

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

August 16, 2021

**E&T 22 Well Replacement
Request for Approval to Proceed with Condemnation
on Portions of Parcel 303-12-138E**

Synopsis

Staff has been working with the District's right-of-way consultant, Tierra Right of Way Services (Tierra), to assist with the acquisition of property and easements necessary for the E&T Well 22 replacement.

Background

In November 2020, the Board of Directors authorized the General Manager to proceed with land acquisition services. The proposed replacement well would be located on an existing District easement. Acquisition of that portion the property would enable the new well to be located on District-owned property. The acquisition services also include acquiring easements that are necessary for noise mitigation during well drilling as well as permanent access to the well site. The easement areas have historically been used for access.

Tierra has completed the necessary background information.

Issues

The landowner has been unable to participate in negotiations with Tierra since April 2021 due to illness. Tierra has attempted to negotiate with a family member who is believed to have power of attorney, but has not been able to confirm their legal authority to begin negotiations.

E&T Well 22 is a critical facility for the Metro Southwest – E&T service area and is in need of replacement.

Recommendation

It is recommended the Board of Directors authorize the General Manager to move forward with condemnation of property and easements on portions of Parcel 303-12-138E, as deemed necessary.

Suggested Motion

I move to authorize the General Manager to proceed with condemnation of property and easements on portions of Parcel 303-12-138E 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