



Legislation Text

File #: 2016-3620, **Version:** 1

Consider a resolution approving an Agreed Final Judgment in Cause No. C-1-CV-14-007201; The City of Leander v. Gary L. Gross and Cathy L. Gross in the County Court at Law No. 2, Travis County, Texas.

In order to obtain raw water from Lake Travis at a lower elevation, the Brushy Creek Regional Utility Authority (BCRUA) must acquire property for a "deep water intake" facility at Lake Travis. The property identified for the facility, previously owned by Gary and Cathy Gross, consists of 5.2 acres of land. The BCRUA will construct the deep water intake, the commencement of the raw water tunnel, and an associated maintenance building at this property.

The BCRUA's appraisal of the property was for \$1,724,460 and the landowner's appraisal was for \$4,520,000, up from their original position of \$3,320,000. Because of the separation in price, the BCRUA Partnering City's and the Gross's participated in a mediation on March 11th. The monetary compensation the parties agreed to was \$2,565,000. Round Rock's portion of the \$2,565,000 is 28.79% of the total cost which is \$738,463.50. The BCRUA Board approved a resolution for the Mediated Settlement Agreement on March 18, 2016 and the City of Round Rock approved the resolution on April 14, 2016.

The Agreed Final Judgment is now Ordered, Adjudged, and Decreed that the fee simple title to the 5.2 acres of land is hereby decreed and vested in the City of Leander, on behalf of the BCRUA.

Staff Recommends Approval.