



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date: 11/27/2018

District C

Item Creation Date:

LGL – Parcel AY17-206; City of Houston v. Braeswood Shopping Center, LTD et al.; Cause No. 1109795; Greenbriar Street Paving and Drainage Project; WBS/CIP No. N-100004-0001-2

Agenda Item#: 60.

**Summary:**

Authorize the City Attorney, by Motion, to deposit the amount of the Award of the Special Commissioners of \$113,421.00 into the registry of the court and pay all costs. Funding will be provided by a previously approved blanket appropriation ordinance.

**Background:**

The Greenbriar Street Paving and Drainage Project (from Rice Boulevard to West Holcombe Boulevard) is a project required for the City to meet its design and safety standards and to improve traffic, mobility, and drainage in the service area.

This eminent domain proceeding involves the acquisition of street widening easement containing 612 square feet of land. The property is located at the corner of Greenbriar Street and West Holcombe Boulevard in the City of Houston, Harris County. The property is owned by Braeswood Shopping Center LTD. Efforts by Houston Public Works to negotiate the purchase failed, and the matter was referred to the Legal Department to initiate eminent domain proceedings to acquire the needed properties. The Legal Department filed the eminent domain petition and a Special Commissioners' hearing was commenced.

**City's Appraised Value for the Special Commissioners:** .....\$ 95,407.00

**Landowner's Appraised Value for the Special Commissioners:** .....\$150,000.00

**Award of the Special Commissioners' Hearing:** .....\$113,421.00

**Court & Misc. Costs:** Special Commissioners' fees; \$2,400.00 (\$800.00 x 3); Court Filings; \$250.00, Appraisal fees; \$5,600.00;  
**Estimated Total Court & Misc. Costs:** \$8,250.00.

Ronald C. Lewis, City Attorney

Carol Ellinger Haddock, P.E.  
Director, Houston Public Works

**Prior Council Action:**

Ordinance No. 2017-373, passed 05/24/2017, Ordinance No. 2017-725, passed on 09/20/2017.

**Amount of Funding:**

\$113,421.00; Funds previously appropriated under Ordinance No. 2017-373 out of the Street & Traffic Control and Storm Drainage DDSRF, no additional funding required.

**Contact Information:**

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**ATTACHMENTS:**

Description	Type
Ordinance No. 2017-373	Ordinance/Resolution/Motion
Ordinance No. 2017-725	Ordinance/Resolution/Motion
Cover Sheet	Signed Cover sheet