

CIP EXPENSE DETAIL

DATE OF COUNCIL CONSIDERATION:
CONTACT DEPARTMENT(S):

2/13/14
ORES / WPD

SUBJECT:

Authorize negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple a tract of land totaling approximately 351.6122 acres in Hays County, Texas, located at 4450 W. FM 150 from Thomas H. Searcy and Joan Searcy for a total amount not to exceed \$7,500,000.

CURRENT YEAR IMPACT:

| | |
|------------------------|-------------------|
| Department: | Watershed |
| Project Name: | Searcy Buyout |
| Fund/Department/Unit: | 8113 6307 A002 |
| Funding Source: | 2012 Open Space |
| Current Appropriation: | 7,950,000.00 |
| Unencumbered Balance: | 7,950,000.00 |
| Amount of This Action: | (7,500,000.00) |
| Remaining Balance: | <u>450,000.00</u> |

ANALYSIS / ADDITIONAL INFORMATION:

The Searcy Property represents an important acquisition to the Water Quality Protection Land (WQPL) program. This acquisition closes a gap in the ownership of over 3 miles of Onion Creek. The WQPL currently protects at least to the mid line of this critical 3.7 mile stretch of Onion Creek over the Recharge Zone--- except for a section of Searcy that owns both sides of the creek. This 3.7 mile stretch is likely the single most important portion of creek relative to water quality and water quantity affecting Barton Springs (recharge zone, rapid conveyance of water to the Springs {<3 days} and highest quality of water in area). In addition, the property has a known swallet (cave under the bed of the creek) which recharges a large volume of water directly from Onion Creek to the Barton Springs Edwards Aquifer. The property likely has other karst features both in the creek and on the upland portion of the ranch, at least one of which is visible from air photos. As a property owned and protected for water quality and quantity the ranch is a perfect fit that makes mostly complete City ownership of a 3+ mile stretch of Onion Creek and connects that beautiful water to Barton Springs in very short order. Conversely, as a potential development, the property is a major risk connecting non-point source and point source pollutants almost directly to Barton Springs. Connecting it to the other 4,000+ acres the WQPL protects in the Onion Creek area will afford yet one more increment of protection for Barton Springs.

The Purchase and Sale Agreement provides for a post closing lease with the Searcy's for a term beginning on the Closing Date and ending on a date specified by the Searcy's but not to exceed 2 years from the closing date. The monthly lease payment was appraised and is in the amount of \$3,000. The lease shall require the Searcy's to bear the cost of all taxes, insurance, utilities, maintenance and repairs and other costs of ownership and possession.

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The purchase price of \$7,500,000 is under the current fair market value as determined by an independent third party appraiser.