

## A G E N D A



## Recommendation for Council Action (Real Estate)

Austin City Council

Item ID:

8408

Agenda Number

25.

Meeting Date:

August 25, 2011

Department:

Office of Real Estate Services

## Subject

Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower B Project for a 7.482-acre tract of land for a 50-foot wide permanent wastewater easement in the James Manor Survey No. 40 Abstract No. 546, the James Gilleland Survey No. 41 Abstract No. 305 and the Josiah Wilbarger Survey No. 42, Abstract No. 794 in Travis County, Texas being out of a called 232.03-acre tract of land, described as First Tract, in the amount of \$382,950. The owner of the needed property interests is THE BUTLER FAMILY PARTNERSHIP, LTD., A TEXAS LIMITED PARTNERSHIP. The property is located off of East Parmer Lane, at the northeast corner of the intersection of U.S. HWY 290 and Parmer Lane in Austin, Travis County, Texas 78753.

## Amount and Source of Funding

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

## Fiscal Note

A fiscal note is attached.

Purchasing Language:

Prior Council Action:

For More Information:

Lisa Whitworth 974-5615; Yvonne Gil 703-6637; Lauraine Rizer 974-7078; Amanda Glasscock 974-7173.

Boards and Commission Action:

MBE / WBE:

Related Items:

## Additional Backup Information

The design plans for the Harris Branch Interceptor Lower B Project require the acquisition of 7.482-acres (325,915 square feet) of land for a 50-foot wide permanent wastewater easement out of land situated in the James Manor Survey No. 40 Abstract No. 546, the James Gilleland Survey No. 41 Abstract No. 305 and the Josiah Wilbarger Survey No. 42, Abstract No. 794 in Travis County, Texas being out of a called 232.03-acre tract of land, described as First Tract. An independent third party appraisal has established the fair-market value of the proposed easement at \$382,950.

This Harris Branch Interceptor Lower B Project is one of two designs that will redirect by gravity flow the wastewater flows from the Harris Branch Wastewater Treatment Plant to the Wildhorse Wastewater Treatment Plant and allow for the decommissioning of the existing Harris Branch Wastewater Treatment Plant. "Lower B" consists of approximately 7,000 linear feet of thirty six (36) inch pipe. Lower B will start west of Gilleland Creek, connecting to the future Wildhorse Ranch N 290 manhole and continue adjacent to the future LCRA electrical transmission main alignment along the south bank of Gilleland Creek, crossing under SH 130, connecting to the existing "Lower A" manhole.

The City of Austin has attempted to purchase the necessary easement. The City and the property owner were 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.