



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District A

Item Creation Date: 9/11/2023

LGL - Parcels: AY20-057; TCY23-015; TCY23-016; City of Houston v. A-One Real Estate LLC, a Texas Limited Liability Company et al.; Cause No. 1205897; Antoine Drive Paving & Drainage Project; WBS/CIP No. N-100009-0001-2.

Agenda Item#:

Summary:

Authorize the City Attorney, by Motion, to deposit the amount of the Award of the Special Commissioners of \$163,805.00 into the registry of the court and pay all costs. Funding will be provided by a previously approved blanket appropriation ordinance.

Background:

The Antoine Drive Paving and Drainage Project is part of the City's Street and Traffic Control and Storm Drainage Program and is required to meet City of Houston design and safety standards and improve traffic, safety, and street drainage and remove the risk of structural flooding in the service area by providing for the design and construction of intersections at Hammerly Boulevard, Antoine Drive, and Hempstead Highway along with additional turning lanes, curbs, sidewalks, driveways, street lighting, traffic control, and necessary underground utilities.

This eminent domain proceeding involves the acquisition of three easements: one permanent easement containing a total of 1,608 square feet of land and two, separate temporary construction easements: one containing 4,997 square feet of land and the other containing 1,070 square feet of land. The property is located on Antoine Drive near Hammerly Boulevard in the City of Houston. The property is owned by A-One Real Estate LLC, a Texas Limited Liability Company. 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 for the Special Commissioners:\$163,805.00

Landowner's Appraisal for the Special Commissioners:\$330,000.00

Award of the Special Commissioners' Hearing.\$163,805.00

Court & Misc. Costs: Special Commissioners' fees; \$1,500.00 (\$500.00 x 3); Process Service; \$90.00; Court Filings; \$250.00;

Estimated Total Court & Misc. Costs: \$1,840.00.

DocuSigned by:

Arturo G. Michel, City Attorney

Carol Ellinger Haddock, P.E.
Director, Houston Public Works

Prior Council Action:

Ordinance No. 2022-0222, passed 3/23/2022; Ordinance No. 2021-0984, passed 11/17/2021.

Amount and Source of Funding:

\$163,805.00; Funds previously appropriated under Ordinance No. 2022-0222 out of the Dedicated Drainage and Street Renewal Capital Fund – Ad Valorem Tax.

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