

## AGENDA



Thursday, April 23, 2009

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 5**

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**Subject:** Authorize the fee simple acquisition of Lot 9, Block 2, of Bergstrom Downs No. 1, locally known as 807 Patton Ave, from BARBARA JOYCE HENDERSON for the Airport Noise Mitigation Program, in the amount of \$100,000 for the land and improvements, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$110,000.

**Amount and Source of Funding:** Funding is available in the Fiscal Year 2008-2009 Capital Budget of the Department of Aviation using airport funds and available Federal Aviation Administration (FAA) Grants.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Lauraine Rizer 974-7078; April Thedford 974-7041

**Prior Council Action:** June 6, 2007 – Council approved recommendations on the 2007 Draft FAR Part 150 Noise Study Update; February 28, 2008 – Council approved the Consultant Selection for Noise Mitigation Program.

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The property and residence located at 807 Patton Ave is a part of the approved Airport Noise Mitigation Program. The purpose of the program is to reduce noise impacts and ensure land use compatibility within the airport vicinity.

The lot to be acquired is approximately .192 acre tract and improvements include a 1,074 SF single family residence, one-car port, concrete drive, covered patio and porch. The fair market value of the property including improvements is \$100,000, as determined by an independent appraisal. The owner has agreed to accept the City's offer. The City will relocate any tenants according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

In accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, any owner may choose to retain an improvement at the salvage value of that improvement, and the salvage value will be deducted from the purchase price at closing. Barbara Joyce Henderson has elected to retain ownership of a dishwasher and four ceiling fans currently located on the property being purchased for the salvage value of \$10.00, which will be netted out of the property settlement amount at closing.

Closing and moving costs are not to exceed \$10,000, and are a part of the final property settlement amount.