



Recommendation for Action

File #: 22-2047, Agenda Item #: 77.

6/9/2022

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the Oak Hill Parkway Water Relocation Project for the public use of accommodating roadway improvements, relocation of wastewater infrastructure in conflict, and the acquisition of one water line easement being approximately an 0.103 acre (4,502 sq. ft.) easement located in Tract 1: Lot 2, Westoaks Section Three, according to the map or plat thereof, recorded in Volume 19, Page 61, Plat Records, Travis County, Texas. Tract 2: 0.787 acres of land, more or less, out of the J.P. Johannesen Survey in Travis County, Texas, and described by metes and bounds in Exhibit "A" recorded in Volume 12588, Page 2140, Real Property Records of Travis County, Texas, more commonly known as 8319 Haskel Drive, Austin, Texas 78736-3171. Save, less and accept from the above-described tracks that certain 0.173 acre tract of land awarded to the State of Texas by virtue of Judgement of Court in Absence of Objection dated November 13, 2020, under Condemnation Suit in Cause C-1-CV-20-002516, Probate Court No.1, Travis County, Texas, a certified copy being recorded in Document Number 2020243012, Official Public Records, Travis County, Texas, currently appraised at \$26,123 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Tracy Lane Schagen a/k/a Tracy Schagen. The property is located at 8319 Haskel Drive, Austin, Texas 78736. The general route of the project is SH 71 at Silvermine Drive to US 290 at Circle Drive, beginning at William Cannon Drive, in Travis County, Texas.

Lead Department

Financial Services Department.

Fiscal Note

Funding in the amount of \$26,123 is available in the Fiscal Year 2021-2022 Capital Budget of Austin Water.

Prior Council Action:

February 20, 2020 - Approval of Advance Funding Agreement with Texas Department of Transportation for Relocation of Existing Utilities in conflict with the Oak Hill Parkway Improvement Projects approved on consent on a 10-0 vote with Mayor Pro Tem Garza was off the dais.

For More Information:

Michael Gates, Financial Services Department, (512) 974-5639; Diana Justice, Financial Services Department, (512) 974-7170; Adewale Odufuye, Public Works Department, (512) 974-7119.

Council Committee, Boards and Commission Action:

February 12, 2020 - Recommended by the Water & Wastewater Commission on a 7-0 vote with Commissioners Ho, Michel, and Schmitt absent and Commissioner Parton off the dais.

Additional Backup Information:

This project is for the relocation and adjustments of existing water and wastewater lines and appurtenances in conflict with Texas Department of Transportation's (TxDOT) Oak Hill Parkway project, located at the convergence of US Highway 290 and US Highway 71. The work consists of relocating approximately 561

linear feet of 30-inch diameter water line, 2,712 linear feet of 24-inch diameter water line, 23,904 linear feet of 16-inch diameter water line, 5,954 linear feet of 12-inch diameter water line, 908 linear feet of 8-inch diameter water line, 4,987 linear feet of 36-inch diameter wastewater line, 66 linear feet of 30-inch diameter wastewater line, 110 linear feet of 18-inch diameter wastewater line, 200 linear feet of 15-inch diameter wastewater line, 6,674 linear feet of 8-inch diameter wastewater line; and 269 linear feet of 6-inch diameter wastewater line, including appurtenances.

Austin Water's existing water and wastewater lines are required to be relocated to accommodate the proposed roadway improvements, and the agreement with TXDOT will allow those lines in conflict to be relocated. This project brings together the efforts of TxDOT and Austin Water in the design and construction of the roadway improvements and utility adjustments to minimize impacts to the public and save costs.

The City has attempted to purchase the needed property at 8319 Haskel Drive, Austin, Texas 78736. 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, and to authorize the City to pay for the property interest in an amount determined by the appraisal, updated appraisal(s), or a Special Commissioners' award.

Strategic Outcome(s):

Government that Works for All.