

<p>SUBJECT: Abandonment and sale of a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easements, in exchange for conveyance of a ±375-square-foot water meter easement, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street, all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696. Parcels SY14-086A, SY14-086B, SY14-086C, AY15-051, and KY15-073</p>	<p>Page <u>1</u> of <u>2</u></p> <p><i>Beam for TP</i></p>	<p>Agenda Item #</p>
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<p>FROM (Department or other point of origin):</p> <p>Department of Public Works and Engineering</p>	<p>Origination Date</p>	<p>Agenda Date</p>
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<p>DIRECTOR'S SIGNATURE:</p> <p><i>Dale A. Rudick</i></p> <p>Dale A. Rudick, P.E., Director</p>	<p>Council District affected: C <i>[Signature]</i></p> <p>Key Map: 492V, 492Z, 493S, 493W</p>
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<p>For additional information contact:</p> <p>Nancy P. Collins <i>[Signature]</i> Phone: (832) 395-3130 Senior Assistant Director-Real Estate</p>	<p>Date and identification of prior authorizing Council Action:</p>
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RECOMMENDATION: (Summary) It is recommended City Council approve a motion authorizing the abandonment and sale of a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easements, in exchange for conveyance of a ±375-square-foot water meter easement, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street, all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696. **Parcels SY14-086A, SY14-086B, SY14-086C, AY15-051, and KY15-073**

<p>Amount and Source of Funding: Not Applicable</p>	
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SPECIFIC EXPLANATION:
Michael Hall, Civil-Surv Land Surveying, L.C., 5909 West Loop South, Suite 200, Bellaire, Texas 77401, on behalf of Menil Foundation, Inc. (John Trahan, Chief Financial Officer), requested the abandonment and sale of a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easement, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street, all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696. Menil Foundation, Inc., the property owner, plans to expand the museum site. Menil Foundation, Inc. plans to replat the property into three separate reserves: (1) Replat of Shively Carlson; (2) Replat of Menil Drawing Institute; and (3) Replat of 1410 Richmond Avenue. The Joint Referral Committee reviewed and approved this request subject to the conveyance of a ±375-square-foot water meter easement.

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 abandonment and sale. It is recommended:

<p>p:\tp\sy14-086.rcal.doc</p>	<p>CUIC #20TP9460 <i>A</i></p>
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REQUIRED AUTHORIZATION

<p>Finance Department:</p>	<p>Other Authorization:</p>	<p>Other Authorization:</p> <p><i>[Signature]</i></p> <p>Mark L. Loethen, P.E., CFM, PTOE Deputy Director Planning and Development Services Division</p>
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Date:	Subject: Request for the abandonment and sale of a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easements, in exchange for conveyance of a ±375-square-foot water meter easement, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street, all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696. Parcels SY14-086A, SY14-086B, SY14-086C, AY15-051, and KY15-073	Originator's Initials <i>Barn for TP</i>	Page <u>2</u> of <u>2</u>
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1. The City abandon and sell a 10-foot-wide water line easement and two 10-foot-wide prescriptive sanitary sewer easements, in exchange for conveyance of a ±375-square-foot water meter easement, and conveyance to the City of a 60-foot-wide right-of-way easement for the extension of West Main Street, from Loretto Drive to Yupon Street, all located within the 1410 Richmond Avenue Subdivision and/or Block B of the Re-Subdivision of Shively Carlson Addition, out of the Obedience Smith Survey, Abstract 696;
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 two 8-inch sanitary sewer lines, from their termini to the south right-of-way line of the proposed West Main Street; (b) convert to private service the remaining portions of the two 8-inch sanitary sewer lines, from the south right-of-way line of the proposed West Main Street south to the 8-inch sanitary sewer line in Richmond Avenue; (c) cut, and plug the 6-inch water line, from the 8-inch water line in Richmond Avenue; (d) convert to private service the remaining portion of the 6-inch water line by installing a water meter adjacent to Richmond Avenue in the proposed water meter easement; (e) cut, plug, and abandon the 6-inch water line, from the 8-inch water line in Loretto Drive to the proposed location and relocate the existing fire hydrant to the proposed terminus of the portion of the 6-inch water line to be converted to private service; (f) keep the existing 6-inch water line and fire hydrant active until the existing structures have been demolished and the site cleared; (g) the foregoing items must be completed as stated unless conditions on the ground or city standards require modifications to items (a) through (f); (h) pay the depreciated value amount for the water line, sanitary sewer line, and manholes to be abandoned; and (i) complete the foregoing items at no cost to the City and under the proper permits obtained separately and exclusively from the Office of the City Engineer; and (j) provide a Certificate of Final Completion issued by the Office of the City Engineer;
4. The applicant be required to prepare drawings that show all public utilities (water and sanitary) that are to be abandoned, relocated, privatized, and/or constructed as part of this project specific to the abandonment requirements 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;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. 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:tp

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