



City of Austin

Recommendation for Action

File #: 26-2082, **Agenda Item #:** 93.

7/23/2026

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Austin Watershed Protection's Walnut Creek-Eubank Tributary Stream Stabilization Project for the public use of stream stabilization requiring the acquisition of a drainage easement consisting of 0.0798 of one acre (3,478 square foot) easement out of the T.J. Chambers Survey, Abstract No. 7, Travis County, Texas, being a portion of Lot 10, Block A, North Park Estates, a subdivision of record in Book 28, Page 16, Plat Records, Travis County, Texas, said Lot 10 being a portion of that tract conveyed to Marcos Acosta and Camille Acosta by General Warranty Deed with Vendor's Lien dated October 15, 2019, as recorded in Document Number 2019161805, Official Public Records, Travis County, Texas, currently appraised at \$29,563, subject to an increase in value based on updated appraisals, a Special Commissioner's award, negotiated settlement, or judgment. The owners of the needed property are Marcos Acosta and Camille Acosta. The property is located at 906 North Bend Drive Austin, TX 78758. The general route of the project is within Walnut Creek's designated Eubank Tributary, from North Bend Drive to the west turn of Eubank Drive. Funding: \$29,563 is available in the Capital Budget of Austin Watershed Protection.

Lead Department

Austin Financial Services.

Fiscal Note

Funding is available in the Capital Budget of Austin Watershed Protection.

For More Information:

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Additional Backup Information:

This proposed drainage easement acquisition is for stream stabilization in the Eubank Tributary watershed. Urbanization in this area has increased impervious surfaces, leading to more frequent storm runoff and the deepening and widening of the stream. The resulting instability of streambanks has led to erosion of commercial and residential properties, damage to infrastructure, and habitat loss. The project aims to stabilize the channel and improve habitat by implementing retaining walls, slope stabilization, earthwork, planting strategies, and stormwater flow dissipation. The general route of the project is within Walnut Creek's designated Eubank Tributary from North Bend Drive to the west of Eubank Drive.

The City has attempted to purchase the needed property at 906 North Bend Drive, Austin, Texas 78758. The City and the property owner have been unable to agree on the value of the needed acquisition. The Austin City Attorney's Office 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), a Special Commissioners' award, negotiated settlement, or judgment.