



Recommendation for Action

File #: 23-2959, **Agenda Item #:** 49.

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 0.148 acre of land (6,436 square feet), and one Temporary Working Space Easement consisting of approximately 0.073 acre of land (3,189 square feet) being out of and a portion of the Samuel Cushing Survey, Abstract No. 164, Section 70, Travis County, Texas, said easements being part of Lot 2, Dessau Phase II, recorded in Document No. 201600085, of the Official Public Records of Travis County, Texas, being that same tract conveyed to HOA Investment LLC, recorded in Document No. 2017005857, Official Public Records of Travis County, Texas, currently appraised at \$99,541 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 13525 Dessau Road, Austin, Texas 78660. 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:

Michael Gates, Financial Services Department, 512-974-5639; Brandon Williamson, Financial Services Department, 512-974-5666; Ria Yamaguchi, Capital Delivery Services, 512-974-9125.

Additional Backup Information:

This acquisition and temporary workspace easement is needed to support Austin Water's installation of a gravity wastewater interceptor for the Dessau Wastewater Treatment Plant and the Lower Harris Branch Interceptor. Rapid development in this region is increasing the wastewater service demand in the basin. Timely construction of the entire interceptor is required for Dessau WWTP to stay within its permitted limits, and it is a crucial portion of the overall wastewater service strategy in the northeast service area.

The City has attempted to purchase the needed property at 13525 Dessau Road, Austin, Texas 78660. 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.