

Mayor and Council Communication

DATE: 11/19/19

M&C FILE NUMBER: M&C 19-0324

LOG NAME: 21PMD 01227 M-257 PARCEL 61

SUBJECT

Authorize Acquisition of a Permanent Sewer Facility Easement in 1.2374 Acres of Land and a Temporary Construction Easement in 7.0557 Acres of Land from Burleson Golf Partners, LLC, a Texas Limited Liability Company, Located at 1912 Burleson Retta Road for the Upper and Middle Village Creek Parallel Relief Main, Sanitary Sewer Main 257, Part 2B in the Amount of \$460,644.00, Pay Estimated Closing Costs in the Amount Up to \$2,000.00 for a Total Cost of \$462,644.00, and Authorize Execution of Letter Agreement in the Amount of \$200,000.00 Outlining Additional Construction Terms (COUNCIL DISTRICT 6)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize acquisition of a permanent sewer facility easement in 1.2374 acres of land and a temporary construction easement in 7.0557 acres of land from Burleson Golf Partners, LLC, a Texas limited liability company, located at 1912 Burleson Retta Road for the Upper and Middle Village Creek Parallel Relief Main, Sanitary Sewer Main 257, Part 2B;
2. Find that the total purchase price of \$460,644.00 for the easement interest is just compensation and pay a total estimated closing cost in the amount up to \$2,000.00;
3. Authorize execution of the letter agreement in the amount of \$200,000.00 outlining additional construction terms; and
4. Authorize the City Manager or his designee to accept the conveyances and record the appropriate instruments.

DISCUSSION:

The permanent sewer facility easement and temporary construction easement interest are needed for construction of City Project No. 01227 Upper and Middle Village Creek Parallel Relief Main, Sanitary Sewer Main 257, Part 2B. 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 \$460,644.00 for the needed interest in the parcel of land. In addition, the land owner has agreed to complete the golf course restoration work upon the completion of construction in the amount not to exceed \$200,000.00. The City will pay a estimated closing cost in the amount up to \$2,000.00. Upon City Council approval, Staff will proceed with acquiring the needed interest in the property.

Ownership	Parcel	Property Location	Legal Description	Interest	Amount
Burleson Golf Partners, LLC, a Texas limited liability company	61	1912 Burleson Retta Road	Abner Lee Survey, Abstract No. 931	1.2374 acres of land /Permanent Sewer Facility Easement	\$7,424.00
Burleson Golf Partners, LLC, a Texas limited liability company	61-TCE	1912 Burleson Retta Road	Abner Lee Survey, Abstract No. 931	7.0557 acres of land/Temporary Construction Easement	\$5,645.00
				Cost to Cure	\$447,575.00

				Estimated Closing Cost	\$2,000.00
				Total Golf Course Restoration Cost	\$200,000.00
				Total Acquisition Cost	\$662,644.00

(COUNCIL DISTRICT 6)

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendation and award of the contract, funds are available in the current capital budget, as appropriated, in the Sewer Capital Legacy SS Main 257 Part 2 Upper and Middle project (SS Main 257 Part 2 Upper and M project). Prior to any expenditure being incurred, the Water Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: Kevin Gunn 2015

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