

Mayor and Council Communication

DATE: 06/22/21

M&C FILE NUMBER: M&C 21-0422

LOG NAME: 21CPN 01227 M-257 PARCEL 60

SUBJECT

(CD 6) Authorize Acquisition of a Permanent Sewer Facility Easement in 1.7743 Acres of Land and a Temporary Construction Easement in 0.8118 Acres of Land from the Estate of Bruno Czajkowski, Located at 2150 Burleson Retta Road, for the Upper and Middle Village Creek Parallel Relief Main, Sanitary Sewer Main 257, Part 2B in the Amount of \$125,000.00 and Pay Estimated Closing Costs in an Amount Up to \$2,000.00 for a Total Cost of \$127,000.00

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize acquisition of a permanent sewer facility easement in 1.7743 acres of land and a temporary construction easement in 0.8118 acres of land from the Estate of Bruno Czajkowski, located at 2150 Burleson Retta Road, for the Upper and Middle Village Creek Parallel Relief Main, Sanitary Sewer Main 257, Part 2B (City Project No. C01227);
2. Find that the total purchase price of \$125,000.00 is just compensation for the easement interests in the land and pay estimated closing costs in an amount up to \$2,000.00; and
3. Authorize the City Manager or his designee to accept the conveyances and record the appropriate instruments.

DISCUSSION:

The purpose of this Mayor & Council Communication is to authorize the acquisition of a permanent sewer facility easement and temporary construction easement interest needed for the construction of the Upper and Middle Village Creek Parallel Relief Main, Sanitary Sewer Main 257, Part 2B (City Project No. C01227). The improvements will alleviate and prevent sanitary sewer overflows and bypasses in the wastewater collection system.

An independent appraisal established fair market value and the property owner has agreed to the negotiated amount of \$125,000.00 for the needed interests in the land. The land owner has agreed to the cost to cure amount of \$100,000.00 for replacing cattle fencing, trees, and for grading and replanting hayfields on the property. The City will pay estimated closing costs in the amount up to \$2,000.00. Upon City Council approval, Staff will proceed with acquiring the needed interests in the property.

Ownership	Parcel	Property Location	Legal Description	Interest	Amount
Estate of Bruno Czajkowski	60	2150 Burleson Retta Road	Abner Lee Survey, Abstract No. 931	1.7743 acres of land /Permanent Sewer Facility Easement	\$22,000.00
Estate of Bruno Czajkowski	60-TCE	2150 Burleson Retta Road	Abner Lee Survey, Abstract No. 931	0.8118 acres of land/Temporary Construction Easement	\$3,000.00
				Cost to Cure	\$100,000.00
				Estimated Closing Cost	\$2,000.00
				Total Acquisition Cost	\$127,000.00

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are available in the current capital budget, as previously appropriated, in the Sewer Capital Legacy Fund for the SS Main 257 Part 2 Upper and M project to support the approval of the above recommendations and acquisition of land. Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

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Expedited