

AN ORDINANCE                    **100883**

**AUTHORIZING THE ACQUISITION OF FEE SIMPLE TITLE TO ONE (1) PARCEL OF LAND AND AUTHORIZING THE EXPENDITURE OF \$12,811.40 PAYABLE TO LAWYERS TITLE OF SAN ANTONIO AS ESCROW AGENT FOR SAN ANTONIO INDEPENDENT SCHOOL DISTRICT FOR SUCH ACQUISITION; AUTHORIZING \$600.00 FOR RELATED TITLE FEES; AUTHORIZING THE EXPENDITURE OF \$100.00 FOR A RIGHT OF ENTRY FEE; AUTHORIZING THE EXPENDITURE OF \$1,200.00 PAYABLE TO DUGGER, CANADAY, GRAFE INCORPORATED FOR APPRAISAL SERVICES, FOR A TOTAL AMOUNT OF \$14,711.40 IN CONNECTION WITH THE 2003-2007 GENERAL OBLIGATION STREET IMPROVEMENT BOND AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDED DURANGO-SAN MARCOS TO TRINITY PROJECT, LOCATED IN COUNCIL DISTRICT 5; APPROPRIATING FUNDS; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, the City Council has approved the Durango – San Marcos to Trinity Project (the “Project”) as part of the Community Development Block Grant (CDBG) Program and 2003-2007 General Obligation Street Improvement Bond Program for Council District 5; and

**WHEREAS**, the Project consists of the reconstruction of Durango from San Marcos to Trinity to include curbs, driveways and sidewalks as well as a widened section from Brazos to Trinity with two eastbound lanes and one westbound lane, reconstruction on the south side of Durango from San Marcos to Brazos, and a student drop off lane; and

**WHEREAS**, in connection with said Project, it is necessary to acquire fee simple title to one (1) parcel of property and obtain and acquire one (1) Right of Entry Agreement upon the privately owned real property in order to complete said Project; and

**WHEREAS**, in connection with said Project, it is also necessary to pay for appraisal services and title fees necessary for land acquisition; and

**WHEREAS**, monies are available to acquire the necessary fee simple title to one (1) parcel of property, the Right of Entry Agreement for said Project and the other expenses related thereto;  
**NOW THEREFORE:**

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

**SECTION 1.** The acquisition of one (1) parcel of land, more particularly described in Attachment I which is affixed hereto and incorporated herein for all purposes, is hereby authorized in connection with the Durango from San Marcos to Trinity Community Development Block Grant (CDBG) Project.

**SECTION 2.** The execution of necessary documents for the acquisition of one (1) parcel of land is hereby authorized.

**SECTION 3.** The amount of \$14,711.40 is appropriated in SAP Fund No. 28029000, GL 6102100 – Interfund Transfer Out, and is to be transferred to SAP Project No. 23-00801, WBS 23-00801-90-04, GL 6101100 – Interfund Transfer In.

**SECTION 4.** The amount of \$12,811.40 is appropriated in SAP Fund No. 45099000 Project Definition 23-00801, in WBS Element 23-00801-03-02-04 entitled “Acquisition”, GL 5209010 in connection with the Durango-San Marcos to Trinity Project, and said amount is authorized to be encumbered in and paid from said account to Lawyers Title of San Antonio as escrow agent for the acquisition of said fee simple title to one (1) parcel of property and payment to San Antonio Independent School District.

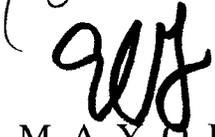
**SECTION 5.** The following sums are hereby authorized for encumbrance in and payment from Fund No. 45099000:

- \$1,200.00 Payable to Dugger, Canaday, Grafe, Incorporated for appraisal fee, WBS Element 23-00801-03-02-02, GL Account # 5201160;
- \$ 600.00 for land acquisition cost, WBS Element 23-00801-03-02-05, GL Account # 5209010; and
- \$ 100.00 for Right of Entry Fee, WBS Element 23-00801-03-02-05, GL Account # 5209010.

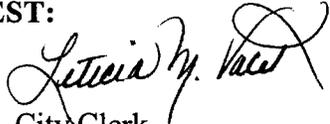
**SECTION 6.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the Interim City Manager or the Interim City Manager’s Designee, correct allocations to specific SAP Fund Numbers, Project Definitions, Internal Orders, SAP WBS Elements, and SAP GL Account Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 7. This Ordinance shall be effective on and after the 29<sup>th</sup> day of May, 2005.

PASSED AND APPROVED this 19<sup>th</sup> day of May, 2005.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:

  
City Clerk

APPROVED AS TO FORM:

  
City Attorney