



Recommendation for Action

File #: 20-2495, **Agenda Item #:** 98.

7/29/2020

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the Upper Bull Creek Greenbelt Project for the fee simple acquisition of two tracts of land being approximately 11.390 acres (496,148 square feet). Tract No. 1: being 5.000 acres of land, more or less, out of the JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 (sometimes incorrectly referenced as also being out of the James Coleman Survey No. 25, Abstract No. 169), Travis County, Texas; being that same property conveyed and described in Warranty Deed to Mark T. McAfee and Melanie O. McAfee, recorded in Volume 12604, Page 502, Real Property Records, Travis County, Texas. Tract No. 2: being 6.390 acres of land, more or less, out of the JOSPEH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 and the JAMES COLEMAN SURVEY NO. 25, ABSTRACT NO. 169, Travis County, Texas; being that same property conveyed and described in Warranty Deed to Mark T. McAfee and Melanie D. McAfee, recorded in Volume 12612, Page 643, Real Property Records, Travis County, Texas, in the amount of \$4,500,000, for the public use of park and recreation purposes. The owner of the needed property is 6315 Spicewood LP, a Texas Limited Partnership. The property is located entirely in District 10, at 6315 Spicewood Springs Road, Austin, Travis County, Texas 78759. The general route of the project is Northwest of loop 360 and South of Spicewood Springs. It will complete the Upper Bull Creek Greenbelt from Loop 360 to Canyon Vista Middle School.

Lead Department

Office of Real Estate Services.

Fiscal Note

Funding in the amount of \$4,500,000 is available in the FY2019-2020 Capital Budget of the Parks and Recreation Department.

For More Information:

Alex Gale, Office of Real Estate Services, (512) 974-1416; Megan Herron, Office of Real Estate Services, (512) 974-5649; Randy Scott, Parks and Recreation Department, (512) 974-9484.

Additional Backup Information:

This acquisition is for park and recreation purposes. It is located on Bull Creek, which was identified as a specific recommendation for parkland acquisition in the Parks and Recreation Department's Council-adopted long-range Plan, Our Parks, Our Future. It will connect the Upper Bull Creek Greenbelt trail from the north through to the Stenis tract to the south, thereby closing a critical gap in the trail system.

The acquisition is needed to complete the Upper Bull Creek Greenbelt from Loop 360 to Canyon Vista Middle School. It will also provide additional parking and trail amenities currently unavailable along Spicewood Springs Road, which has created unsafe on-street parking conditions for hikers.

This acquisition is funded through parkland dedication fees and the 2018 Parks and Recreation Bond, which included approved allocations for acquisitions such as greenbelts.

The Acquisition is made up of two tracts of land, Tract No. 1: Being 5.000 acres of land, more or less, out of the JOSEPH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 (sometimes incorrectly referenced as also being out of the James Coleman Survey No. 25, Abstract No. 169), Travis County, Texas; being that same property conveyed and described in Warranty Deed to Mark T. McAfee and Melanie O. McAfee, recorded in Volume 12604, Page 502, Real Property Records, Travis County, Texas. And Tract No. 2: Being 6.390 acres of land, more or less, out of the JOSPEH SCOTT SURVEY NO. 27, ABSTRACT NO. 722 and the JAMES COLEMAN SURVEY NO. 25, ABSTRACT NO. 169, Travis County, Texas; being that same property conveyed and described in Warranty Deed to Mark T. McAfee and Melanie D. McAfee, recorded in Volume 12612, Page 643, Real Property Records, Travis County, Texas.

The City of Austin has attempted to purchase the needed property at 6315 Spicewood Springs Road. The City and the 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 of Austin.

Strategic Outcome(s):

Health and Environment.