

AGENDA



Thursday, November 20, 2008

**Item(s) to Set Public Hearing(s)
RECOMMENDATION FOR COUNCIL ACTION****Item No. 66**

Subject: Set a public hearing to consider a resolution regarding the change in use and conveyance of approximately 0.048 acre (2,101 square feet) of land in fee simple to Travis County for right-of-way purposes through dedicated Balcones Canyonland Preserve (BCP) tract known Coldwater Canyon located along City Park Road, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. (Suggested date and time: December 18, 2008, 6:00 p.m. at Austin City Hall, 301 West Second Street, Austin, TX).

Fiscal Note: There is no unanticipated fiscal impact. A fiscal note is not required.

For More Information: Junie Plummer 974-7085; Willy Conrad 263-6430; April Thedford 974-7141

Chapter 26 of the Parks and Wildlife Code provides that the use of preserve for non-preserve purposes may be approved upon a finding that there is no feasible and prudent alternative and that all reasonable planning to minimize harm to the use of this land has been done.

The City of Austin (City) owns approximately 427 acres commonly known as Coldwater Canyon that is managed as part of the BCP. As part of the ownership of this land there is a tract that is approximately 13.076 acres. This tract is severed by City Park Road on the west side and does not function as part of the preserve. The tract was purchased subject to an ingress/egress easement recorded in Volume 2227, Page 368 (August 1960) which is not being extinguished by the right-of-way conveyance. City Park Road is located within the BCP's Utility Corridor which is designated for infrastructure.

The Contract and Land Management Department requests approval to negotiate and execute all documents necessary to convey in fee simple 0.048 acres located along City Park Road to Travis County for right-of-way purposes in building a roadway. The purchase price for Travis County is the amount determined to be the fair market value of \$355.

There is no feasible and prudent alternative to the use of the dedicated BCP tract which includes all reasonable planning to minimize harm to such lands. The dates of public notification in the Austin American-Statesman are November 23, November 30 and December 7, 2008.