



Recommendation for Action

File #: 23-2947, Agenda Item #: 48.

10/19/2023

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Upper Harris Branch Wastewater Interceptor - Phase 2 project for the public use of installing wastewater infrastructure, requiring the acquisition of one Wastewater Easement consisting of approximately 0.732 acre of land (31,872 square feet), and one Temporary Working Space Easement consisting of approximately 0.319 acre of land (13,873 square feet, consisting of two parts: approximately 2,547 and 11,326 square feet) being out of and a portion of the Samuel Cushing Survey, Abstract No. 164, Section 70, Travis County, Texas, said easement being a portion of a called 2.324 acre tract, conveyed to HOA Investment LLC, recorded in Document No. 2014118134, of the Official Public Records of Travis County, Texas, further described in Document No. 2010100333 of the Official Public Records of Travis County, Texas, currently appraised at \$551,016 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is HOA Investment LLC. The property is located at 13422 Dessau Road, Austin, Texas 78753. The general route of the project is in the Upper Harris Branch from Dessau Road to Harris Branch Parkway.

Lead Department

Financial Services Department.

Fiscal Note

Funding is available in the Capital Budget of Austin Water.

For More Information:

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Additional Backup Information:

Increased development and rapid growth in the Harris Branch wastewater basin is increasing the wastewater service demand and timely construction of the wastewater interceptor is required for the Dessau Wastewater Treatment Plant to stay within its permitted limits. The treatment plant it is a crucial portion of the overall wastewater service strategy in the northeast service area. This acquisition and temporary workspace easement is required for the installment of the gravity-fed wastewater interceptor to support the areas growing needs. The general route of this project is in the Upper Harris Branch from Dessau Road to Harris Branch Parkway.

The City has attempted to purchase the needed property at 13422 Dessau Road, Austin, Texas 78753. The City and property owner have been 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, and to authorize the City to pay for the property interest in an amount determined by the appraisal, updated appraisal (s), or a Special Commissioners' award.