



# City of Austin

## Recommendation for Action

**File #:** 24-4833, **Agenda Item #:** 85.

7/18/2024

### Posting Language

Approve an ordinance vacating approximately 0.3158 acre (13,760 square feet) of developed right-of-way to Johnson Special Land, LTD. and the State of Texas, being that certain right-of-way known as Middle Fiskville Road, traversing north from East 56th Street to East Koenig Lane.

### Lead Department

Transportation and Public Works Department

### Fiscal Note

This item has no fiscal impact.

### For More Information:

Richard Mendoza, Director, 512-974-2488; Upal Barua, Assistant Director, 512-974-7110; Curtis Beaty, Managing Engineer, 512-974-6471; Stella Deshotel, Business Process Consultant, 512-974-8054

### Council Committee, Boards and Commission Action:

March 5, 2024 - Urban Transportation Commission - Approved 7-0 vote in favor for a motion to recommend that City Council approve the right-of-way vacation, with the contingency that the vacated right-of-way remain available to pedestrians, and bicyclists, until the Shared Use Paths on the adjoining side of Airport Blvd are completed.

March 12, 2024 - Planning Commission - Approved on the consent agenda on a vote of 11-0

### Additional Backup Information:

The abutting property owner, Johnson Special Land, LTD., requests the City vacate an area of approximately 0.3158 acre (13,760 square feet) of street right-of-way of a varied width, known as Middle Fiskville Road, traversing north from East 56th Street to East Koenig Lane. Out of the approximately 13,760-square-foot tract of right-of-way proposed to be vacated, the City will vacate and separately convey an 11,022-square-foot tract to the abutting property owner, Johnson Special Land, LTD. The remaining 2,738-square-foot tract will be vacated and separately conveyed to the State of Texas, as an abutting property owner.

The Transportation and Public Works Department approved the vacation provided that the City of Austin retains a Sidewalk and Trail Easement across a portion of the area to be vacated, for certain sidewalk improvements recently constructed along East 56th Street as part of the City's mobility bond program. The Transportation and Public Works Department also approved the vacation on the condition that upon completion of the vacation, the City close the access point at Middle Fiskville Road and Airport Boulevard, and Johnson Special Land, LTD. shall as part of its development of the area to be vacated (i) remove the existing driveway, (ii) connect the ten-foot-wide shared use path currently being constructed by the City along Airport Boulevard, and (iii) make any drainage, landscaping, and utility modifications as are necessary to remove the driveway and construct the path. The Austin Water Department approved the vacation provided that the City of Austin retains a Waterline Easement over a portion of the area to be vacated, for existing facilities. The Austin Energy Department approved the vacation provided that the City of Austin retains an Electric Easement over a

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portion of the area to be vacated, for existing facilities. All other participating City departments and utility franchise holders have recommended approval.

The Transportation and Public Works Department notified property owners within 300 feet of the right-of-way vacation area via certified mail on February 8, 2024. No objections were received by the Transportation and Public Works Department. The fair market value of the 11,022 square feet of right-of-way is \$677,182. The fair market value of the 2,738-square-foot tract of right-of-way is \$78,109. The amounts of the fair market value of the right-of-way, the cost of engaging the appraiser, and the cost of sending public notices have been paid by the applicant.