



**CITY OF HOUSTON - CITY COUNCIL**

Meeting Date:  
District A  
Item Creation Date:

LGL – Parcel DY17-025 & DY17-025A; WM Out Parcels LLC, et al.; Cause No. 1135565;  
Easements Acquisition for the Lift Station Diversions for MUD #237 and MUD #159  
Project; WBS/CIP No. R-000267-117B-2

Agenda Item#:

**Summary:**

Authorize the City Attorney, by Motion, to deposit the amount of the Award of the Special Commissioners of \$226,545.00 into the registry of the court and pay all costs. Funding will be provided by a previously approved blanket appropriation ordinance.

**Background:**

The project is part of the City's ongoing program to improve its wastewater infrastructure through rehabilitation, replacement, consolidation, or diversion of wastewater lift stations throughout the City. The project is being performed to eliminate two aging lift stations in an effort to address existing capacity and performance issues, ensure compliance with regulatory requirements, reduce operation and maintenance costs, and to protect public health.

This eminent domain proceeding involves the acquisition of a sanitary sewer line easement containing 22,777 square feet and an eighteen-month temporary construction easement containing 400 square feet of land. The property is located along SH 249 in the Willowbrook area of the City of Houston, Harris County. The property is owned by WM Out Parcels LLC. 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:** .....\$226,545.00

**Landowner's Appraised Value for the Special Commissioners:**.....None submitted

**Award of the Special Commissioners' Hearing:** .....\$226,545.00

**Court & Misc. Costs:** Special Commissioners' fees; \$3,000.00 (\$1,000.00 x 3); Court Filings; \$250.00, Appraisal fees; \$2,750.00;  
**Total Court & Misc. Costs To Date:** \$6,000.00.

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Ronald C. Lewis, City Attorney

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

**Prior Council Action:**

Ordinance No. 2018-0756, passed 09/19/2018, Ordinance No. 2017-768, passed 10/04/2017.

**Amount of Funding:**

\$226,545.00; Funds previously appropriated under Ordinance No. 2018-0756 out of the Water & Sewer Consolidated Construction Fund, no additional funding required.

**Contact Information:**

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