



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District K

Item Creation Date: 11/2/2021

LGL - Parcel AY20-127; City of Houston v. Comoline Corporation, et al.; Cause No. 1175518; Fondren Road Paving and Drainage Project; (from Creekbend Drive to West Airport Boulevard); WBS/CIP N-100021-0001-2

Agenda Item#:

Summary:

Authorize the City Attorney, by Motion, to deposit the amount of the Award of the Special Commissioners of \$86,471.00 into the registry of the court and pay all costs. Funding will be provided by a previously approved blanket appropriation ordinance.

Background:

The Fondren Road Paving and Drainage Project from Creekbend Drive to West Airport Boulevard, the "Project", will provide for the design and construction of Fondren Road from four lanes to six lanes with curbs, sidewalks, driveways, street lighting, traffic control and necessary underground utilities. This Project will be designed and constructed to improve traffic circulation, drainage, and safety in the service area.

This eminent domain proceeding involves the acquisition of an easement interest to one parcel of land containing a total of 262 square feet. The property is located at 12300 Fondren Road in the City of Houston. The property is owned by Comoline Corporation. Prior to sending the matter to the Legal Department, the City attempted to negotiate a purchase of the property, but those efforts were unsuccessful. The matter was then referred to the Legal Department to initiate eminent domain proceedings to acquire the needed property. The Legal Department filed the eminent domain petition and a Special Commissioners' hearing was held.

City's Appraisal/Valuation: \$ 69,471.00

Landowner's Appraisal/Valuation:\$100,000.00

Award of the Special Commissioners' Hearing: \$ 86,471.00

Court & Misc. Costs: Special Commissioners' fees; \$3,000; Court Filings; \$250.00; Service Costs; \$305.00. **Estimated Total Court & Misc. Costs:** \$3,555.00.

DocuSigned by:

Arturo G Michel

Arturo Michel, City Attorney

DocuSigned by:

Carol Haddock

11/12/2021

Carol Ellinger Haddock, P.E.

Director, Houston Public Works

Prior Council Action:

Ordinance No. 2019-931, passed 11/20/2019; Ordinance No. 2020-998, passed 11/18/2020.

Amount and Source of Funding:

\$86,471.00; Funds previously appropriated under Ordinance No. 2019-931.

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