

## CIP EXPENSE DETAIL

**DATE OF COUNCIL CONSIDERATION:**  
**CONTACT DEPARTMENT(S):**

8/25/11  
Austin Water Utility

**SUBJECT.** Approve a resolution authorizing the filing of eminent domain proceedings for the Harris Branch Interceptor Lower A Project for approximately 3.074 total acres of land for a permanent wastewater easement, being out of and a part of the Mariquita Castro Survey No. 50, Abstract No. 160 and the Josiah Wilbarger Survey No. 42, Abstract No. 794, in Travis County, Texas, in the amount of \$43,040. The owners of the needed property interests are JPMORGAN CHASE BANK, AS TRUSTEE OF THE FREDERIC CLARKE MORSE, JR. EXEMPT FAMILY TRUST; AND SCOTT NOTLEY MORSE AND FREDERIC CLARKE MORSE, III, AS SUCCESSOR CO-INDEPENDENT EXECUTORS OF THE ESTATE OF FREDERIC CLARKE MORSE, SR. The property is located off Boyce Lane, along the north line of Parmer Lane, several lots west of SH-130, in Austin, Travis County, Texas 78653.

**CURRENT YEAR IMPACT:**

|                                 |                                     |
|---------------------------------|-------------------------------------|
| <b>Department:</b>              | <b>Austin Water Utility</b>         |
| Project Name:                   | Harris Branch Interceptor (Lower-A) |
| Fund/Department/Unit:           | 4570 2307 8843                      |
| Funding Source:                 | Commercial Paper                    |
| Current Appropriation:          | 1,316,678.00                        |
| Unencumbered Balance:           | 217,019.92                          |
| Amount of This Action:          | (43,040.00)                         |
| Remaining Balance:              | <u>173,979.92</u>                   |
| <br>Total Amount of this Action | <br><u><u>43,040.00</u></u>         |

**ANALYSIS / ADDITIONAL INFORMATION:** The design plans for the Harris Branch Interceptor Lower A Project require the acquisition of 3.074 acres of land (133,913 square feet) for a permanent wastewater easement, being out of and a part of the Mariquita Castro Survey No. 50, Abstract No. 160 and the Josiah Wilbarger Survey No. 42, Abstract No. 794, in Travis County, Texas. An independent third party appraisal has established the fair-market value of the proposed easement at \$43,040.

The Harris Branch Interceptor Lower A 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 A" consists of approximately 7,800 linear feet of 30-inch pipe, which include two creek crossings of Harris Branch Creek, one county road crossing (Boyce Lane) and one TxDOT road crossing (Parmer Lane), and connect to a manhole in the "Lower B" interceptor west of SH 130.

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