

Legislation Text

File #: 23-1724, **Version:** 2

PRESENTER:

Matthew Eckmann, Assistant Director of Public Works

SUBJECT:

Approval of the sale of a 0.013 acre tract of land out of lot 133, New City Block 2004, addressed as 385 W. San Antonio Street in the City of New Braunfels, Texas

DEPARTMENT: Public Works

COUNCIL DISTRICTS IMPACTED: 5

BACKGROUND INFORMATION:

In 1975 the City provided an easement to ADM to allow for a building encroachment into Gilbert Ave which at the time was still a public right-of-way. In exchange for this easement, ADM deeded the City a triangular piece of property on the south side of Gilbert Ave. to help maintain the 50' wide public right-of-way.

In 1995, the City received a request from ADM to abandon the Gilbert Ave. right of way and transfer ownership to ADM. Council approved this abandonment as Ordinance No. 95-35 and provided a quitclaim deed to ADM conveying the right of way. However, it appears the triangular piece of property previously conveyed to the City on the south side of the Gilbert Ave. right of way was not conveyed.

ISSUE:

ADM Mills has vacated the property on Wests San Antonio Street and is attempting to sell the property. Survey and title work on the property as part of this sale discovered the portion of property that still belonged to the City and ADM has requested that this property be conveyed to them.

Sec. 272.001 (b)(1) of the State of Texas Local Government Code allows for the sale of land by a political subdivision to an abutting property owner if it is a narrow strip of land, or land that because of its shape, lack of access to public roads, or small area cannot be used independently under its current zoning or under applicable subdivision or other development control ordinances.

FISCAL IMPACT:

The City procured an appraisal on the property which provided a value of \$6,500, which ADM has agreed to.

RECOMMENDATION:

Staff recommends approval.