



CITY OF HOUSTON - CITY COUNCIL

Meeting Date:
District E
Item Creation Date:

LGL – Parcels KY22-031, TCY22-013, & TCY22-014; City of Houston v. Nasa Shopping Center LP, et al.; Cause No. 1210961; 42-inch Waterline from Clear Lake City Water Authority Water Plant No. 3 to League City Booster Pump Station Project; WBS/CIP No. S-000900-0145-2.

Agenda Item#:

Summary:

Authorize the City Attorney, by Motion, to deposit the amount of the Award of the Special Commissioners of \$126,322.00 into the registry of the court and pay all costs. Funding will be provided by a previously approved blanket appropriation ordinance.

Background:

The 42-inch Waterline from Clear Lake City Water Authority Water Plant No. 3 to League City Booster Pump Station Project is a part of the City's regionalization program in compliance with the Harris-Galveston Subsidence District requirement to implement the City's long range water supply plan. The Project will provide for the design, construction, use, maintenance and operation of transmission and distribution lines to convey treated water from surface water facilities in accordance with the Project plans.

This eminent domain proceeding involves the acquisition of easement interest in a parcel of land containing a total of 9422 square feet and the acquisition of two temporary construction easements. The property is located at 209 E. Nasa Road in the City of Webster. The property is owned by Nasa Shopping Center LP. 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:\$101,332.00

Landowner's Opinion of Value for the Special Commissioners:\$884,449.00

Award of the Special Commissioners' Hearing:\$126,322.00

(KY22-031: \$122,501.00, TCY22-013: \$2,854.00, and TCY22-014: \$967.00)

Court & Misc. Costs: Special Commissioners' fees: \$1,500.00 (\$500.00 x 3), Process Service: \$172.00, Court Filings: \$350.00, **Estimated Total Court & Misc. Costs:** \$2,022.00.

DocuSigned by:

Arturo G. Michel, City Attorney

DocuSigned by:

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

Prior Council Action:

Ordinance No. 2018-756, passed 9/19/2018; Ordinance No. 2022-708 passed 9/14/2022.

Amount and Source of Funding:

\$126,322.00; Funds previously appropriated under Ordinance No. 2018-756 out of the Water and Sewer System Consolidation Construction Fund 8500.

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