



# City of Austin

## Recommendation for Action

**File #:** 25-1258, **Agenda Item #:** 113.

7/24/2025

### **Posting Language**

Approve an ordinance to vacate approximately 1.581-acres comprising of two tracts of land in the City of Austin, Travis County, Texas. The two tracts are further described as, Tract 1: Being 1.283- acres tract of land, situated in the Jose Antonio Navarro Survey, Abstract Number 18, Travis County, Texas, being a portion of Saint Thomas Drive and Willow Bay Road, dedicated by plat of the Lexington Parke Section One, recorded in Document Number 200400121, Official Public Records, Travis County, Texas; Tract 2: Being a 0.298-acre tract of land, situated in the Jose Antonio Navarro Survey, Abstract Number 18, Travis County, Texas, being a portion of Willow Bay Road, dedicated by plat of the Lexington Parke Section One, recorded in Document Number 200400121, Official Public Records, Travis County, Texas. Both tracts are unpaved/undeveloped and varied in width of Right-of- Way, commonly known as, 11632 Saint Thomas Drive. The approximately 1.581-acres of two tracts of land will be conveyed to the abutting property owner, Meritage Homes of Texas, LLC, an Arizona limited liability company and become part of the Replat of Phase 4. This item has no fiscal impact.

### **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; Elizabeth Robinson, Interim Managing Engineer, 512-974-6312; Gilda Powers, Quality Consultant, 512-974-7092.

### **Council Committee, Boards and Commission Action:**

On April 8, 2025, reviewed by the Planning Commission and approved on a 13-0 vote.

On May 6, 2025, reviewed by the Urban Transportation Commission and approved on an 8-0 vote with Commissioner Alvarez absent and 2 vacancies.

### **Additional Backup Information:**

If approved, the city will vacate approximately 1.581 acres of the rights-of-way of Saint Thomas Drive and Willow Bay Road, streets dedicated by the plat of the Lexington Parke Section One subdivision, recorded in Document Number 200400121 of the Official Public Records of Travis County, Texas, and said land will be conveyed to the abutting property owner, Meritage Homes of Texas, LLC, an Arizona limited liability company, upon the satisfaction of any conditions of the vacation. The remainder of Saint Thomas Drive and the other streets dedicated by the plat of the Lexington Parke Section One subdivision will remain public rights-of-way, pending their construction by the developer and acceptance by the city.

Saint Thomas Drive, Willow Bay Road, and various other streets were dedicated by the plat of the Lexington Parke Section One subdivision, recorded in Document Number 200400121 of the Official Public Records of Travis County, Texas. Some of the streets in the subdivision have been constructed and accepted by the city. Some of the streets in the subdivision are pending construction and acceptance. Willow Bay Road and the

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portion of Saint Thomas Drive subject to this vacation application have yet to be constructed, but the rights-of-way have been accepted by the City through public use, particularly the construction and operation of an existing 8-inch wastewater line and wastewater manholes within the areas to be vacated.

Austin Water has approved the right-of-way vacation, provided that (1) the City reserves a wastewater lines easement from a portion of the vacation for the existing 8-inch wastewater line and wastewater manholes, so that the City will continue to possess wastewater easement rights upon the vacation of these rights-of-way, and (2) Meritage Homes of Texas, LLC first grants a separate wastewater lines easement to the City across a portion of Lot 132, Block G of the Lexington Parke Section One subdivision, so that the City will continue to possess wastewater easement rights upon any replat of the subdivision. The Law Department has also approved the right-of-way vacation provided that Meritage Homes of Texas, LLC agrees to indemnify, defend, and hold the City harmless for any claims arising out of or in any way related to the vacation of these rights-of-way. All other participating city departments and utility franchise holders have recommended approval of this right-of-way vacation application, subject to the conditions in the Master Comment Report.

The Transportation and Public Works Department's Land Management Division notified property owners within 300 feet of the right-of-way vacation area via certified mail on March 4, 2025. No objections were received by the Transportation and Public Works Department prior to the date of this posting.

The cost of public notifications was \$551.76. The fair market value of the approximately 1.581 acres of right-of-way is \$167,251, as determined by an independent appraiser. Meritage Homes of Texas, LLC has paid for the cost of the public notifications and the independent appraiser and has deposited funds with the city equal to the fair market value of the 1.581 acres. The Transportation and Public Works Department facilitated the payments concerning the public notifications and fair market value. This revenue was included in the revenue projections for the department's Fiscal Year 2024-2025 Operating Budget.