## Recommendation for Council Action (Real Estate)

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<th>Austin City Council - Commissioner’s Court Meeting</th>
<th>Item ID:</th>
<th>33451</th>
<th>Agenda Number</th>
<th>42.</th>
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<tr>
<td>Meeting Date:</td>
<td>August 7, 2014</td>
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<td>Department:</td>
<td>Office of Real Estate Services</td>
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**Subject**

Authorize negotiation and execution of an encroachment agreement allowing SOCO ATX INVESTMENTS, LLC the limited right to long-term encroachment of public right-of-way at 1603 South Congress Avenue, Austin, Texas, which includes approximately 700 square feet of aerial encroachment by a pool deck and canopy.

**Amount and Source of Funding**

There is no unanticipated fiscal impact. A fiscal note is not required.

**Purchasing Language:**

**Prior Council Action:**

**For More Information:** Eric Hammack, Office of Real Estate Services, (512) 974-7079; Lauraine Rizer, Office of Real Estate Services, (512) 974-7078; Amanda Glasscock, Office of Real Estate Services, (512) 974-7173.

**Boards and Commission Action:**

**MBE / WBE:**

**Related Items:**

### Additional Backup Information
A license agreement (LA# 573-1210) which included permanent aerial encroachments was negotiated and executed in 2013, prior to the passage of the ordinance which established a required process for the placement of permanent encroachments in right-of-way under City Code Chapter 14-11, Article 1, Division 4 (Permanent Encroachment of Public Right-of-Way). As part of a current amendment to the license agreement, the developer has requested that the permanent aerial encroachments be re-classified under the encroachment agreement.

The subject property is the South Congress Hotel, which is being developed by SoCo ATX Investments, LLC, as a commercial mixed use site. The site plan for the project was approved, and a building permit was issued in 2013.

The appraised value for the aerial encroachments is $7,084. A check in the amount of the appraised value has been submitted to the Office of Real Estate Services for processing upon approval of this encroachment request. City Code Section 14-11-51 requires City Council approval of any encroachment agreement entered into by the City.