

**Metropolitan Domestic Water Improvement District
Board of Directors Meeting**

January 8, 2024

**Northwest Recharge, Recovery and Delivery System
Request for Approval to Proceed with Condemnation of Waterline Easement
on Parcels 216-17-004A and 216-17-0020**

Synopsis

Staff has been working with the District's right-of-way consultant, Tierra Right of Way Services, to assist with the acquisition of waterline easements necessary for the Northwest Recharge, Recovery and Delivery System (NWRDSD).

Background

In September 2017, the Board of Directors authorized the General Manager to proceed with condemnation of waterline easements. At that time, staff briefed the Board that similar actions may be necessary on other parcels and those would be brought to the Board for future action. Negotiations with the owner of Parcels 216-17-004A and 216-17-0020 commenced in April 2023 and have not been successful despite multiple inquiries from both the District's consultant and staff.

Issues

On December 14, 2023, the District engaged the services of Nossaman, LLP, to provide legal support for the acquisition. Subsequent to that engagement, a right-of-entry for the purposes of completing field investigations for environmental surveys and the appraisal was granted by the land owner on January 3, 2024.

Authorization to condemn is requested from the Board in the event further negotiations with the land owner are unable to achieve a mutually-satisfactory easement acquisition.

Recommendation

It is recommended the Board of Directors authorize the General Manager to move forward with condemnation of a waterline easement on Parcels 216-17-004A and 216-17-0020 as deemed necessary.

Suggested Motion

I move to authorize the General Manager to proceed with condemnation of a waterline easement on Parcels 216-17-004A and 216-17-0020, as deemed necessary.

Respectfully submitted,

Sheila M. Bowen, P.E.
District Engineer

I concur with the above-noted recommendation.

Respectfully submitted,

Joseph Olsen, P.E.
General Manager