



Now "early Summer" 2021

Certification Notification Letter
70142870000063368083

February 21, 2020

Ms. Crystal Maxwell
2422 Mimosa Drive
Houston, Texas 77019

Re: Neighborhood Sanitary Sewer Improvement (AS069)
WBS No. R-002011-0089-3
Notice of Encroachment into City of Houston Right-of-Way and Request to Remove

Dear Property Owner:

Houston Public Works (HPW) will begin construction of Neighborhood Sanitary Sewer Improvement Project (Project) within the next few months. The Project includes pavement reconstruction, and sidewalk, drainage, and sanitary sewer improvements. HPW has performed a survey on the above referenced address (Property), and survey data shows that stone planter, as shown on the attached exhibits, is located within the public right-of-way (ROW), (Encroachments). This Encroachment conflicts with the construction of the Project and needs to be removed no later than June 30, 2020.

HPW's anticipated Project construction start date is September 2020. Therefore, if the Encroachment is not removed by June 30, 2020, the Encroachment will be removed by HPW or its contractor, and all materials will be disposed of as HPW deems appropriate. Should you elect to reinstall the Encroachment, please be advised you may only do so outside of the public ROW. Sidewalks and Walkways impacted by construction within the public ROW will only be replaced with concrete. Please be advised, HPW is only required to meet the City of Houston's current codes and standards when replacing the Encroachments.

Sec. 40-391 of the Code of Ordinances for the City of Houston provides the following definitions:

Facility means any structure, device or other thing whatsoever that is installed or maintained in, on, within, under, over or above a public right-of-way within the city.

Public right-of-way means any public street right-of-way located in the city, including the entire area between the boundary lines of every right-of-way (including but not limited to roads, streets, alleys, highways, boulevards, bridges, tunnels, or similar thoroughfares).

Public works project means any construction, reconstruction, Improvement, repair or maintenance project undertaken by or on behalf of the city, including but not limited to projects included on the city's capital improvement plan regardless of source of funding.

Relocate means to move, remove or replace a facility.

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Sec 40-393 of the Code of Ordinances for the City of Houston provides that:

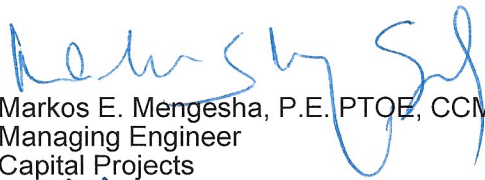
Whenever the city engineer determines, in the exercise of sound engineering judgement, that a facility should be relocated for the accomplishment of a public works project, the owner of the facility shall relocate the facility at the owner's sole expense in accordance with this article. In the event that an owner's failure to timely relocate a facility in accordance with this article causes the city to incur expenses, damages or losses, including loss of grant funds, for any resulting delay, the owner of the facility shall be responsible for the city's expenses, damages or losses.

Sec. 40-395 of the Code of Ordinances for the City of Houston provides that:

When during the design of a public works project the city engineer, based on information then available to him, determines that the presence of a facility in a public right-of-way may interfere with a public works project so that the relocation of the facility may be necessary, the city engineer shall provide the owner of the facility written notice of the planned public works projects and the potential for relocation.

If you have any questions, please contact me, at (832) 395-2365 or Mr. Mohammad T. Haider, P.E., at (832) 395-2951.

Sincerely,



Markos E. Mengesha, P.E. PTOE, CCM
Managing Engineer
Capital Projects

MTH GS
MEM:MTH:GS:it

Attached: (1) Encroachment Description and Location
(2) Encroachment Pictures

ec: Michael Y. Ereti (City of Houston)



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CITY OF HOUSTON

NEIGHBORHOOD SANITARY SEWER
 IMPROVEMENT (AS 069)

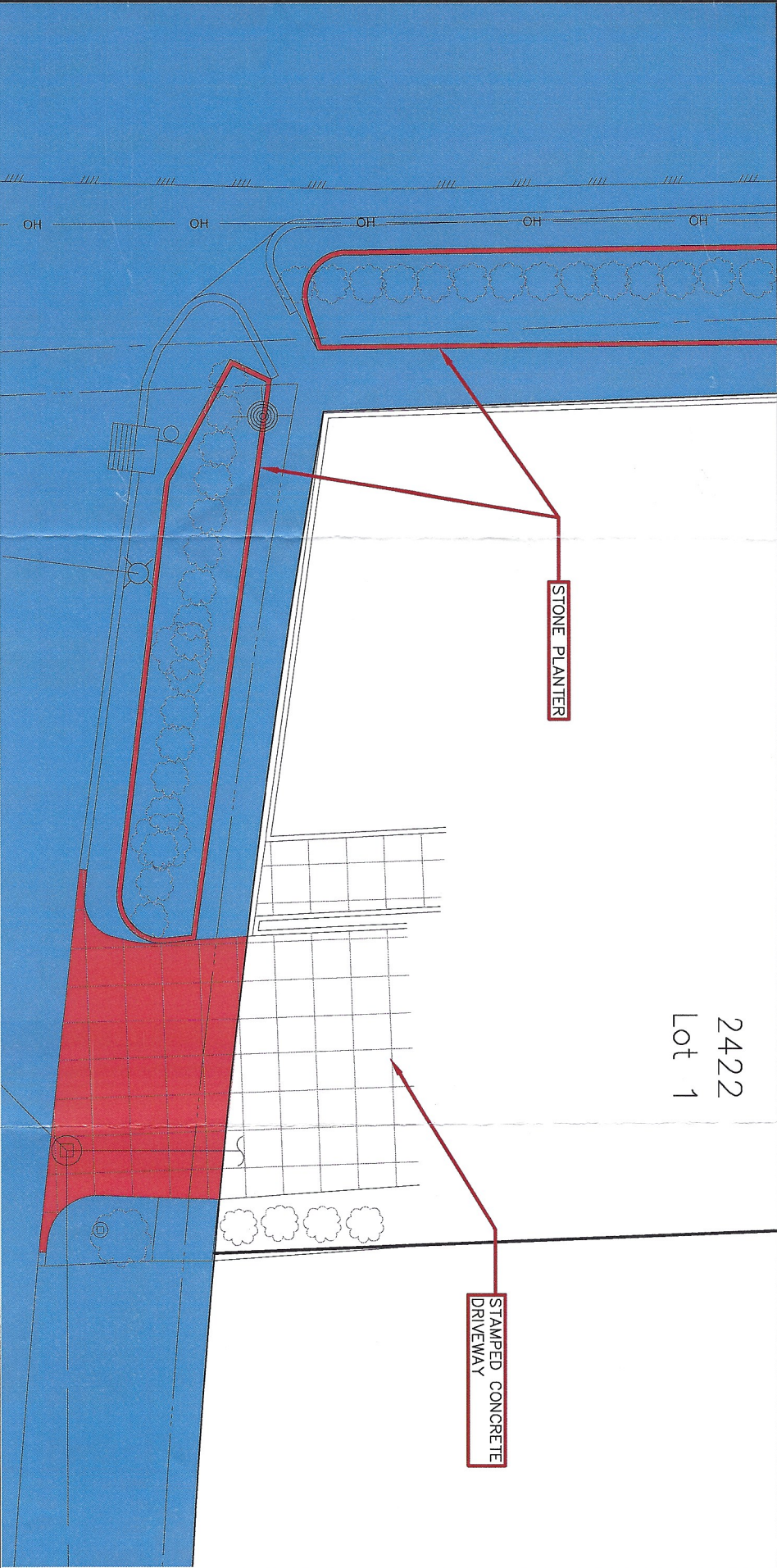
WBS R-002011-0089-3

2422 MIMOSA DRIVE

DESCRIPTION:
 STAMPED CONCRETE DRIVEWAY
 STONE PLANTER



EXHIBIT NO.

A



2422
 Lot 1

LEGEND

	CITY OF HOUSTON RIGHT OF WAY
	LOCATION OF ENCROACHMENT



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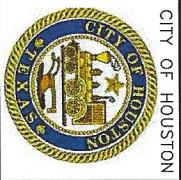
TBPE NO. F-1471



STONE PLANTER

STAMPED CONCRETE DRIVEWAY

REFERENCE SOURCE: GOOGLE MAPS



CITY OF HOUSTON

NEIGHBORHOOD SANITARY SEWER
IMPROVEMENT (AS 069)
WBS R-002011-0089-3

2422 MIMOSA DRIVE
DESCRIPTION:
STAMPED CONCRETE DRIVEWAY
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B