



Recommendation for Action

File #: 22-2541, **Agenda Item #:** 94.

9/1/2022

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the William Cannon Drive Corridor Project for the public use of reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act accessible sidewalks, bicycle facilities, separate or shared-use paths, address congestion, and enhance safety for pedestrians and cyclists along the entire length of the project, the acquisition of a sidewalk, trail, and recreational easement comprising approximately 0.0204 of an acre of land (approximately 887 square feet) and a temporary construction easement of approximately 0.0059 of an acre of land (approximately 255 square feet), being out of and a portion of the Theodore Bissell League, Survey No. 18, Abstract No. 3, being a portion of Lot 2, Cannon Oaks Subdivision, a subdivision recorded in Volume 87 Pages 32A - 32B of the Plat Records, City of Austin, Travis County, Texas, currently appraised at \$87,802 and is subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Cannon Oaks, L.L.C. This property is located at 3421 W. William Cannon Drive, Austin, Texas 78745. The general route of the project is along William Cannon Drive between Southwest Parkway to McKinney Falls Parkway.

Lead Department

Financial Services Department.

Fiscal Note

Funding is available in the 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 William Cannon Drive between Southwest Parkway to McKinney Falls Parkway. The project is expected to reduce vehicular delay, improve effectiveness of transit, create continuous Americans with Disabilities Act accessible sidewalks, continuous bicycle facilities, separate or shared-use paths, address congestion, and enhance safety for pedestrians and cyclists. The property to be acquired by virtue of this request will be utilized for construction of the items mentioned above. The acquisition

of this parcel in Sidewalk, Trail and Recreational Easement and Temporary Construction Easement is a critical component of the project.

The City of Austin has attempted to purchase the needed property at 3421 W. William Cannon Drive, Austin, TX 78745. 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):

Mobility, Safety.