

MOTION by Council Member Laster that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Michael Hall, Civil-Surv Land Surveying, L.C., 5909 West Loop South, Suite 200, Bellaire, Texas 77401 on behalf of Menil Foundation, Inc. (John Trahan, Chief Financial Officer), for the abandonment and sale of a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easements, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street; all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696, Parcels SY14-086A, SY14-086B, SY14-086C, AY15-051 and KY15-073, be adopted as follows:

1. The City abandon and sell a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easements, in exchange for conveyance of a ± 375 -square-foot water meter easement, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street; all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696,
2. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
3. The applicant be required to: (a) cut, plug, and abandon the two 8-inch sanitary sewer lines, from their termini to the south right-of-way line of the proposed West Main Street, (b) convert to private service the remaining portions of the two 8-inch sanitary sewer lines, from the south right-of-way line of the proposed West Main Street south to the 8-inch sanitary sewer line in Richmond Avenue, (c) cut, and plug the 6-inch water line, from the 8-inch water line in Richmond Avenue, (d) convert to private service the remaining portion of the 6-inch water line by installing a water meter adjacent to Richmond Avenue in the proposed water meter easement, (e) cut, plug, and abandon the 6-inch water line, from the 8-inch water line in Loretto Drive to the proposed location and relocate the existing fire hydrant to the proposed terminus of the portion of the 6-inch water line to be converted to private service, (f) keep the existing 6-inch water line and fire hydrant active until the existing structures have been demolished and the site cleared, (g) the foregoing items must be completed as stated unless conditions on the ground or city standards require modifications to items (a) through (f), (h) pay the depreciated value amount for the water line, sanitary sewer line, and manholes to be abandoned, and (i) complete the foregoing items at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer, and (j) provide a Certificate of Final Completion issued by the Office of the City Engineer;

4. The applicant be required to prepare drawings that show all public utilities (water and sanitary) that are to be abandoned, relocated, privatized, and/or constructed as part of this project specific to the abandonment requirements and submit drawings to the Office of the City Engineer for plan review and approval. A copy of the Motion shall be attached to the plan set when it is submitted for plan review;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the City's property interests are not expected to exceed \$1,000,000.00, that the value be established by an independent appraiser appointed by the Director of Public Works and Engineering.

Seconded by Council Member Bradford and carried.

Mayor Parker, Council Members Stardig, Davis, Cohen,
Boykins, Martin, Nguyen, Gonzalez, Gallegos,
Laster, Green, Costello, Robinson, Kubosh, Bradford and
Christie voting aye
Nays none
Council Member Pennington absent

PASSED AND ADOPTED this 3rd day of December 2014.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is December 9, 2014.



City Secretary