

**AGENDA**



**Recommendation for Council Action (Real Estate)**

Austin City Council	Item ID:	21189	Agenda Number	41.
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Meeting Date:	January 31, 2013
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Department:	Office of Real Estate Services
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**Subject**

Approve a resolution authorizing the filing of eminent domain proceedings for the North Acres Final Conveyance Project for 445 square feet of land for a permanent wastewater line easement out of the J. Applegait Survey No. 58, Abstract No. 29, Travis County, Texas, being a portion of Lot 12, Block G, North Acres Section Four, a subdivision of record in Volume 46, Page 95 of the Plat Records of Travis County, Texas, conveyed to the Fragosa Family Trust, Antonio Fragosa and Leonila G. Fragosa, Trustees, in Volume 12655, Page 709 of the Real Property Records of Travis County, Texas in the amount of \$470. The owners of the needed property interests are THE SUCCESSOR TRUSTEE(S) OF THE FRAGOSA FAMILY TRUST, DATED MARCH 25, 1996. The property is located at 10623 Denell Circle, in Austin, Travis County, Texas 78753. The general route covered by this project is along Polecat Creek, west of Dessau Road.

**Amount and Source of Funding**

Funding is available in the Fiscal Year 2012-2013 Capital Budget of the Austin Water Utility.

**Fiscal Note**

A fiscal note is attached.

Purchasing Language:	
Prior Council Action:	
For More Information:	Connie Smith 974-7274; Jennifer Liu 972-2049; Lauraine Rizer 974-7078; Amanda Glasscock 974-7173.
Boards and Commission Action:	
MBE / WBE:	

**Related Items:**



Additional Backup Information

The North Acres Final Conveyance Project will provide water and wastewater service to the areas annexed by the City of Austin in the North Acres area.

The project includes a portion of the 10623 Dannel Circle property. The project requires the acquisition of 445 square feet of land for a permanent wastewater line easement, out of the J. Applegait Survey No. 58, Abstract No. 29, Travis County, Texas, being a portion of Lot 12, Block G, North Acres Section Four, a subdivision of record in Volume 46, Page 95 of the Plat Records of Travis County, Texas, conveyed to the Fragosa Family Trust, Antonio Fragosa and Leonila G. Fragosa, Trustees, in Volume 12655, Page 709 of the Real Property Records of Travis County, Texas.

The City of Austin has attempted to purchase the needed easement. The City and the property owner 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.