

AGENDA



Thursday, August 26, 2010

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 15**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Tillery Street Storm Drain Outfall Stabilization Project to acquire a 5,968 sq. ft. permanent slope easement, and temporary access easements of 10,564 sq. ft., 12,904 sq. ft., and a 14,932 sq. ft., in the amount of \$102,569. The owner of the property sought to be condemned is AUSPRO ENTERPRISES, L.P. The property is located at 3107 and 3109 East Cesar Chavez Street, Austin, Travis County, TX.

Amount and Source of Funding: Funding in the amount of \$102,569 is included in the Fiscal Year 2009-2010 Capital Budget of the Watershed Protection Department.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer 974-7078, Gerry Clayton 974-3375, Sarah Terry 974-7141, Christina Calvery 974-7094

Completion of the Tillery Street Storm Drain Stabilization Outfall Project requires the acquisition of a permanent slope easement, and three temporary access easements on the property located at 3107 and 3109 East Cesar Chavez Street, Austin, Texas.

The City of Austin has attempted to purchase the needed permanent slope easement and the temporary access easements from the landowner; however, the parties have been unable to agree on the damages. The Law Department is requesting authorization to file a lawsuit in eminent domain on behalf of the City of Austin.