

## A G E N D A



## Recommendation for Council Action (Real Estate)

Austin City Council

Item ID:

7552

Agenda Number

40.

Meeting Date:

July 28, 2011

Department:

Office of Real Estate Services

## 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 a 0.800-acre tract of land for a temporary working space easement, out of the Trinidad Varcinas Survey No. 535, Abstract No. 785, in Travis County, Texas, in the amount of \$26,650. The owner of the needed property interests is KING EDWARD IX, LLC. The property is located east of IH-35, north of F.M. 1327 and SH 45 SE, 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:

Brenda Baker 974-1175; 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 a temporary working space easement on the property located east of IH-35, north of F.M. 1327 and SH 45 SE, in Austin, Travis County, Texas.

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