use for parking and related purposes; NOW THEREFORE,

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

SECTION 1. The City Manager, Interim City Manager, and his designee are authorized and directed to execute and deliver all instruments necessary or convenient to license to Heights Building, Ltd., in exchange for payment of \$36,621.00, the use of the public right-of-way described on **Exhibit A** for the purpose of entry and exit between licensee's parking facility and Broadway, developing and maintaining parking spaces, and installing and maintaining curbing and landscaping.

SECTION 2. The proceeds of this agreement shall be deposited into Fund 11-000000 entitled "General Fund," Material Number 9000093 entitled "License Agreements-Use of ROW", Internal Order 224000000002 entitled "Property Disposition" and the General Ledger Account 4202410 entitled "Permits - Use of Right of Way".

SECTION 3. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager, the Interim City Manager or the designee of either, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 4. This ordinance shall become effective December 26, 2004.

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



M A Y O R

EDWARD D. GARZA

ATTEST: *Leticia M. West*
City Clerk

APPROVED AS TO FORM: *Rebecca [Signature]*
for City Attorney