

AGENDA



Thursday, October 22, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 8**

Subject: Authorize negotiation and execution of all documents necessary for the fee simple sale of approximately 2.253 acres located on RM 2769 West of RM 620 to the State of Texas for right of way, in the amount of \$411,747.

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Junie Marie Plummer 974-7085; April Thedford 974-7141

Boards and Commission Action: Recommended by the Water and Wastewater Commission.

The Contract and Land Management Department on behalf of Austin Water Utility requests authority to convey to the Texas Department of Transportation (TX DOT) approximately 2.253 acres for the construction, operation and maintenance of the proposed new State Highway improvements to R.M. 2769.

The Texas Transportation Commission has been authorized under the Texas Transportation Code Chapters 203, 224, and 361 to purchase land and such other property rights deemed necessary and convenient to a state highway or turnpike project to be constructed, reconstructed, maintained, widened, straightened, or extended, or to accomplish any other purpose related to the location, construction, improvement, maintenance, beautification, preservation, or operation of a state highway or turnpike project.

The purchase of the right of way is in fee simple title to the land is in the amount of \$404,812, there are damages to the current fencing which is \$4,535 and an additional compensation to amend an existing Nextel lease to include an additional approximately 600 square feet in the amount of \$2,400 for a total compensation of \$411,747. An independent third party appraiser determined the current fair market value of the land and damages.