

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

February 12, 2018

**Northwest Recharge, Recovery and Delivery System
Request for Approval to Proceed with Condemnation of Waterline Easement
on Parcels 216-32-021F and 216-32-021G**

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 216-32-021F and 216-32-021G have not been successful despite multiple inquiries from both the District's consultant and staff. A letter was mailed to formally notify the property owner of the District's desire to work through any easement issues in lieu of condemnation. Follow-up discussions have been held between District staff and the property owner as well as the District's consultant and the property owner, but none have resulted in a successful negotiation of easement terms.

Issues

A letter was sent to the property owner via certified mail with return receipt on November 20, 2017. The letter was delivered to the property owner on November 28, 2017 as indicated by the USPS tracking report. The letter requested the property owner contact the District by December 18, 2017. In response to the letter, District staff spoke with the property owner on December 8, 2017 and subsequent discussions are ongoing between the District's consultant and the property owner. The property owner continues to defer to information they are expecting from their attorney and real estate agent, but no information has been provided to the District or its consultant.

Recommendation

It is recommended the Board of Directors authorize the General Manager to move forward with condemnation of a waterline easement on Parcels 216-32-021F and 216-32-021G as deemed necessary.

Suggested Motion

I move to authorize the General Manager to proceed with condemnation of a waterline easement on Parcels 216-32-021F and 216-32-021G 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