



Legislation Details (With Text)

**File #:** 20-152      **Version:** 1      **Name:**

**Type:** ITEMS FOR INDIVIDUAL CONSIDERATION      **Status:** Approved

**File created:** 1/13/2020      **In control:** Department of Sustainable Development and Construction

**On agenda:** 2/12/2020      **Final action:** 2/12/2020

**Title:** Authorize the second step of acquisition for condemnation by eminent domain to acquire a wastewater easement from Clams Casino, LLC, of approximately 2,257 square feet of land located near the intersection of Turtle Creek Boulevard and Market Center Boulevard for the Lower Eastbank Interceptor Project - Not to exceed \$104,565.00 (\$101,565.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Wastewater Capital Improvement D Fund

**Sponsors:**

**Indexes:** 6

**Code sections:**

**Attachments:** 1. Map, 2. Resolution, 3. Exhibit A

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** February 12, 2020

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Department of Sustainable Development and Construction

**EXECUTIVE:** Majed Al-Ghafry

**SUBJECT**

Authorize the second step of acquisition for condemnation by eminent domain to acquire a wastewater easement from Clams Casino, LLC, of approximately 2,257 square feet of land located near the intersection of Turtle Creek Boulevard and Market Center Boulevard for the Lower Eastbank Interceptor Project - Not to exceed \$104,565.00 (\$101,565.00, plus closing costs and title expenses not to exceed \$3,000.00) - Financing: Wastewater Capital Improvement D Fund

**BACKGROUND**

This item authorizes the second step of acquisition for condemnation by eminent domain to acquire a wastewater easement from Clams Casino, LLC, of approximately 2,257 square feet of land located near the intersection of Turtle Creek Boulevard and Market Center Boulevard for the Lower Eastbank Interceptor Project. An offer was presented to the property owners on September 18, 2019 reflecting the appraised value of \$101,565.00. The owner refused the City's offer.

The first resolution approved on September 11, 2019, by Resolution No. 19-1394, authorized the purchase in the amount of \$101,565.00.

This property will be used for the construction of approximately 7,700 linear foot of a 104-inch diameter wastewater main and two 72-inch diameter wastewater mains. The consideration is based on an independent appraisal. No relocation benefits are associated with this acquisition. The consideration is based on an independent appraisal.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On September 11, 2019, City Council authorized acquisition from Clams Casino, LLC of approximately 2,257 square feet of land located near the intersection of Turtle Creek Boulevard and Market Center Boulevard for the Lower Eastbank Interceptor Project by Resolution No. 19-1394.

**FISCAL INFORMATION**

Fund	FY 2020	FY 2021	Future Years
Wastewater Capital Improvement D Fund	\$104,565.00	\$0.00	\$0.00

**OWNER**

**Clams Casino, LLC**

Heidar Pasha, Manager

**MAP**

Attached