


TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Parcels KY13-201 & KY13-202; <i>City of Houston v. Edward C. Kane, a/k/a E.C. Kane, et al.</i> ; Cause No. 1056497; Northeast Transmission 108-inch Water Line Easement Acquisition Project; WBS/CIP No. S-000900-0126-2-01; Legal Department File Nos. 081-1400068-007 & 081-1400068-008.		Page 1 of 2	Agenda Item #
FROM (Department or other point of origin): Legal Department - General Litigation Section, Ronald C. Lewis, City Attorney		Origination Date August 8, 2017	Agenda Date
DIRECTOR'S SIGNATURE: 		Council District affected: "ETJ"; Key Map No. 375W	
For additional information contact: Steven Beard ^{SB} Phone: 832.393.6286 _M (alternatively Michelle Grossman 832.393.6216)		Date and identification of prior authorizing Council action: Ordinance Number 2014-0871, passed 9/24/14; Ordinance Number 2016-0758, passed 10/11/16	
RECOMMENDATION: (Summary) Authorize the City Attorney, by Motion, to settle the condemnation matter of <i>City of Houston v. Edward C. Kane, a/k/a E.C. Kane, et al.</i> ; Cause No. 1056497. Funding is provided by a previously approved blanket Appropriation Ordinance.			
Amount and Source of Funding: \$37,500.00; No Additional funding required. (Funds previously appropriated under Ordinance No. 2013-0537) Water and Sewer System Consolidated Construction Fund 8500.			
SPECIFIC EXPLANATION: The Northeast Transmission 108-inch Water Line Easement Acquisition Project (Smith Rd. - Lee Rd.) 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 two water line easements containing a total of 73,542 sf of land for this project. The respective easements contain 69,352 square feet (1.5921 acres) and 4,190 square feet (0.0961 acre) of land from a parent tract containing 15.681 acres (683,064 square feet) of land. The property is located at 6306 Aldine Bender Road, Humble, Texas. A Special Commissioners' hearing was convened and the Special Commissioners ordered an award of \$300,000. With Council approval on February 2, 2016, the City Attorney was authorized to deposit this award into the registry of the court and did so accordingly. The parties then proceeded to court ordered mediation. At mediation, the parties agreed to an increase of \$37,500.00 to fully settle the condemnation proceeding. We recommend that the City Attorney be authorized by Motion to settle this condemnation proceeding. Funding is provided by a previously approved blanket Appropriation Ordinance.			

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REQUIRED AUTHORIZATION

Other Authorization: Department of Public Works & Engineering	Other Authorization:
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