

AGENDA



Thursday, January 27, 2011

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 13**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the Austin Clean Water Program: Govalle 1 – South 2nd Street Reroute – Phase I Wastewater Improvement Project to acquire a 3,747 square foot wastewater easement, a 3,747 square foot access easement, and temporary workspace easements of 4,547 square feet and 680 square feet out of land located at Lot 9, Abe Williams Subdivision of Jennie A. Williams Tract; a 518 square foot temporary workspace easement out of Lot 1 Block 3, Oak Cliff Addition; and temporary workspace easements of 9,173 square feet and 829 square feet out of Lot 2 and North 30 feet of Lot 3, less southeast 10x50 feet of Block 3, Oak Cliff Addition, in the amount of \$62,092. The owner of the needed property interests is MARGARET A. QUADLANDER aka MARGARET C. QUADLANDER. The properties are located at or near 900 South 2nd Street, 1000 South 2nd Street and 1002 South 2nd Street, Austin, Travis County, Texas.

Amount and Source of Funding: Funding is available in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility Department.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer 974-7078; Tony Lopez 974-6581; Steven Schrader 703-6635; Amanda Glasscock 974-7173

The Austin Clean Water Program Govalle 1 – South 2nd Street Reroute – Phase I Wastewater Improvement Project required the acquisition of a wastewater easement, an access easement, and temporary workspace easements at the property located at or near 900 South 2nd Street, 1000 South 2nd Street and 1002 South 2nd Street, Austin, Travis County, Texas. The Wastewater Improvement Project was mandated by the U.S. Environmental Protection Agency's Administrative Order, received April 29, 1999.

In response to the U.S. Environmental Protection Agency's Administrative Order, the City of Austin implemented the Austin Clean Water Program to plan, design, and construct sustainable wastewater collection system improvements that will be free from Sanitary Sewer Overflows.

The owner of the needed acquisition granted a right of entry for construction. Construction is now complete on the Austin Clean Water Program and acquisition of these easements is required.

The City of Austin has attempted to purchase the needed wastewater, temporary working space and access easements. The City and the property owner were 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.