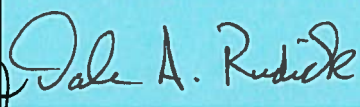
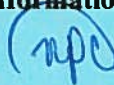


SUBJECT: Abandonment and sale of: 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys. Parcels SY14-59A through K	Page <u>1</u> of <u>3</u>	Agenda Item #
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 10/9/14	Agenda Date
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DIRECTOR'S SIGNATURE:  Dale A. Rudick, P.E., Director	Council District affected: I Key Map: 535C, 535D 
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For additional information contact: Nancy P. Collins  Phone: (832) 395-3130 Senior Assistant Director-Real Estate	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: 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys. **Parcels SY14-59A through K**

Amount and Source of Funding: Not Applicable

SPECIFIC EXPLANATION:
 Carlos Gutierrez, CFS Consulting, LP, 11301 Fallbrook Drive, Suite 320, Houston, Texas, 77065, on behalf Valero Houston Refinery, (Chip Gross, P.E., Director of Regional Public Affairs), requested the abandonment and sale of: 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys. Valero Houston Refinery, the abutting property owner, plans to incorporate the subject streets and easements into the adjacent tracts to facilitate the construction of an office building, a warehouse, a security building, and parking to be outside of the plant production area. Signs notifying the public of the pending street abandonment application were posted for at least thirty days.

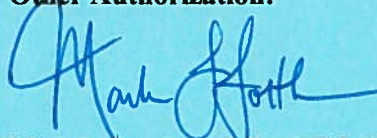
This is Part One of a two-step process in which the applicant will first receive a City Council authorized Motion acknowledging the concept of the subject request. Upon the applicant satisfactorily completing all transaction requirements including those enumerated below, the Department of Public Works 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 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys;

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CUIC #20DOB9438

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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Date:	Subject: Abandonment and sale of: 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys. Parcels SY14-59A through K	Originator's Initials 	Page <u>2</u> of <u>3</u>
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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 12-inch sanitary sewer line in the prescriptive easement (former East Avenue S) east of the manhole at the intersection of Central Avenue and East Avenue S and convert it to private service, from Central Avenue east to its terminus. A new private back-end manhole must be constructed at the proposed terminus of the sanitary sewer line east of Central Avenue; (b) cut, plug, and abandon the 8-inch sanitary sewer line in the prescriptive easement (former East Avenue R), from Central Avenue east of the manhole at the intersection of Central Avenue and East Avenue R and convert it to private service, from Central Avenue east to its terminus. Construct a new private back-end manhole at the proposed terminus of the sanitary sewer line east of Central Avenue; (c) convert to private service the 8-inch sanitary sewer line in East Avenue Q, from the 21-inch sanitary sewer line in the prescriptive easement (former East Avenue Q) west in East Avenue Q to its terminus; (d) cut, plug, and abandon the 8-inch sanitary sewer line in East Avenue P east of the manhole at the intersection of Central Avenue and East Avenue P and convert to private service from Central Avenue east in Avenue P to 96th Street; (e) convert to private service the 21-inch sanitary sewer line in 95th Street, from the 8-inch sanitary sewer line in East Avenue O north in 95th Street to the 12-inch sanitary sewer line in the prescriptive easement (former East Avenue S); (f) convert to private service the 8-inch sanitary sewer line in East Avenue N, from 96th Street west in East Avenue N to its terminus; (g) convert to private service the 8-inch sanitary sewer line in East Avenue O, from 96th Street west in East Avenue O to its terminus; (h) convert to private service the 8-inch sanitary sewer line in the prescriptive easement (former East Avenue Q), from 21-inch sanitary sewer line in 95th Street east in the prescriptive easement to its terminus; (i) convert to private service the 8-inch sanitary sewer line in the prescriptive easement (former East Avenue P), from 96th Street east to its terminus; (j) convert to private service the 10-inch sanitary sewer line in 96th Street, from the 12-inch sanitary sewer line Manchester Avenue north to East Avenue O; (k) construct an 18-inch sanitary sewer line in Central Avenue, from the 12-inch sanitary sewer line at the intersection of East Avenue S and Central Avenue south in Central Avenue $\pm 1,635$ feet to Manchester Avenue, then east in Manchester Avenue ± 700 feet to connect with the existing 24-inch sanitary sewer line in 95th Street; and (l) pay the depreciated value for the abandonment of the sanitary sewer lines and manholes. All of the foregoing items must be completed at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer;
4. The applicant be required to: (a) convert to private service the 8-inch water line in East Avenue Q, from the 8-inch water line in Central Avenue; (b) convert to private service the 16-inch water line in East Avenue P, from the 20-inch water line in Central Avenue east in East Avenue P to the 8-inch water line in 95th Street; (c) cut, plug, and abandon the 8-inch water line in 95th Street to the 6-inch water line in East Avenue O north to the 16-inch water line in East Avenue P. Also, the 8-inch water line in 95th Street must be converted to private service from the 16-inch water line in East Avenue P north to the 8-inch water line in East Avenue Q; (d) cut, plug, and convert to private service the 12-inch water line in East Avenue P, from the 8-inch water line in 95th Street to the 12-inch water line in 96th Street; (e) cut, plug, and abandon the 6-inch water line in East Avenue O, from the 8-inch water line in 95th Street east in East Avenue O to its terminus; (f) cut, plug, and abandon the 8-inch water line in East Avenue N, from the 8-inch water line in 95th Street east in East Avenue N to its terminus; (g) convert to private service the 12-inch water line in 96th Street by installing a water meter on the 12-inch water line north of the 12-inch water line in Manchester Avenue; (h) for circulation purposes, construct an 8-inch private water line, between the 8-inch water line in East Avenue Q that is to be converted to private service and the 16-inch water line in East Avenue P that is to be converted to private service; (i) relocate the fire hydrant located in the portion of East Avenue O to be abandoned to 95th Street outside of the abandonment area; (j) relocate the fire hydrant located in the portion of 96th Street to be abandoned to Manchester Avenue outside of the abandonment area; (k) cut, plug, and abandon five additional fire hydrants in the abandonment area per current City of Houston Design Manual standards; and (l) pay the depreciated value for the abandonment of the water lines and fire hydrants. All of the foregoing items must be completed at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer;
5. The applicant be required to relocate the two storm sewer inlets in 96th Street to Manchester Avenue. The foregoing item must be completed at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer;

Date:	Subject: Abandonment and sale of: 1) East Avenue Q, from Central Avenue to 95th Street; 2) East Avenue P, from Central Avenue to 96th Street; 3) East Avenue O, from 95th Street to 96th Street; 4) East Avenue N, from 95th Street to 96th Street; 5) 95th Street, from East Avenue Q to East Avenue O; 6) 96th Street, from East Avenue P to Manchester Avenue; and 7) four 10-foot-wide prescriptive sanitary sewer easements, all located within Manchester Subdivision Plat, out of the Callahan and Vince Surveys. Parcels SY14-59A through K	Originator's Initials OO	Page <u>3</u> of <u>3</u>
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6. The applicant be required to prepare drawings that show all public utilities (sanitary sewer, water, and storm sewer) that are to be abandoned, relocated, and/or constructed as part of this project 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;
7. The applicant be required to: (a) eliminate the public street appearance of 96th Street on the north side of Manchester Avenue by extending the curb and sidewalk and realigning the ditches along the north side of Manchester Avenue; (b) eliminate the public street appearance of East Avenue N along the east side of 95th Street by constructing fencing or gates across the abandoned street; (c) eliminate the public street appearance of 95th Street at East Avenue O by constructing fencing or gates across the abandoned street along the east and north sides of the intersection. No driveway access is allowed in the street corner radius section; (d) eliminate the public street appearance of East Avenue P by constructing fencing or gates across the abandoned street along the east side of Central Avenue; (e) eliminate the public street appearance of East Avenue Q by constructing fencing or gates across the abandoned street along the east side of Central Avenue; (f) remove all traffic signs in abandonment area and return the signs and poles to the City at 2200 Patterson Street; (g) contact CenterPoint Energy Street Lighting Design Section to deactivate and remove the lights and poles in the abandonment area. All of the foregoing items must be completed at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer;
8. In the interest of expediting the abandonment and sale process, the applicant may choose to provide the City with a Letter of Credit (LOC), subject to the City's concurrence, covering the estimated construction cost for work required in Items 3, 4, 5, and 7 above in lieu of performing such work prior to finalization of the ordinance for this transaction. Should this option be selected, the applicant will be required to provide an LOC showing the City of Houston as beneficiary and in the amount of the estimated construction cost approved by the City. 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 in Items 3, 4, 5, and 7 above 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. If the applicant wishes to pursue the transaction in the future, the process must begin anew. 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;
9. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the streets being abandoned and sold;
10. The Legal Department be authorized to prepare the necessary transaction documents; and,
11. Inasmuch as the value of the City's property interest is expected to exceed \$1,000,000.00, the Director of Public Works and Engineering recommends City Council appoint the following two independent appraisers, Louis Smith and Joseph Stanfield.

DAR:NPC:dob

c: Jun Chang, P.E., D.WRE
Marta Crinejo
David Feldman
Terry A. Garrison
Daniel Menendez, P.E.
Patrick Walsh, P.E.
Jeffrey Weatherford, P.E., PTOE