

**AGENDA**



**Recommendation for Council Action (Real Estate)**

Austin City Council	Item ID:	7519	Agenda Number	36.
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Meeting Date:	July 28, 2011
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Department:	Office of Real Estate Services
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**Subject**

Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water and Wastewater Infrastructure Improvements Program Project to acquire permanent waterline easements of 4.647-acre and 895 square feet; temporary working space easements of 3.111-acre and 0.094-acre; and temporary staging area and material storage site easements of 0.689-acre and 0.699-acre out of the Trinidad Varcinas Survey No. 535, Abstract No. 785, and the Santiago Del Valle Grant, Abstract No. 24, both in Travis County, Texas, in the amount of \$36,933. The owner of the needed property interests is HFH INVESTMENTS, LP, SUCCESSOR IN INTEREST TO TURNERSVILLE DEVELOPMENT, LTD. The property is located north of F.M. 1327, west of Bradshaw Road, and east of IH-35, in Austin, Travis County, Texas.

**Amount and Source of Funding**

Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility.

**Fiscal Note**

A fiscal note is attached.

Purchasing Language:	
Prior Council Action:	
For More Information:	Jon Thompson 974-1507; Joe Hoepken 972-1168; Lauraine Rizer 974-7078; Amanda Glasscock 974-7173.
Boards and Commission Action:	
MBE / WBE:	
Related Items:	

### Additional Backup Information

The southern area of the City of Austin's Extraterritorial Jurisdiction (ETJ), specifically along and east of I-35, is currently experiencing significant development. At this time water and wastewater utility infrastructure is not in place to handle this development. Austin Water Utility has developed the South IH-35 Water & Wastewater Infrastructure Improvements Program Project to address the anticipated needs for both water and wastewater infrastructure in this area.

Design plans for the South IH-35 Water & Wastewater Infrastructure Improvements Program Project require the acquisition of permanent waterline easements, temporary working space easements, and temporary staging and material storage site easements on the property located north of F.M. 1327, west of Bradshaw Road, and east of IH-35, in Austin, Travis County, Texas.

The City of Austin has attempted to purchase the necessary easements. The City and the property owners are unable to agree on the value of the needed acquisitions. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.