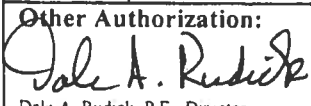
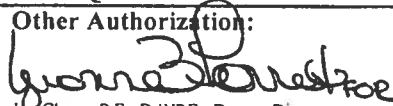
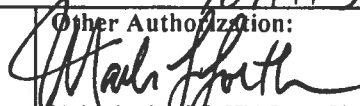


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcel KY14-069; City of Houston v. Parkwood Baptist Church, a Texas non-profit corporation, et al, Cause No. 1065634; Northeast Transmission 108-inch Water Line Easement Acquisition Project (Lee Rd - Vickery Dr.); WBS/CIP No. S-000900-0156-2-01; Legal Department File No. 081-1500027-002.		Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Legal Department - Real Estate Section Ronald C. Lewis, City Attorney		Origination Date 09/09/16	Agenda Date
DIRECTOR'S SIGNATURE:		Council District affected: "B"; Jerry Davis; Key Map No. 374Z	
For additional information contact: Joseph N. Quintal Phone: 832.393.6286 (alternatively Michelle Grossman 832.393.6216)		Date and identification of prior authorizing Council action: Ordinance Number 2015-71, passed 1/28/15; Ordinance Number 2014-0307, passed 4/16/14;	
RECOMMENDATION: (Summary) Authorize the City Attorney, by Motion, to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay the court costs, and settle the case for the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$82,265.00; No additional funding required. (Funds previously appropriated under Ordinance No. 2014-307) Water and Sewer System Consolidated Construction Fund 8500. <i>M.P. 9/16/2016</i> Fiscal Note: There is no anticipated operating and maintenance impact associated with this site acquisition.			
SPECIFIC EXPLANATION: The Northeast Transmission 108-inch Water Line Easement Acquisition Project (Lee Rd. - Vickery Dr.) is part of the City's regionalization program and is in compliance with the Harris-Galveston Subsidence District requirement to implement the City's long range water supply plan. The project provides for the design and construction of transmission and distribution lines to convey treated water from surface water facilities. This eminent domain proceeding involves the acquisition of a water line easement containing 17,893 sf (0.4108 acre) of land from a parent tract containing 197,355 sf (4.5306 acres) of land located at 5301 Aldine Bender Road. The property is owned by Parkwood Baptist Church and is improved with a church facility and related appurtenances. The church facility is located outside of the area being acquired, but a fence and parking will be impacted by the City's acquisition. City's Testimony Before the Special Commissioners: \$66,960.00 (i.e.\$24,603.00 for the land being acquired, \$29,985.00 for the improvements thereon and \$12,372.00 as damages in the form of cost-to-cure) Award of Special Commissioners: \$75,000.00. Court Costs: \$3,300.00 Special Commissioners' fees (i.e. \$1,100.00 x 3); \$340.00 Service of Process fee; \$3,625.00 Appraiser's fee Total: \$7,265.00. These court costs account for the monetary difference between the amount of the Award of Special Commissioners, and the total amount of funds needed herein. It is recommended that the City Attorney be authorized by Motion to deposit the amount of the Award of Special Commissioners into the registry of the Court, pay the court costs and settle this case for the amount of the Award of Special Commissioners. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
h:\mark\parkwoodbcrcra2.wpd		REQUIRED AUTHORIZATION 90AH312	
Other Authorization:  Dale A. Rudick, P.E., Director Public Works and Engineering	Other Authorization:  Jun Chang, P.E., D WRE, Deputy Director Public Utilities Division, PWE	Other Authorization:  Mark L. Loethen, P.E. CFM, Deputy Director Planning and Development Services Division, PWE	