

## AGENDA



Thursday, December 16, 2010

**Contract and Land Management  
RECOMMENDATION FOR COUNCIL ACTION****Item No. 15**

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**Subject:** Approve a resolution authorizing the filing of eminent domain proceedings for the Fort Branch Watershed Management Area Reach 6 & 7 Channel Rehabilitation – Truelight Area and Eleanor Drive Area Project to acquire a 964 square foot permanent drainage easement out of Lot 53, Block 3, Lincoln Gardens Section One, a subdivision in the City of Austin, Travis County, Texas, in the amount of \$6,214. The owners of the needed property interest are Roy Lee Loggins, Charles Brown, Albert Loggins, Ray Loggins, Susie Marie Brown, Clarence Doug Simms, Tommy Joe Logans, and Felicia Dee, who are the heirs to the estate of Ethel Mae Simms. The property is located at 1239 Eleanor Street, Austin, Travis County, Texas.

**Amount and Source of Funding:** Funding is included in the Fiscal Year 2010-2011 Capital Budget of the Watershed Protection Department.

**Fiscal Note:** A fiscal note is attached.

**For More Information:** Lauraine Rizer, 974-707; Christina Calvery, 974-7094; Morgan Byars, 974-9790; Amanda Glasscock, 974-7173; Sarah Terry, 974-7141

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Watershed Protection Department's Fort Branch Creek Reach 6 & 7 Channel Rehabilitation Project will reduce the frequency and depth of flooding on streets and residential property from localized storm runoff. This project requires the acquisition of a 964 square foot permanent drainage easement from the property located at 1239 Eleanor Street, Austin, Texas.

The City of Austin has attempted to purchase the needed easement. The City and the property owners were unable to agree on the value of the needed acquisition. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.