

AGENDA



Thursday, October 28, 2010

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION****Item No. 5**

Subject: Approve a resolution authorizing the filing of eminent domain proceedings for the South IH-35 Water/Wastewater Program to acquire a 15,582 square foot permanent waterline easement out of the Santiago Del Valle Grant, Abstract No. 24, Travis County, Texas, in the amount of \$2,254.00. The owner of the needed property interests is NAJIB WEHBE. The property is located south of Derby Downs Drive, Austin, Travis County, Texas.

Amount and Source of Funding: Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Austin Water Utility.

Fiscal Note: A fiscal note is attached.

For More Information: Lauraine Rizer 974-7078, Sarah Terry 974-7141, Amanda Glasscock 974-7173, Joe Hoepkin(AWU) 974-1171

The southern area of the City of Austin's Extraterritorial Jurisdiction (ETJ), specifically along and east of IH-35, is currently experiencing significant development. At this time, water and wastewater utility infrastructure is not in place to handle this development. AWU has developed the South IH-35 Water/Wastewater Program to address the anticipated needs for both water and wastewater infrastructure in this area.

Completion of the South IH-35 Water/Wastewater Program requires the acquisition of a permanent waterline easement on the property located south of Derby Downs Drive, Austin, Travis County, Texas.

The City of Austin has attempted to purchase the needed water line easement; however, the City and owner have been 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.