

**AGENDA**



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

Austin City Council	Item ID:	26216	Agenda Number	22.
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Meeting Date:	August 22, 2013
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Department:	Office of Real Estate Services
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Subject

Authorize the negotiation and execution of an encroachment agreement to permit Kevin Burns the limited right to the long-term encroachment of private structures into a portion of the public right-of-way, constituting approximately 219 square feet of land, being a portion of West avenue, an eighty (80) foot wide right-of-way out of and a part of Outlot No. 11, Division "Z," situated in the City of Austin, Travis County, Texas, and adjoining a called 2.148 acre tract of land, located at 801 West 5th Street.

Amount and Source of Funding

[Redacted]

Fiscal Note

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

Purchasing Language:	[Redacted]
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Prior Council Action:	[Redacted]
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For More Information:	Andy Halm 974-7185; Chris Muraida 974-7191; Lauraine Rizer 974-7078; Amanda Glasscock 974-7173.
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Boards and Commission Action:	[Redacted]
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MBE / WBE:	[Redacted]
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Related Items:	[Redacted]
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Additional Backup Information

A request was received to permit Kevin Burns the limited right to the long-term encroachment of private structures into approximately 219 square feet of right-of-way along West Avenue, at 801 West 5<sup>th</sup> Street (adjoining that 2.148 acre tract conveyed to Kevin Burns by deed recorded in Document No. 2008139979 of the Official Public Records of Travis County, Texas).

The requested encroachment area will be used by the applicant to construct, operate, and maintain certain permanent improvements consisting of an elevated terrace over the public right-of-way as part of a mixed-use building, in accordance with City of Austin Site Plan SP-03-0021C. This request has been reviewed by the appropriate Public Works Department staff and has been approved by the Public Works Director.

The appraised value of this right-of-way encroachment is \$9,362.