

## AGENDA



Thursday, October 14, 2010

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 11**

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**Subject:** Approve a resolution authorizing the filing of eminent domain proceedings for the Fort Branch Watershed Management Area Reach 6 & 7 – Truelight Area and Eleanor Drive Area Project to acquire a 4,944 squarefoot permanent drainage easement out of Lot 23, Block 1, Lincoln Gardens Section 1, a subdivision in the City of Austin, Travis County, Texas, in the amount of \$5,162.00. The owners of the needed property interest are MAGDALENA LEDESMA and SAIZ EXCAVATION, LLC. The property is located at 1214 Fort Branch, Austin, Travis County, Texas.

**Amount and Source of Funding:** Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Lauraine Rizer 974-7078, Sarah Terry 974-7141, Morgan Byars 974-9790

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Completion of the Fort Branch Creek Reach 6 & 7 Channel Rehabilitation – Truelight and Eleanor Street Area requires the acquisition of a permanent drainage easement on the property located at 1214 Fort Branch, Austin, Travis County, Texas. The easement is for the construction and maintenance of improvements needed to stabilize the Fort Branch creek bank and to increase the channel capacity to reduce erosion and decrease the frequency of flooding in the surrounding Lower Fort Branch neighborhood.

The City of Austin has attempted to purchase the permanent drainage easement. The parties have been unable to agree on the value of the needed acquisition. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.