



MEMORANDUM

TO: Mayor and City Council Members
FROM: Rudy Garza, Assistant City Manager
DATE: April 17, 2008
SUBJECT: Hoeke Lane Property

On the agenda of the April 24, 2008, City Council Meeting, there is an item for your consideration to authorize the filing of eminent domain proceedings for the Carson Creek Hoeke Lane Buyout Phase 2 project. The Watershed Protection and Development Review Department has recently completed a comprehensive flood hazard mitigation assessment of the Carson Creek Watershed and has identified the need to upgrade the low water crossing on Hoeke Lane. Under existing conditions, the roadway overtops in the two year storm event. The upgraded low water crossing will meet the requirements as outlined in the Drainage Criteria Manual.

In order to perform the necessary low-water crossing upgrades, three properties on Hoeke Lane, located in the 100 year floodplain need to be acquired by the City. One of these properties has already been acquired, 2501 Hoeke Lane. The City and the owner of the remaining two properties, located at 2505 and 2507 Hoeke Lane, have been unable to reach an agreement of purchase price for the 0.766 acres.

The Travis Central Appraisal District's tax value of the property is \$102,972. The City's offer is \$62,500 established by an independent appraiser. The tax value is based on mass appraisal methodology where the properties are appraised using a statistical average assuming that a property owner will protest if there are any issues or reasons why a property should be taxed for less. The independent appraiser based his value on a sales comparison approach where each characteristics of the property is accounted for in the value. One building is uninhabited and is a shell only and does not have a floor, electrical wiring or plumbing. The other building on the property is deteriorated to the point it needs to be demolished (see attached pictures).

Should Council approve the filing of eminent domain on April 24, 2008 we will move forward to set a Special Commissioners hearing. The Special Commissioners will decide the value of the property.

Unrelated to the inability to reach an agreement on the purchase price of the property, Mr. Campos sent a letter on April 4, 2008, notifying the City that the contractor who was hired to demolish the improvements on 2501 Hoeke Lane had trespassed on his property and demolished his sports court. Mr. Campos also stated that the contractor left ruts in several places and had stored a tractor on his property for 2 weeks.

The City investigated the claim and found that the contractor had inadvertently used and demolished Mr. Campos's property thinking it was actually part of 2501 Hoeke Lane, not 2505 Hoeke Lane. The City is currently obtaining a cost estimate from a company that specializes in building sports courts for the cost to replace the demolished court and to smooth the ruts on the property. The City anticipates that Mr. Campos will be immediately compensated for the loss of his court and the use of his land. Mr. Campos has been made aware of our current actions regarding his claim.

If you have any questions or if you would like to discuss in more detail, please let me know.



Rudy Garza
Assistant City Manager

cc: Marc A. Ott, City Manager
Lauraine Rizer, Real Estate Manager





