

AGENDA



Thursday, December 10, 2009

**Contract and Land Management
RECOMMENDATION FOR COUNCIL ACTION**

Item No. 3

Subject: Approve a resolution waiving any interest the City of Austin might have in State property near IH 35 and Slaughter Lane to be conveyed to CAPITAL METRO as abutting owner from the State of Texas.

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

For More Information: Lauraine Rizer 974-7078; April Thedford 974-7141

The State of Texas is in the process of conveying property at the northwest corner of IH 35 and Slaughter Lane to Capital Metro. Attached is a map to show the property and the three tracts that are involved. Also attached are field note descriptions with sketches for each of the tracts.

Tract 1(0.224 acres) is part of 11.706 acres conveyed to the State of Texas by Deed from Mrs. Walter Raymond Ramsey, Sr., recorded in Vol. 1436, Page 8, Deed Records of Travis County, Texas;

Tract 2 (1.866 acres) is a prescriptive easement; and

Tract 3 (3.692 acres) is a part of land conveyed to the State of Texas from Kitty B. Alsup and husband, William J. Alsup, recorded in Vol. 1632, Page 223, Deed Records of Travis County, Texas;

Tract 2 (1.866 acres) is a prescriptive easement, and the Transportation Code (Section 202.025 - attached) provides for a specific waiver from the city and request to convey to the abutting property, which will be Capital Metro. The State of Texas has requested a resolution from the City of Austin waiving any interest in acquiring any of the property and specifically requesting that Tract 2 be conveyed to Capital Metro as abutting owner. The State of Texas intends to record the deeds to Tracts 1 and 3 first, placing Capital Metro in title as abutting owners to Tract 2.