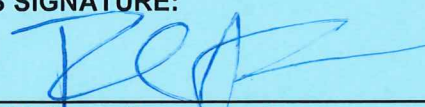


TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Parcels AY15-068; <i>City of Houston v. Hollywood Square LP, et al.</i> , Cause No. 1091668; West Alabama Paving and Drainage Project, WBS/CIP No. N-000751-0001-2, Legal Department File No. 0521500041012.		Page 1 of 1	Agenda Item #
FROM (Department or other point of origin): Legal Department – General Litigation Section Ronald C. Lewis, City Attorney		Origination Date August 17, 2017	Agenda Date
DIRECTOR'S SIGNATURE: 		Council District affected: "C"; Ellen Cohen; Key Map No. 492T	
For additional information contact: R. Steven Beard..... 832.393.6295 SB Judith L. Ramsey 832.393.6468 JL		Date and identification of prior authorizing Council action: Ordinance Number 2014-240, passed March 26, 2014 & Ordinance Number 2016-348, passed on May 4, 2016.	
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 City's costs of court and settle this matter for the amount of the special commissioners award. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$150,431.00; Funds previously appropriated under Ordinance No. 2014-0240 out of the Street & Traffic Control and Storm Drainage Fund No. 4042. Fiscal Note: There is no anticipated operating and maintenance impact associated with this site acquisition.			
SPECIFIC EXPLANATION: The West Alabama Paving and Drainage Project provides for street widening and drainage improvements from Buffalo Speedway to Wesleyan Street. This eminent domain proceeding involves the acquisition of a parcel of land containing 711 square footage. The property is owned by Hollywood Square LP, and is located at 3637 and 3641 West Alabama Street near Timmons Street. Efforts by Public Works and Engineering to negotiate the purchase failed, and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the needed property. The Legal Department filed the eminent domain case and served notice on the parties as required by law. The matter was then presented to the court appointed Special Commissioners for hearing. City's Appraisal: \$135,988 Landowner's Testimony for the Special Commissioners: \$160,000.00 Award of Special Commissioner: \$150,431.00 Court & Misc. Costs: Special Commissioners' fees; \$1,350.00 (\$450.00 x 3); Process Service; \$385.00; Court Filings; \$231.39, Estimated Total Court & Misc. Costs: \$1,966.39. 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 costs of Court, and settle this proceeding for the amount of the special commissioners award. Funding will be provided by a previously approved blanket Appropriation Ordinance.			
REQUIRED AUTHORIZATION			
Other Authorization: Department of Public Works and Engineering		Other Authorization:	