



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 26, 1996

Ms. Eugenia A. Cano
City of Alvin
216 W. Sealy
Alvin, Texas 77511

OR96-1531

Dear Ms. Cano:

You have asked whether certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request was assigned ID# 40456.

The City of Alvin (the "city") received requests for information pertaining to an engineering survey. You state that an engineering study performed for the city by Baker & Lawson, Inc. is responsive to the requests. However, you contend that the study is excepted from disclosure pursuant to section 552.105 of the Government Code. We agree.

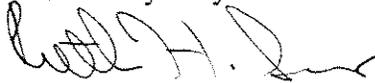
Section 552.105 provides an exception from disclosure for information relating to:

- (1) the location of real or personal property for a public purpose prior to public announcement of the project; or
- (2) appraisals or purchase price of real or personal property for a public purpose prior to the formal award of contracts for the property.

This exception protects a governmental body's planning and negotiation position with respect to particular transactions. Open Records Decision No. 357 (1982). Section 552.105 is applicable not only to appraisal reports and purchase pricing for real estate, but also to information that pertains to such reports and pricing. Open Records Decision No. 564 (1990). We have reviewed the report at issue and agree that you may withhold it pursuant to section 552.105.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly



Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 40456

Enclosures: Submitted documents

cc: Mr. Phillip VanDerSlice
Brazosport Facts
P.O. Box 549
Clute, Texas 77531
(w/o enclosures)

Mr. Robert C. Wall
4109 County Road 57
Rosharon, Texas 77583
(w/o enclosures)