

AGENDA



Thursday, October 15, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 2**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water/Wastewater Program to acquire a 108,608 square foot waterline easement, a 72,345 square foot temporary working space easement, a 40,000 square foot temporary staging area and materials storage site easement, and a 35,718 square foot temporary staging area and materials storage site easement, out of the Santiago Del Valle Grant, Travis County, Texas in the amount of \$192,980. The owner of the needed property interests is TRAVIS MIZPAH, LTD. The property is located at 11922 South IH35, Austin, Travis County, Texas.

Amount and Source of Funding: Funding is available in the Fiscal Year 2009-2010 Capital Budget of the Austin Water Utility.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer, 974-7078; April Thedford, 974-7141

The southern area of the City of Austin's Extraterritorial Jurisdiction (ETJ), specifically along and east of I-35, is currently experiencing significant development. At this time, water and wastewater utility infrastructure is not in place to handle this development. AWU has developed the South IH-35 Water/Wastewater Program to address the anticipated needs for both water and wastewater infrastructure in this area.

Completion of the South IH-35 Water/Wastewater Program requires the acquisition of a permanent waterline easement, temporary working space easement, and two temporary staging area and materials storage site easements on the property located at 11922 South IH-35, Austin, Travis County, Texas. This easement facilitates the construction of a 36-inch diameter water transmission main.

The City of Austin has attempted to purchase the needed permanent waterline easement, temporary working space easement, and temporary staging area and materials storage site easements; however, the parties have been unable to agree on the damages. Therefore, the Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.