



Recommendation for Action

File #: 21-2868, **Agenda Item #:** 114.

9/30/2021

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the Burnet Road Corridor Project for public use, reducing vehicular delay, improving the effectiveness of transit, creating continuous ADA-compliant sidewalks, and continuous bicycle facilities, by the acquisition of a Sidewalk, Trail and Recreation Easement comprising approximately 0.0562 of an acre of land (approximately 2,450 square feet), being out of and a portion of the James P. Wallace Survey No. 18, Abstract No. 792 in the City of Austin, Travis County, Texas, being a portion of Lot 6, Block "A", Resubdivision of Blocks "A" and "B", Waterford Centre, a subdivision of record in Book 95, Page 314, Plat Records, Travis County, Texas in the amount of \$206,637.00. The owner of the needed property is Northcross Holdings, Inc., a Texas corporation formerly known as Friendly Car Care, Inc., a Texas corporation. The property is located at 9110 Burnet Rd., Austin, Texas 78758 -5204. The general route of the project is along Burnet Road between Koenig Lane to MoPac Expressway.

Lead Department

Office of Real Estate Services.

Fiscal Note

Funding is available in the Fiscal Year 2020-21 Capital Budget of the Austin Transportation Department.

Prior Council Action:

September 3, 2020 - City Council approved an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple or acquire other real property interest in properties throughout the City that are necessary to construct mobility improvements for the Corridor Construction Program in a total amount not to exceed \$23,000,000 establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3 (Relocation Benefits).

For More Information:

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Additional Backup Information:

This request is related to Corridor Construction Program improvements, which are funded by the 2016 Mobility Bond.

The general route of the project is along Burnet Road between Koenig Lane to MoPac Expressway. The project is expected to reduce vehicular delay, improve the effectiveness of transit, create continuous ADA-compliant sidewalks, and continuous bicycle facilities along the entire length of the project. The property to be acquired by virtue of this request will be utilized for a Sidewalk, Trail and Recreation Easement construction, a shared-use-path route and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists. This roadway and shared-use-path is a critical component of the project.

The City of Austin has attempted to purchase the needed property at 9110 Burnet Rd., Austin, Texas 78758-5204. The city and property owner have been unable to agree on the value of the needed acquisition. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.

Strategic Outcome(s):

Mobility, Safety.