

AGENDA



Thursday, October 15, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 4**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Elroy Water Transmission Main Project to acquire a 3,107 square foot permanent water line easement out of Lot 17 of the Valle San Jose Addition, Section One, a Subdivision of record in Book 38, Page 31, Plat Records, Travis County, TX, in the amount of \$1,035. The owners of the needed property interests are ANDREW M. ORTIZ JR. AND CHRISTINA PRIETO, F/K/A CHRISTINA P. ORTIZ.

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 City of Austin is upgrading its water system along FM Roads 973 and 812 as mandated by the Texas Commission on Environmental Quality's (TCEQ) Notice of Violation Letter received December 19, 2008 regarding unacceptably low water pressure. In response to this notice, the Austin Water Utility plans to construct a 24-inch diameter water transmission main along portions of FM Road 973 and FM Road 812.

The design plans for the Elroy Water Transmission Main Project require the acquisition of a permanent water line easement on the property located at 10501 San Jose Avenue, Del Valle, Travis County, Texas. The City of Austin has attempted to purchase the needed permanent water line easement. The City has been unable to agree with the owners and lienholders on the fair market value of the needed easement. Therefore, the Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.