



# City of Austin

## Recommendation for Action

**File #:** 24-6512, **Agenda Item #:** 37.

2/13/2025

### Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Corridor Program Project - East Martin Luther King Jr. Boulevard / Farm to Market Road (FM) 969 and the 2020 Bond Substandard Streets - Johnny Morris project for the public use of street right-of-way and construction, shared-use path route, and landscaping within the project areas to address congestion and enhance safety for pedestrians and cyclists, requiring the acquisition of approximately 1.017 acres (44,284 square feet) of street right-of-way and 0.2199 acres (9,578 square feet) of lateral support (slope) easement, being out of and a portion of James Burleson Survey No. 19, Abstract No. 4, in the City of Austin, Travis County, Texas, being out of that tract described as 33 acres (Tract 1) conveyed to Barelysola, LLC by warranty deed with vendor's lien, executed October 28, 2021, as recorded in Document No. 2021241992, Official Public Records, Travis County, Texas, currently appraised at \$36,805 subject to an increase in value based on updated appraisals or a Special Commissioners' award. The owner of the needed property is Barelysola, LLC. The property is located at 7000 FM 969, Austin, Texas 78724. The general route of the Corridor Program Project - East Martin Luther King Jr. Boulevard / FM 969 is along FM 969 between US 183 and Decker Lane. The general route of the 2020 Bond Substandard Streets - Johnny Morris project is along Johnny Morris Road between Loyola Lane and FM 969. Funding: \$36,805 is available in the Capital Budget of the Transportation and Public Works Department.

### Lead Department

Financial Services Department

### Fiscal Note

Funding in the amount of \$36,805 is available in the Capital Budget of the Transportation and Public Works Department.

### Prior Council Action:

On September 3, 2020 - Council approved the acquisition of other real property interest in properties throughout the City that are necessary to construct mobility improvements for the Corridor Construction Program.

### For More Information:

Michael Gates, Financial Services Department, 512-974-5639; Brandon Williamson, Financial Services Department, 512-974-5666; Fredrick Reza, Capital Delivery Services, 512-974-7204; Micheal Singleton, Capital Delivery Services, 512-974-2979.

### Additional Backup Information:

This proposed acquisition is related to the City of Austin Corridor Program improvements, funded by the 2016 Mobility Bond, and Johnny Morris Road improvements, funded by the 2020 Substandard Streets Bond. The projects are expected to reduce vehicular delays, improve the effectiveness of transit, and create continuous Americans with Disabilities Act compliant sidewalks with continuous bicycle facilities. The property acquisitions for this request will be utilized for street right-of-way and construction, shared-use path route, and landscaping within the project areas to address congestion and enhance safety for pedestrians and cyclists. The general route of the Corridor Program Project - East Martin Luther King Jr. Boulevard / Farm to Market 969 is along

Farm to Market 969 between US 183 and Decker Lane. The general route of the 2020 Bond Substandard Streets - Johnny Morris project is along Johnny Morris Road between Loyola Lane and Farm to Market 969.

The City has attempted to purchase the needed property at 7000 F.M. 969, Austin, Texas 78724. 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.