


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Request for the abandonment and 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 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. Parcels SY15-017A, SY15-017B, SY15-030, SY15-031, and DY15-003	Page <u>1</u> of <u>2</u>	Agenda Item #
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date	Agenda Date
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DIRECTOR'S SIGNATURE:  Dale A. Rudick, P.E., Director	Council District affected: C CS Key Map: 492U
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For additional information contact: Nancy P. Collins  Senior Assistant Director-Real Estate Phone: (832) 395-3130	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a motion authorizing the abandonment and 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 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. **Parcels SY15-017A, SY15-017B, SY15-030, SY15-031, and DY15-003**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:


Gerald W. Grissom, Brown & Gay Engineers, Inc., 10777 Westheimer, Suite 400, Houston, Texas, 77042, on behalf of Kirby Court Corporation (W.T. Dickey, President), Walaby Realty Partners, Ltd. (W.T. Dickey, President), and Austin Trust Company (Dell Boykin, CEO), requested the abandonment and 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 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. The applicants plan to construct a multi-family residential development on the subject property.

This is Part One of a two-step process in which the applicant will first receive a City Council authorized motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works and Engineering will forward a subsequent recommendation to City Council requesting passage of an ordinance effecting the sale. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

1. The City abandon and sell 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 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;
2. The applicants 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;

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REQUIRED AUTHORIZATION

Finance Department:	Other Authorization:	Other Authorization:  Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division
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3. The applicants be required to: (a) cut, plug, and abandon the existing 8-inch sanitary sewer line located within the subject sanitary sewer easement, (b) cut, plug, and abandon the existing 8-inch sanitary sewer line located within the subject utility easement, (c) construct a new 8-inch sanitary sewer line and manholes within the proposed 20-foot-wide sanitary sewer easement, from the remaining 8-inch sanitary sewer line located within the subject utility easement to the sanitary sewer line in Steel Street, (d) relocate any existing service connections to the 12-inch sanitary sewer line in Kipling Street, (e) pay the depreciated value of the sanitary sewer lines and manholes to be abandoned, and (f) complete all of the foregoing items at no cost to the City and under the proper permits obtained through the Office of the City Engineer and separate from any other project permits;
4. The applicants be required to prepare drawings that show all public utilities (sanitary sewer) that are to be abandoned, relocated, and/or constructed as part of this abandonment request and submit the 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 applicants be required to provide letters of no objection from each of the privately owned utility companies for the street being abandoned;
6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. 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.

DAR: NPC:cjs

c: Jun Chang, P.E., D.WRE
Marta Crinejo
David Feldman
Daniel Menendez, P.E.
Patrick Walsh, P.E.