

# CITY of REPUBLIC

*Established 1871*

Exhibit E

## AGENDA ITEM STAFF ANALYSIS

**Project/Issue Name:** Bill #06-42 An Ordinance Authorizing the Use of Eminent Domain for the Purpose of Obtaining Land, Easements and Rights in Land Necessary for the Construction and Extension of Municipal Services as Part of the Brookline Utility Expansion

**Submitted By:** David Brock, Public Works Director

**Date:** May 22, 2006

### Issue Statement

The acquisition of permanent and temporary utility easements, access easements and real property necessary for the construction of water and sewer services in the consolidated area.

### Discussion and/or Analysis

Negotiations for land rights to construct the Brookline Utility Expansion are continuing. As of the preparation of this Exhibit, over 48% of the affected property owners have executed the requested easements. A sizeable number of easements are in final negotiations and will be concluded shortly and our current assessment is that only a dozen or fewer easements will have to be resolved by the Court.

Due to the anticipated length of time it will take to advance through condemnation proceedings it is now necessary begin the process. Bill #06-42 authorizes the City Administrator to direct the eminent domain proceedings. Parties in this suit will be dropped in those cases where an agreement is reached for the transfer of property rights and good faith negotiations will continue simultaneously with our civil suit.

### Staff Recommendation

David Brock, Public Works Director respectfully recommends the passage and approval of Bill #06-42.