



CITY OF HOUSTON

Public Works and Engineering Department

Annise D. Parker

Mayor

Dale A. Rudick, P.E.
Director
P.O. Box 1562
Houston, Texas 77251-1562

www.houstontx.gov

June 1, 2015

Mr. Joe Smith
ABC Properties, LLC
123 Main Street, Suite 100
Houston, Texas 77005

CONTACT LETTER

Subject: Abandonment and sale of Park Street, from Blue Avenue west to the east property line of Lot 22, located within the West End Subdivision. **Parcel SY00-000**

Dear Mr. Smith:

The Joint Referral Committee (JRC) has reviewed and approved your request for the abandonment and sale of the subject property interest, subject to your completion of the requirements necessary to proceed with the transaction and final approval thereafter by city council. We ask that you signify your acknowledgment and acceptance of these requirements by signing and returning to our office the attached "Acknowledgment and Acceptance Statement" (Attachment 1) within 10 business days from the date of this letter. You may also choose not to accept the requirements or proceed with the transaction.

Recent changes were enacted to Article VI of Chapter 2, Section 2-241 of the Code of Ordinances of the City of Houston, Texas that eliminated the need for a Council Motion for JRC requests. This letter is your notice of the requirements to proceed with the abandonment request. As you begin work on the requirements below, use this Contact Letter as needed for permits, plan and profile review or any other city process that requires evidence you are fulfilling the requirements to complete a JRC transaction.

Should you choose to proceed, you must complete these requirements within 30 days from the date of this letter. An extension may be granted based upon your written request stating the business need for the extension. The requirements to proceed with the transaction are listed below and should be pursued simultaneously. Processing one requirement at a time will prolong the time needed to complete this transaction.

1. You must submit a \$2,800.00 nonrefundable deposit by cashier's check payable to the City of Houston as follows:

- (a) \$300.00, an amount representing the \$300.00 minimum fee required for the conveyance of a public land interest for each of the two abandonment parcels (1 x \$300.00 = \$300.00), and
- (b) \$2,500.00, an amount equal to the City's estimated appraisal fees.

Should the appraisal fees be greater than estimated, we will contact you about the additional required deposit amount. If the transaction is concluded, the deposit will be applied toward the consideration. Otherwise, the City will retain the deposit to cover its operating expenses.

2. You must furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected properties. For parcel identification please refer to the Parcel Map (Attachment 2). For more information, please contact the Right of Way Section at (832) 395-2382 and/or refer to the attached survey instructions (Attachment 3).

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Upon receipt of the required deposit as listed in Item 1 and the durable, reproducible (Mylar) survey plat and field notes of the affected property as listed in Item 2, we will request the appraisal. You should continue processing the other requirements enumerated in this letter while the appraisal is being completed.

3. You must coordinate with the Planning and Development Department to discuss meeting the Performance Standard 42-235 requirements for having one point of access for the 200 dwelling unit development. For specific instructions concerning this requirement, please contact Christa Stoneham at 832-395-6583.
4. You must:
 - (a) Eliminate the public street appearance of the subject section of Park Street by installing a fence, gate, or other physical and visual obstruction across the segment being abandoned.
 - (b) Remove and return the traffic signs and poles to the City of Houston Traffic and Transportation Division, 2200 Patterson Street, Houston, Texas 77077.
 - (c) Remove and return the street lights to CenterPoint Energy prior to completion of the JRC transaction. The costs from CenterPoint Energy to deactivate and remove the lights (and, if necessary, poles) shall be the responsibility of the applicant. For specific instructions concerning this requirement, please contact CenterPoint Energy Street Lighting Design Section at (713) 945-6484.

For specific instructions concerning requirements 4a and 4b you may contact Wesley Deshotel in the Traffic Operations Division at (832) 395-6728.

- (d) Keep the Real Estate Branch informed of the activities undertaken to satisfy these requirements.
5. You must **separately permit** the following utility construction items:
 - (a) Cut, plug, and abandon the 8-inch sanitary sewer line in Park Street, from the 12-inch sanitary sewer line Blue Street west to its terminus, or convert it to private service;
 - (b) Relocate any existing service connections to the 12-inch sanitary sewer line in Blue Street;
 - (c) Cut, plug, and abandon the 18-inch storm sewer line and its inlets in Park Street, or convert them to private service;
 - (d) Relocate the 18-inch storm sewer line and its inlets into Blue Street;
 - (e) The foregoing items must be completed as stated unless conditions on the ground or city standards require modifications to these items.

All of the foregoing items must be completed at no cost to the City and under the proper permits.

For specific instructions concerning this requirement, you may contact Kathlie Bulloch in the Office of the City Engineer at (832) 394-9138.

- (f) Keep the Real Estate Branch informed of the activities undertaken to satisfy this requirement.
 - (g) Provide Trang Phi with copies of the **approved drawings and permits** documenting the construction approvals.
6. You must:
 - (a) Prepare drawings that show the public utilities (sanitary sewer and storm sewer) that are being abandoned, relocated, and/or constructed as part of this project.
 - (b) Submit the drawings to the Office of the City Engineer for plan review and approval.
 - (c) **Attach a copy of this letter to the plan set when it is submitted for plan review.**

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- (d) A copy of the approved plans and permit must be submitted to Trang Phi before the transaction can be concluded.
 - (e) Provide a copy of a **Certificate of Final Completion** (Attachment 4) completed by your Project Manager and reviewed and approved by city personnel. For specific instructions concerning this requirement, you may contact Lagnesh Varshney at 832-394 9100.
7. You must submit a separate cashier's check in the amount of \$34,537.19 payable to the City of Houston for the depreciated value of the sanitary sewer line and manholes.
 8. You must submit a separate cashier's check in the amount of \$4,280.00 payable to the City of Houston for the depreciated value of the storm sewer line and inlets.
 9. You must obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold. Please see the attached list of the privately owned utility companies (Attachment 5). A plat or clear description of the property should accompany your written request.
 10. You must submit an original statement of ownership letter from an attorney at law for each property owner. The letter must include a copy of the documents conveying title to the property owner. Attached is a sample letter (Attachment 6) to assist you in complying with this requirement.

Once the subject parcel has been surveyed and appraised, an Offer Letter will be forwarded to you that includes paying the balance of consideration and listing any outstanding transaction requirements enumerated above. Once you have completed the requirements listed in this letter and the Offer Letter, the Real Estate Branch will process a Request for Council Action (RCA) requesting City Council approval of an ordinance effecting the final abandonment and sale of the City's property interest.

Should you have any questions, please contact Trang Phi, Senior Real Estate Analyst, Real Estate Branch-Land Disposition, at (832) 395-3116.

Sincerely,

Nancy P. Collins
Senior Assistant Director-Real Estate
Planning and Development Services Division
Department of Public Work and Engineering

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- 6 Attachments
1. Acknowledgment and Acceptance Statement
 2. Parcel Map
 3. Survey Instructions
 4. Form 00650 – Certificate of Final Completion
 5. List of Privately Owned Utility Companies
 6. Sample Statements of Ownership Letter

c: Kathlie Bulloch, Ph.D, P.E., D.WRE
Bill Hlavacek
Shailesh Patel (JRC CUIC 20_0000)
Lagnesh Varshney
Right-of-Way Section

(Sample Statement of Ownership Letter for ABC Properties, LLC)

Date

Ms. Nancy P. Collins
Senior Assistant Director-Real Estate
Department of Public Works and Engineering
City of Houston
611 Walker, 19th Floor
Houston, Texas 77002

Subject: Abandonment and sale of Park Street, from Blue Avenue west to the east property line of Lot 22, located within the West End Subdivision. **Parcel SY15-110**

Dear Ms. Collins:

This law firm represents _____ (owner's name) _____ in connection with the subject transaction. This letter is being delivered to you at _____ (owner's name)'s _____ request to provide a statement of ownership as to the affected properties.

I have reviewed the title to all the land affecting Parcel SY00-000 (more fully described by metes and bounds in Exhibit A to this letter) which is being abandoned and sold, and have determined that the only underlying fee owner is:

(Name)

(Address)

(City, State, Zip Code)

(Phone) (Fax)

A copy of the deed conveying title to the owner is attached.

If you have any questions concerning the foregoing, please call me at _____.

Sincerely,

Attorney's Signature

Attachment

Acknowledgment and Acceptance Statement

Subject: Abandonment and sale of Park Street, from Blue Avenue west to the east property line of Lot 22, located within the West End Subdivision. **Parcel SY00-000**

I hereby acknowledge and accept by evidence of my signature that the requirements set forth in the attached City of Houston letter dated June 1, 2015 are required to continue the subject transaction and I (we) do wish to proceed/do not wish to proceed with the transaction (**circle one**).

Your response is required within ten business days from June 1, 2015.

Applicant's signature

(Date)

Printed name

Applicant's signature

(Date)

Printed name

Applicant's signature

(Date)

Printed name

Please return to:

Attn: Trang Phi
The Real Estate Branch
Department of Public Works and Engineering
611 Walker, 19th Floor
Houston, Texas 77002

Fax: (832) 395-3170
Email: trang.phi@houstontx.gov