



## Legislation Text

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File #: 22-1024, Version: 1

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### **Posting Language**

Approve a resolution authorizing the filing of eminent domain proceedings for the Loop 360 at Westlake Waterline Relocation Project for the public use of accommodating roadway improvements, relocation of waterline infrastructure in conflict, and the acquisition of a Water Line Easement being 0.065 acre (2,849 square feet) of land out of and a part of the Burke Trammel Survey No.3, Abstract No. 768 in Travis County, Texas, same being a portion of Lot 4-A, Block A, amended plat of Lots 2-A, 3-A and 4-A, Block A of the amended plat of Lots 37-43, Block A, Davenport West P.U.D. Section 5, Phase 6, recorded in Document No. 200900133 of the Official Public Records of Travis County, Texas conveyed to San Clemente Office Partners, LLC, by Special Warranty Deed executed June 15, 2017, filed for record on June 20, 2017 and recorded in Document No. 2017098839 of the Official Public Records of Travis County, Texas in the amount of \$24,216. The owner of the needed property is San Clemente Office Partners, LLC. The property is located at 3900 North Capital of Texas Highway, Austin, Texas 78746.

### **Lead Department**

Financial Services Department-Real Estate Services.

### **Fiscal Note**

Funding is available in the Fiscal Year 2021-2022 Capital Budget of Austin Water.

### **Prior Council Action:**

August 26, 2021: Approval of an Advance Funding Agreement with Texas Department of Transportation for Relocation of Existing Utilities in the conflict with Loop 360 Improvement Project: approved on consent Council Member Pool's motion, Council Member Tovo's second on a 9-0 vote. Mayor Pro Tem Harper-Madison and Council Member Kelly were off the dais.

### **For More Information:**

Michael Gates, Financial Services Department, (512) 974-5639; Megan Herron, Financial Services Department, (512) 974-5649; Adewale Odufuye, Public Works Department, (512) 974-7119.

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

August 4, 2021: Recommended by the Water and Wastewater Commission on a 7-0 vote with Commissioner Castleberry and Commissioner Williams absent and two vacancies.

### **Additional Backup Information:**

This project is for the relocation and adjustment of existing water and wastewater lines and appurtenances in conflict with the Loop 360 Road project from Westlake Drive to Plaza on the Lake.

The work consists of relocating approximately 11,080 feet of water and 1,685 feet of wastewater lines, including appurtenances. TxDOT project scope includes lowering Loop 360 to become an underpass at Westlake Drive and Cedar Street. The construction of this relocation will be included in the TxDOT contract. TxDOT anticipates starting the letting (bid) process for the roadway and utility construction in January 2022.

The City of Austin has attempted to purchase the needed property at 3900 North Capital of Texas Highway.

Negotiations have come to an impasse. The Law Department is requesting authorization to file an action in eminent domain on behalf of the City of Austin.

**Strategic Outcome(s):**

Mobility.