



# City of Austin

## Legislation Details (With Text)

<b>File #:</b>	23-1008	<b>Status:</b>	Agenda Ready
<b>Type:</b>	Eminent Domain	<b>In control:</b>	City Council
<b>File created:</b>	12/19/2022	<b>Final action:</b>	1/26/2023
<b>On agenda:</b>	1/26/2023		
<b>Title:</b>	Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the relocation of the City's water and wastewater lines to accommodate the expansion of Interstate Highway 35, (Texas Department of Transportation's Interstate Highway-35 South Waterline Relocation: State Highway 71/Ben White Boulevard to State Highway 45 Southeast Project), for the public use of accommodating roadway improvements, relocation of water and wastewater lines in conflict with the expansion of Interstate Highway 35, the acquisition of a water and wastewater easement consisting of approximately 896 square feet (0.021 acres) and temporary working space easement consisting of approximately 868 square feet (0.02 acres), being out of and a portion of Lot 1, James H. Watson Subdivision, according to the map or plat thereof, recorded in Volume 95, Page 389, Plat Records, Travis County, Texas, in the City of Austin, Travis County, Texas currently appraised at \$41,740 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is GTY-EPP Leasing, LLC, a Delaware limited liability company. The property is located at 110 West Slaughter Lane, Austin, Texas, 78748. The general route of the project is along Interstate Highway 35 South from Ben White Boulevard to State Highway 45 Southeast.		

### Sponsors:

**Indexes:** District 2

### Code sections:

**Attachments:** 1. Map, 2. Exhibit A, 3. Exhibit B, 4. Draft Resolution, 5. Recommendation for Action

Date	Ver.	Action By	Action	Result
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### Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the relocation of the City's water and wastewater lines to accommodate the expansion of Interstate Highway 35, (Texas Department of Transportation's Interstate Highway-35 South Waterline Relocation: State Highway 71/Ben White Boulevard to State Highway 45 Southeast Project), for the public use of accommodating roadway improvements, relocation of water and wastewater lines in conflict with the expansion of Interstate Highway 35, the acquisition of a water and wastewater easement consisting of approximately 896 square feet (0.021 acres) and temporary working space easement consisting of approximately 868 square feet (0.02 acres), being out of and a portion of Lot 1, James H. Watson Subdivision, according to the map or plat thereof, recorded in Volume 95, Page 389, Plat Records, Travis County, Texas, in the City of Austin, Travis County, Texas currently appraised at \$41,740 subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is GTY-EPP Leasing, LLC, a Delaware limited liability company. The property is located at 110 West Slaughter Lane, Austin, Texas, 78748. The general route of the project is along Interstate Highway 35 South from Ben White Boulevard to State Highway 45 Southeast.

### Lead Department

Financial Services Department.

### Fiscal Note

Funding is available in the Capital Budget of Austin Water.

**For More Information:**

Michael Gates, Financial Service Department, 512-974-5639, Cathy Curtis, Financial Services Department, 512-974-5649, Adewale Odufuye, Public Works Department, 512-974-7119.

**Additional Backup Information:**

This project is for the relocation and adjustment of water and wastewater lines and appurtenances in conflict with the Texas Department of Transportation's Interstate Highway 35 Capital Express South Roadway Project. The general route of this project is along Interstate Highway-35 South from Ben White Boulevard to State Highway 45 Southeast.

The City has attempted to purchase the needed property at 110 West Slaughter Lane, Austin, Texas, 78748. 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.

**Strategic Outcome(s):**

Government that Works for All.