



## Recommendation for Action

**File #:** 23-2514, **Agenda Item #:** 92.

9/14/2023

### **Posting Language**

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Del Valle/Moore's Crossing Fire and Emergency Medical Services Station Project, for the public use of constructing a Fire and Emergency Medical Services station, requiring the fee simple acquisition of approximately 0.007 of an acre (289 square feet), being out of and a part of the Noel M. Bain Survey, Abstract No. 61 in Travis County, Texas, same being a portion of Lot 1, Block A, Stoney Ridge C-4, a subdivision recorded in Document No. 202200125 of the Official Public Records of Travis County, Texas conveyed to TCHFC Cypress Creek Land LLC by special warranty deed recorded in Document No. 2022033427 of the Official Public Records of Travis County, Texas, currently appraised at \$2,601 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is TCHFC Cypress Creek Land LLC. The property is located at 7019 Elroy Road, Austin, Texas 78617. The general route of the project is along Elroy Road.

### **Lead Department**

Financial Services Department.

### **Fiscal Note**

Funding is available in the Capital Budget of the Austin Fire Department.

### **For More Information:**

Michael Gates, Financial Services Department, 512-974-5639; Brandon Williamson, Financial Services Department, 512-974-5666; Michelle Noriega, Capital Delivery Services, 512-974-1169.

### **Additional Backup Information:**

A realignment of Elroy Rd by Travis County in 2007 resulted in a slight gap between the City's Del Valle/Moore's Crossing Fire and Emergency Medical Services station parcel and the realigned right of way. This fee simple acquisition will result in the southern boundary of the City's parcel being adjacent and parallel to the realigned right of way. This project is for the Del Valle/Moore's Crossing Fire and Emergency Medical Services Station. The general route of this project is along Elroy Road.

The City has attempted to purchase the needed property at 7019 Elroy Road. 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.