

## AGENDA



Thursday, October 15, 2009

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 3**

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**Subject:** Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water/Wastewater Program to acquire a 892 square foot permanent waterline easement and a 596 square foot temporary working space easement, out of the Santiago Del Valle Grant, Travis County, TX, in the amount of \$1,360. The owner of the needed property interests is BURNYA MAE MCLEOD, as Trustee of the Burnya Mae McLeod Trust.

**Amount and Source of Funding:** Funding is available in the Fiscal Year 2008-2009 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

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The southern area of the City of Austin's Extraterritorial Jurisdiction (ETJ), specifically along and east of I-35, is experiencing significant development. Water and wastewater utility infrastructure is not in place to handle this development. Austin Water Utility 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 the permanent waterline easement and the temporary working space easement 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 and the temporary working space easement from the landowner; however, the parties have been unable to agree on an appropriate price. Therefore, the Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.