



City of Austin

Recommendation for Action

File #: 24-5570, **Agenda Item #:** 62.

9/12/2024

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the East Martin Luther King Jr. Boulevard/ FM 969 Corridor Improvement Project for the public use of street right-of-way and construction, a shared-use-path route, and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists, requiring the acquisition of 0.3496 of one acre (15,228 square foot) parcel of street right-of-way, being out of and a portion of the James Burleson Survey No. 19, Abstract No. 4, and the J.C. Tannehill Survey No. 29, Abstract No. 22, in the City of Austin, Travis County, Texas, being out of the remainder of that Tract described as 143.144 acres conveyed to Karlin Tracor Lane, LLC by Special Warranty Deed as recorded in Document No. 2020139775, Official Public Records, Travis County, Texas, currently appraised at \$448,373 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Karlin Tracor Lane, LLC, a Delaware limited liability company. The property is located at 00 Farm to Market Road 969 (FM 969), Austin, Texas, 78725 (the south side of FM 969 at the intersection of FM 969 and McBee Drive). The general route of the project is along FM 969 between United States Route 183 and Decker Lane.

Lead Department

Financial Services Department.

Fiscal Note

Funding is available in the Capital Budget of the Austin Transportation and Public Works Department.

For More Information:

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

Additional Backup Information:

On September 3, 2020 Council authorized the purchase of property throughout the City, required for the construction of mobility improvements for the Corridor Program. This required acquisition is in support of the City's Corridor Program improvements that are funded by the 2016 Mobility Bond. The acquisition supports a project that is expected to reduce vehicular delay, improve the effectiveness of transit, and create continuous Americans with Disabilities Act compliant sidewalks, and bicycle facilities along the entire length of the project. The property will be utilized for street right-of-way and construction, shared-use-path route, and landscaping within the project area that will address congestion and enhance safety for pedestrians and cyclists.

The City has attempted to purchase the needed property at FM 969, Austin, Texas 78725. 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.