



## Recommendation for Action

**File #:** 21-2583, **Agenda Item #:** 113.

9/30/2021

### Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the Burnet Road Corridor Project for the acquisition of a Sidewalk, Trail and Recreational Easement comprising approximately 0.0255 of an acre of land (approximately 1,113 square feet), a Drainage Easement of approximately 0.0029 of an acre of land (approximately 125 square feet), and a Temporary Construction Easement of approximately 0.0322 of an acre of land (approximately 1,403 square feet), being out of and a portion of the James P. Wallace Survey No. 18, Abstract No. 792 in the City of Austin, Travis County, Texas, being a portion of Lot 2, Dayton-Carr Industrial Subdivision, a subdivision of record in Book 83, Pages 149A-149B, Plat Records, Travis County, Texas in the amount of \$135,964.00, for the public use of constructing a shared-use-path route and landscaping within the project area to address congestion and enhance safety for pedestrians and cyclists. The owner of the needed property is SATGURU, L.L.C., a Texas limited liability company. The property is located at 9100 Burnet Rd., Austin, Texas 78758. The general route of the project is within District 7 along Burnet Road between Koenig Lane to MoPac Expressway.

### Lead Department

Office of Real Estate Services.

### Fiscal Note

Funding is available in the Fiscal Year 2020-21 Capital Budget of the Austin Transportation Department.

### Prior Council Action:

September 3, 2020 - City Council approved an ordinance authorizing the negotiation and execution of all documents and instruments necessary or desirable to purchase in fee simple or acquire other real property interest in properties throughout the City that are necessary to construct mobility improvements for the Corridor Construction Program in a total amount not to exceed \$23,000,000 establishing acquisition and relocation guidelines, and waiving requirements of City Code Chapter 14-3 (Relocation Benefits).

### For More Information:

Michael Gates, Interim Officer, Office of Real Estate Services, (512) 974-5639; Megan Herron, Office of Real Estate Services, (512) 974-5649; Mike Trimble, Corridor Program Office, (512) 974-3442; Kathryn Potenza-Arnold, Corridor Program Office, (512) 974-7987; Anna Martin, Austin Transportation Department, (512) 974-7105.

### Additional Backup Information:

This request is related to Corridor Construction Program improvements, which are funded by the 2016 Mobility Bond.

The general route of the project is along Burnet Road between Koenig Lane to MoPac Expressway. The project is expected to reduce vehicular delay, improve the effectiveness of transit, create continuous ADA-compliant sidewalks, and continuous bicycle facilities along the entire length of the project. The property to be acquired by virtue of this request will be utilized for sidewalk, trail and recreational improvements, construction

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of drainage facilities, and a temporary construction easement to facilitate the construction. A shared-use-path route and landscaping within the project area will address congestion and enhance safety for pedestrians and cyclists. This roadway and shared-use-path is a critical component of the project.

The City of Austin has attempted to purchase the needed property at 9100 Burnet Rd., Austin, Texas 78758. 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 of Austin.

**Strategic Outcome(s):**

Mobility, Safety.