

A G E N D A



Recommendation for Council Action (Real Estate)

Austin City Council	Item ID:	20077	Agenda Number	24.
Meeting Date:	December 6, 2012			
Department:	Office of Real Estate Services			
Subject				
Authorize the negotiation and execution of all documents and instruments necessary or desirable to sell an approximate 0.341 of an acre of land, more or less, out of and a part of the Santiago Del Valle Grant, in Travis County, Texas, and being that certain 0.36 acre tract more particularly described by metes and bounds in a Warranty Deed to Cesar R. Jeffery, recorded in Document No. 2007212572, Official Public Records, Travis County, Texas; save and except a 0.017 acre tract conveyed to Travis County, Texas, by Right of Way Deed recorded in Volume 1790, Page 218, Deed Records, Travis County, Texas, locally known as 1325 Dalton Lane, to Oliver A. Billingsley, for the fair market value of \$13,600 as determined by a sealed bid auction held on October 10, 2012.				
Amount and Source of Funding				
Revenue generating sale of property. Funds received must be used in the Noise Mitigation Program in accordance with federal regulations.				
Fiscal Note				
There is no unanticipated fiscal impact. A fiscal note is not required.				
Purchasing Language:				
Prior Council Action:	June 6, 2007: Council approved recommendations in the 2007 Draft FAR Part 150 Noise Study Update. February 28, 2008: Council selected the Noise Mitigation Program Consultant.			
For More Information:	Melinda Ruby 530-6634; Lauraine Rizer 974-7078; Amanda Glasscock 974-7173.			
Boards and Commission Action:				
MBE / WBE:				
Related Items:				

Additional Backup Information

This parcel was acquired through the Austin-Bergstrom International Airport's Noise Mitigation Program utilizing Federal Aviation Administration (FAA) grant funds. The Noise Mitigation Program identifies properties with land uses that are incompatible with the airport due to aircraft noise levels.

In order to use federal funds to acquire the non-compatible properties in the Program, the FAA requires that unneeded noise land be sold for a compatible use such as agricultural, commercial and/or industrial. FAA Grant Assurance 31 requires that an airport owner must dispose of unneeded noise land at fair market value at the earliest practical time after the land is no longer needed for noise compatibility purposes. The proceeds are retained by the Department of Aviation for future use in the Noise Mitigation Program in accordance with current federal regulations. The federal share is 80%.

Federal law also requires that conveyance of property acquired under a noise program be subject to measures to reduce or eliminate present and future non-compatible uses of the land. The sale of the land is therefore subject to a perpetual aviation easement and restrictive covenants which prohibit the creation or maintenance of any obstruction to air aviation or a wildlife hazard, and further prohibits the use of the property for residential or school uses.