



Recommendation for Action

File #: 23-1081, **Agenda Item #:** 46.

2/23/2023

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interest needed for the North Lamar Boulevard Corridor Project for the public use of reducing delay, improving the effectiveness of transit, and creating continuous Americans with Disabilities Act-compliant sidewalks, bicycle facilities, and either separate paths or a shared-use path which will enhance safety for pedestrians and cyclists along the entire length of the project, the acquisition of a Sidewalk, Trail and Recreational Easement comprising approximately 0.01 of an acre of land (approximately 535 square feet), and a Temporary Construction Easement of approximately 0.06 of an acre of land (approximately 2,772 square feet), being out of and a portion of the John Applegait Survey No. 58, Abstract No. 29, being a portion of Lot B, Lamar Rundberg Village, a subdivision recorded in Volume 72, Page 70 of the Plat Records, City of Austin, Travis County, Texas currently appraised at \$63,619.00, subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is McDonalds Corporation, a Delaware Corporation, as successor by merger to Franchise Realty Interstate Corporation, an Illinois corporation. The property is located at 9422 North Lamar Boulevard, Austin, Texas 78753. The general route of the project is along North Lamar Boulevard between US-183 and Howard Lane.

Lead Department

Financial Services Department.

Fiscal Note

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

Prior Council Action:

September 3, 2020 - City Council approved an ordinance authorizing the acquisition of properties located throughout the City necessary to construct mobility improvements for the Corridor Construction.

For More Information:

Michael Gates, Real Estate Services Officer, Financial Services Department, (512) 974-5639; Cathy Curtis, Financial Services Department, (512) 974-5649; Mike Trimble, Corridor Program Office, (512) 974-3442; Natalie Leone, Corridor Program Office, (512) 974-3428; Anna Martin, Austin Transportation Department, (512) 974-7105.

Additional Backup Information:

This item is funded by the 2016 Mobility Bond.

The North Lamar Boulevard Corridor Project route is located between US-183 and Howard Lane. The goal of this project is to reduce vehicular delay, improve effectiveness of transit, and create continuous Americans with Disabilities Act compliant sidewalks, bicycle facilities, and separate or shared-use paths, enhancing safety along the length of the project. The property acquired through this request will be used to address improvements needed to construct the items listed above. The acquisition of a Sidewalk, Trail, and Recreational Easement and Temporary Construction Easement from this parcel is a critical project component.

The City has attempted to purchase the needed property at 9422 N Lamar Blvd., Austin, TX 78753. 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):

Mobility, Safety.