



City of Austin

Recommendation for Action

File #: 25-0842, **Agenda Item #:** 88.

6/5/2025

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Walnut Creek - Eubank Tributary Stream Stabilization Project for the public use of stream stabilization requiring the acquisition of approximately 0.0197 acres (859 square feet) of drainage easement, out of the T.J. Chambers Survey, Abstract Number 7, Travis County, Texas, being a portion of Lot 7, Frank Stark Subdivision, a subdivision of record in Book 4, Page 199, Plat Records, Travis County, Texas, said Lot 7 conveyed to FC N Lamar Housing, LP by Special Warranty Deed with Vendor's Lien dated August 29, 2019, as recorded in Document Number 2019132971, Official Public Records, Travis County, Texas, currently appraised at \$3,651 subject to an increase in value based on updated appraisals, a Special Commissioner's award, negotiated settlement, or judgment. The owner of the needed property is FC N Lamar Housing, LP. The property is located at 11704 and 11706 North Lamar Boulevard, Austin, Texas 78753. 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: \$3,651 is available in the Capital Budget of the Watershed Protection Department.

Lead Department

Financial Services Department

Fiscal Note

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

For More Information

Brandon Williamson, Financial Services Department, 512-974-5666; Michael Gates, Financial Services Department, 512-974-5639; Ria Yamaguchi, Capital Delivery Services, 512-974-9125.

Additional Backup Information:

Due to urbanization in the Eubank Tributary watershed, impervious surfaces have increased, causing frequent storm runoff, deepening and widening the stream. The unstable streambanks have led to erosion of commercial and residential properties, infrastructure damage, and habitat loss requiring the purchase of this property for stream stabilization and habitat improvements through retaining walls, slope stabilization, earthwork, planting strategies, and stormwater flow dissipation.

The City has attempted to purchase the needed property at 11704 and 11706 North Lamar Boulevard., Austin, Texas 78753. 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), a Special Commissioners' award, negotiated settlement, or judgment.