



MEMORANDUM

To: Mayor and Council

From: Sue Edwards, Assistant City Manager 

Date: April 12, 2016

Subject: Revised Notice of Priority Right – Texas Department of Transportation- Northeast Corner of South Lamar and Ben White Boulevard

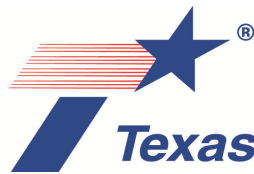
On April 4, 2016, a memo was sent to Mayor and Council forwarding a Notice of Priority Right from the Texas Department of Transportation (TXDoT) regarding a property for sale at the northeast corner of South Lamar and Ben White Boulevard. As indicated in the referenced memo, Texas Transportation Code, Section 202.021 provides that governmental entities with the authority to condemn real property have priority right to purchase the property. Upon further evaluation of the notice received, it was determined that the original notice was issued in error and contained inaccurate information about the eligible property.

Attached for your information is a correction letter from TXDoT clarifying the details of the property in question and extending the City of Austin timeline for response to April 29, 2016. Also included for your information is a map prepared by the Office of Real Estate Services which illuminates potential development issues should Council wish to consider purchase of this property. The Office of Real Estate Services estimates the size of this property to be approximately 0.5 acres. In accordance with the City's internal review process, this notice will be forwarded to all City departments for further consideration as well.

Please contact me as soon as possible if you would like to pursue purchase. I can be reached at (512) 974-7820 or via email at Sue.Edwards@austintexas.gov.

Attachments

Cc: Marc Ott, City Manager
Lauraine Rizer, Officer, Office of Real Estate Services



Texas Department of Transportation

125 EAST 11TH STREET | AUSTIN, TEXAS 78701-2483 | (512) 463-8588 | WWW.TXDOT.GOV

April 11, 2016

RE: Notice of Priority Right
Texas Department of Transportation
+/- 1.85 acres
NEC of S. Lamar and Ben White Blvd.
Austin, Travis County, Texas

VIA FEDERAL EXPRESS: 7760-8037-5962

Mr. Marc Ott
City Manager
City of Austin
P.O. Box 1088
Austin, Texas 78767

Dear Mr. Ott,

This letter is to clarify a letter dated March 11, 2016 that was sent to the City of Austin regarding the above referenced real property. An aerial photograph of the property is enclosed.

The purchase price for this property is \$9.31 per square foot based upon a future survey of the property or the appraised value, whichever amount is higher, plus any additionally incurred costs by TXDOT. A survey is required. The prospective purchaser may procure the survey for the property or may elect to have TxDOT procure the survey. Surveys ordered by the purchaser must be approved by TxDOT. If the purchaser elects to have TXDOT provide the survey, then the cost will be added to the sales price.

In order to exercise your priority, please provide TxDOT with a written statement of your entity's intent to purchase the property on these terms by April 29, 2016. This date supercedes any date referenced in previous letters. Please forward a copy of the statement to:

Mr. Jess Berglund
Real Estate Management and Development Division
Texas Department of Transportation
125 E. 11TH Street, 5th Floor
Austin, Texas 78701
Or by email at jess.berglund@txdot.gov

This offer is subject to change or revocation by TxDOT. If the above does not receive a copy of the statement exercising the priority right by April 29, 2016, TxDOT will consider your priority right to purchase the property to be waived. Before the sale is placed on Texas Transportation Commission meeting agenda for approval, TxDOT may request a resolution or the equivalent from your entity's governing body committing to the purchase of the property. If your governmental entity is not interested in the property TxDOT would appreciate it if you would return the enclosed Waiver of Priority Purchase. .

OUR GOALS

MAINTAIN A SAFE SYSTEM ▪ ADDRESS CONGESTION ▪ CONNECT TEXAS COMMUNITIES ▪ BEST IN CLASS STATE AGENCY
An Equal Opportunity Employer

If you should have any questions concerning this matter, please contact Jess Berglund at (512) 463-3166.

Sincerely,

A handwritten signature in black ink, appearing to read "RSTilden IV". The signature is stylized with a large, looped "R" and "S", and the name "Tilden" is written in a cursive script. The Roman numeral "IV" is written at the end.

Roland Tilden, Director
Real Estate Management and Development

CC: Terry McCoy, P.E., District Engineer, Austin District
Kyle Madsen, Right of Way Project Delivery Director

Waiver of Priority Purchase Right

RE: Notice of Priority Right
Texas Department of Transportation
+/- 1.85 acres
NEC of S. Lamar and Ben White Blvd.
Austin, Travis County, Texas

Jess Berglund
Real Estate Management and Development Division
Texas Department of Transportation
125 E. 11th Street
5th Floor
Austin, Texas 78701

Dear Mr. Berglund:

We have reviewed TxDOT's letters regarding the proposed sale of the property located at the NEC of S. Lamar and Ben White Blvd., Austin, Travis County, Texas.

The City of Austin IS NOT interested in purchasing this property.

The City of Austin WAIVES the priority right to purchase this property.

Sincerely,



Mr. Marc Ott
City Manager
City of Austin
P.O. Box 1088
Austin, Texas 78767

Date: _____, 2016

Untitled Map

Write a description for your map.

Legend

-  L24-072-408
-  Untitled Polygon




Google earth

© 2016 Google

N

500 ft

Approximately One-half Acre of TXDOT Right-of-Way
at S Lamar Blvd & W Ben White Blvd



City of Austin

Real Estate Services


0 25 50 Feet

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This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Office of Real Estate Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.


Produced by CBoas, 4/11/2016




Lot Lines




Existing Easements




Fire Hydrant




Solar Powered Control Box




Gas, Water & Drain Features




Area of Interest




High Pressure Natural Gas Line




Storm Water Fitting



Storm Water Pipe



Water Utility Fitting



Water Utility Main

2012-13 Aerial Imagery, City of Austin