

CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

District C

Item Creation Date: 7/18/2016

20BAM61/Abandonment and sale of easements/SY15-017

Agenda Item#:

Background:

SUBJECT: Ordinance authorizing the abandonment and sale of a 10 foot-wide utility easement and a 10 foot-wide sanitary sewer easement, within Lots 4 through 13, Tracts 19, 19A and 19B, in exchange for conveyance to the City of a 20 foot-wide sanitary sewer easement within Tracts 16, 16A, and 19C, all located within Blocks 29 and 30, College Heights Addition, out of the A. Reynolds Survey, A-61. **Parcels SY15-017A, SY15-017B, SY15-030, SY15-031, and DY15-003**

RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of a 10 foot-wide utility easement and a 10 foot-wide sanitary sewer easement, within Lots 4 through 13, Tracts 19, 19A and 19B, in exchange for a consideration of \$43,325.00 plus the conveyance to the City of a 20 foot-wide sanitary sewer easement within Tracts 16, 16A, and 19C, all located within Blocks 29 and 30, College Heights Addition, out of the A. Reynolds Survey, A-61. **Parcels SY15-017A, SY15-017B, SY15-030, SY15-031, and DY15-003**

SPECIFIC EXPLANATION: By Council Motion 2014-0933, City Council authorized the sale of a 10 foot-wide utility easement and a 10 foot-wide sanitary sewer easement, within Lots 19 and 19A, Block 29, in exchange for conveyance to the City of a 20 foot-wide sanitary sewer easement within Blocks 29 and 30, all located in the Woodland Heights Annex, out of the John Austin 2 League Grant Survey. Thereafter, a survey determined the abandonment parcels are within Lots 4 through 13, Tracts 19, 19A, and the conveyance parcel is within Tracts 16, 16A, and 19C, within Blocks 29 and 30, all located in the College Heights Addition, out of the A. Reynolds Survey, A-61. Kirby Court Corporation (W.T. Dickey, President), Walaby Realty Partners, Ltd. (W.T. Dickey, President), Catherine Wiley Lippincott, and Thomas Merritt Lippincott, and Austin Trust Company, (Dell Boykin, CEO), as Trustee under the William T. Dickey Generation-Skipping Trust, the Lynn Dickey Wiseheart Generation-Skipping Trust, the Catherine Wiley Lippincott Generation-Skipping Trust, the Thomas Lippincott Generation-Skipping Trust, the William Mathew Dickey Generation-Skipping Trust, and the Laura Lynn Dickey Generation-Skipping Trust all created under the Will of William M. Dickey, the abutting property owners, plan to construct a multi-family residential development on the subject property.

Because the construction requirements associated with this transaction will be completed after the City Council passes the Ordinance, the property owners provided a Letter of Credit (LOC) for \$61,552.60, an amount equal to the total estimated construction costs required to complete Item 3 of Motion 2014-0933. The LOC will be for a specific time period which may be less than but not longer than twelve months from the effective date of the ordinance for this transaction. The Director of PWE or his designee may authorize one extension of the LOC which may be less than but not longer than twelve months, if the applicant has received approved permits and commenced construction of the work required within the initial term of the LOC. Should the conditions of the LOC not be satisfied upon expiration of the LOC, a recommendation will be submitted to the City Council to rescind the ordinance that abandoned the City's property interest(s). All funds paid by the applicant will be forfeited. Upon the applicant's satisfactory completion of the construction-related work as evidenced by written inspection clearance/approval by the Office of the City Engineer, PWE, at the applicant's request the City will release the LOC.

Kirby Court Corporation, Walaby Realty Partners, Ltd., and Austin Trust Company, have complied with the motion requirements or provided an LOC, have accepted the City's offer, and have rendered payment in full.

The City will sell to Kirby Court Corporation, Walaby Realty Partners, Ltd., and Austin Trust Company:

Parcel SY15-017A

988 square-foot utility easement: \$69,160.00
Valued at \$70.00

Parcel SY15-017B

578 square-foot sanitary sewer easement: \$ 40,460.00
Valued at \$70.00

Parcel SY15-030

1,250 square-foot utility easement: \$ 87,500.00
Valued at \$70.00

Parcel SY15-031

262 square-foot utility easement: \$ 16,375.00
Valued at \$62.50

TOTAL ABANDONMENT

\$213,495.00

In exchange, Kirby Court Corporation, Walaby Realty Partners, Ltd., and Austin Trust Company will pay:

Cash \$ 43,325.00
Plus convey to the City:

Parcel DY15-003

2,431 square-foot sanitary sewer easement: \$170,170.00
Valued at \$70.00

TOTAL CASH AND CONVEYANCES

\$213,495.00

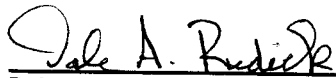
Therefore, it is recommended City Council approve an ordinance authorizing the sale of a 10 foot-wide utility easement and a 10 foot-wide sanitary sewer easement, within Lots 4 through 13, Tracts 19, 19A and 19B, in exchange for a consideration of \$43,325.00 plus the conveyance to the City of a 20 foot-wide sanitary sewer easement within Tracts 16, 16A, and 19C, all located within Blocks 29 and 30, College Heights Addition, out of the A. Reynolds Survey, A-61.

Prior Council Action:

Council Motion 2014-0933 - 10/15/2014

Contact Information:

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**Dale A. Rudick, P.E., Director
Department of Public Works and Engineering**

ATTACHMENTS:

Description

Council Motion 2014-0933 - 10/14/2014
Parcel Map

Type

Ordinance/Resolution/Motion
Backup Material