

*APPENDIX L*  
*REAL ESTATE PLAN*

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## REAL ESTATE PLAN

### SPRING LAKE AQUATIC RESTORATION PROJECT SAN MARCOS, HAYS COUNTY, TEXAS

#### 1. PURPOSE

The following Real Estate Plan (REP) supports the feasibility study. All project lands are owned in fee title by the Local Sponsor, Texas State University-San Marcos (TxSt). Authority for the project is Section 206 of the Water Resources Development Act of 1996, Public Law 104-303, which authorizes the Secretary of the Army to carry out projects for aquatic ecosystem restoration and protection. The subject property is located within the city of San Marcos, Texas. This area was formally part of Aquarena Springs Amusement Park. This area is no longer in use, and will be restored to natural habitat. The area of aquatic ecosystem restoration is the Spring Lake area. The property is located within the 100-year floodplain and is mostly covered with water. The plan for restoration includes demolishing 19 structures, relocating 3 structures off-site, leaving 6 structures in place, establishing native prairie vegetation, removing exotic vegetation, installing a vegetative buffer zone, and constructing trails and a restroom. These measures will provide significant benefits to the aquatic and terrestrial habitat, including the habitat of five Federally listed endangered species.

#### 2. LAND, EASEMENT, AND RIGHT OF WAY FOR THE RECOMMENDED PLAN.

##### FEE OWNERSHIP

16.6 acres

##### EASEMENT OWNERSHIP

-0-

#### 3. COST SHARE OF PROJECT

Estimated value of lands:

ESTATE	ACRES	ESTIMATED VALUE
Fee title	16.6	\$250,000
Improvements		-0-
Severance Damages		-0-
Contingency		\$ 25,000
	Total	\$275,000
	Rounded to	\$275,000

The cost-share for this aquatic restoration project is 65% Federal and 35% Local Sponsor.

#### **4. NON-STANDARD ESTATES**

There are no non-standard estates associated with this project. Fee title estate is the only estate required for this ecosystem restoration.

#### **5. EXISTING FEDERAL PROJECT**

There is no existing Federal project that lies fully or partially within the project area.

#### **6. FEDERALLY OWNED LAND**

There are no Federally owned lands associated with this project.

#### **7. NAVIGATIONAL SERVITUDE**

There is no navigational servitude associated with this project. The San Marcos River is not a navigable stream.

#### **8. ADDITIONAL INFORMATION AND PROJECT MAP**

There are sixteen easements within the project area. These easements include such uses as power lines, roads, walkways, sewers, waterlines, drainage lines, general public utilities and general access. A letter or consent will be obtained from the Grantors for the use of the easement areas for this aquatic ecosystem restoration. See attached map for the project area.

#### **9. FLOODING OF PROJECT AREA**

There will no flooding to private property caused by the construction, and maintenance of the aquatic ecosystem restoration project.

**10. BASELINE COST ESTIMATE FOR REAL ESTATE**

Property values included in the cost estimate are based on a Gross Appraisal dated 5 August 2002, prepared by Randy Roberts and approved by Rocky Lee, MAI, SRA, Real Estate Division, Fort Worth District. The Fort Worth District, Real Estate Division, Technical Resource Branch staff estimated administrative costs. Contingencies have been added to the estimates as follows:

- 01.23.03.01 Real Estate Planning Documents, 10% based on reasonable certainty of costs.
- 01.23.03.15 Real Estate Payment Documents, 10% based on contingencies assigned by the appraiser in the Gross Appraisal.
- 01.23.03.16 Real Estate LERRD Accounting Documents, 25% based on reasonable certainty regarding accounting requirements.

Estimates are presented in the Standard Code of Accounting from MCACES Model Database, October 1994. Costs are presented as follows:

ACCOUNT	DESCRIPTION	ESTIMATE	CONTINGENCY
01.23.03.01	RE Planning Documents	\$ 5,000	\$ 500
01.23.03.15	RE Payment Documents		
	Land	\$250,000	\$25,000
	Improvements	-0-	-0-
	Severance Damage	-0-	-0-
01.23.03.16	RE LERRD Accounting	\$ 2,000	\$ 500
	<b>TOTAL ADMIN AND PAYMENTS</b>	<b>\$257,000</b>	
	<b>TOTAL CONTINGENCY</b>		<b>\$26,000</b>
	<b>GRAND TOTAL</b>	<b>\$283,000</b>	

## **11. RELOCATION ASSISTANCE PROGRAM P.L. 91-646**

There are no individuals, farms, or businesses to be relocated in conjunction with this project. The structures to be demolished and moved do not fall under the provisions of P.L. 91-646. The University has been made aware of this provision.

## **12. MINERAL AND TIMBER ACTIVITY**

There is no mineral exploration or production activity or merchantable timber in the project area. The city of San Marcos' zoning ordinances will not allow mineral exploration or timber activity on the project area. The University informed this District they own project lands in fee.

## **13. COST SHARED PROJECT**

The University owns the land in fee and there is no requirement for condemnation authority or quick-take capability.

## **14. ENACTMENT OF ZONING ORDINANCES**

There are no special zoning ordinances proposed to be enacted in connection with this project.

## **15. LAND ACQUISITION**

At this time there will be no additional acquisition of land for the project. The 16.6 acres of land are owned by Southwest Texas State University in fee.

Schedule of project milestones:

Execution of PCA	12 April 2007
Advertise Construction Contract	7 June 2007

## **16. FACILITY OR UTILITY RELOCATION**

There will be no utility relocation. The power transmission/communication lines in the project area will remain in place. The Grantor of any easement in the project area will be contacted and written permission will be obtained prior to any activity on the easement area.

## **17. CONTAMINATION ON LAND IN THE PROJECT AREA**

There are no known HTRW lands in the project area or adjacent areas. This has been verified by the Planning, Environmental and Regulatory Division of the District.

**18. OPPOSITION BY LANDOWNERS IN THE PROJECT AREA**

No landowners in the project area have come forward to give positive or negative response concerning this project.

**19. LAND ACQUISITION PRIOR TO PCA**

There is no land to be acquired for this project. Should additional land be necessary for the project, the sponsor will be notified in writing not to acquire land prior to signing of the PCA.

**20. RELEVANT ISSUES**

There are no real estate issues relevant to planning, designing, or implementing this project. Since at this time there will be no acquisition of lands, the Assessment of Non-Federal Sponsor's Real Estate Acquisition Capability will not be accomplished.

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*12 June 2003*  
Date

Reviewed and approved by:

Hyla J. Head  
Chief, Real Estate Division  
Fort Worth District

*Hyla J. Head* *6/12/03*  
Date

