

AGENDA



Thursday, April 23, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 6**

Subject: Authorize the fee simple acquisition of Lot 11, Block 2, Bergstrom Downs No. 1, locally known as 803 Patton Avenue, from JACQUELINE WHITBY, TRAVIS JOHN WHITBY II, ROSE WHITBY, MATTHEW WHITBY, and LILLIAN TORRES, Heirs/Successors of the ESTATE OF JULIE WHITBY, for the Airport Noise Mitigation Program, in the amount of \$104,000 for the land and improvements and \$46,000 relocation benefits, plus closing costs and moving related expenses in the amount of \$10,000, for an amount not to exceed \$160,000.

Amount and Source of Funding: Funding is available in 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 974-7141

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

The property and residence located at 803 Patton Avenue 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 0.192 acre tract and improvements include a 1,113 SF single-family residence with a one-car garage converted to living space, a concrete drive, a concrete sidewalk, wood storage shed, 4' chain link fence, and typical landscaping. The fair market value of the property including improvements is \$104,000, as determined by an independent appraisal. The owner has agreed to accept the City's offer and is eligible for relocation expenses estimated to be \$ 46,000. The City will relocate any tenants according to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

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