



MEMORANDUM

TO: Mayor and Council

FROM: Alex Gale, Interim Officer, Office of Real Estate Services

DATE: January 24, 2019

SUBJECT: Resolution No. 20170928-056-Montopolis Negro School Property at 500 Montopolis Drive, 4th Update

On September 28, 2017, City Council approved Resolution No. [20170928-056](#) directing staff to negotiate for the acquisition of property located at 500 Montopolis Drive which houses the Montopolis Negro School, one of the last remaining vestiges of segregated education in the Austin community.

On June 28, 2018, City Council approved Resolution No. [20180628-081](#) authorizing the Law Department to acquire the property through eminent domain proceedings. In adherence with the requirements mandated by Chapter 21 of the Texas Property Code, the condemnation hearing (formally known as a Special Commissioners' Hearing) was held on Tuesday January 22, 2019 to determine the compensation owed the owner for the property being acquired by the City. The City attested to a value of \$464,000 at the hearing and the Special Commissioners assessed an award for that amount.

The City will have immediate possession of the property upon the deposit of the award with the Registry of the Court. The deposit of the award with the Registry of the Court typically occurs within two weeks of the hearing date. Although the City will have possession of the property upon depositing the award, the property owner retains the right to appeal the monetary award with the county court. In the event the property owner properly files a timely objection of the award, a new judicial hearing will be conducted by the county district court as to the value of the property only.

Should the owner file a timely objection, the Office of Real Estate Services will provide a memo to Mayor and Council notifying them of that development. Please feel free to contact me at 512-974-1416 if you have any questions.

cc: Spencer Cronk, City Manager
Rodney Gonzales, Assistant City Manager
Sara Hensley, Interim Assistant City Manager
Anne Morgan, City Attorney