



## Recommendation for Action

**File #:** 23-1596, **Agenda Item #:** 32.

4/20/2023

### **Posting Language**

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Red Line Trail Walnut Creek Trail to Braker Lane Project for the public use of constructing sidewalk, trail, and recreational improvements requiring the acquisition of a sidewalk, trail and recreational easement consisting of two parts collectively comprising approximately a 0.0125 acre (546 square feet) easement located in the James Rogers Survey. Abstract No. 659, Travis County, Texas, and being a part of Lot 1A, Block A, Resubdivision of Braker at Burnet Section Three, recorded in Document No. 199900250 of the Official Public Records of Travis County, Texas, and as described in a deed to GREF Copeland, LP, in Document No. 2021230024, of the Official Public Records of Travis County, Texas, currently appraised at \$7,521, subject to an increase in value based on updated appraisals or a Special Commissioners' award. The owner of the needed property is GREF Copeland LP. The property is located at 2511 West Braker Lane, Austin, Texas 78758. The general route of this project is from West Braker Lane to the Northern Walnut Creek Trail along the Capital Metropolitan Transit Authority Red Line Metrorail, Travis County, Texas.

### **Lead Department**

Financial Services Department.

### **Fiscal Note**

Funding is available in the Capital Budget of the Public Works Department.

### **For More Information:**

Michael Gates, Financial Services Department, 512-974-5639; Cathy Curtis, Financial Services Department, 512-974-5649; Ana Seivert, Public Works Department, 512-974-3566.

### **Additional Backup Information:**

This acquisition is required to complete a project for the urban trails program. In coordination with Capital Metro, this project will connect to the newly planned McKalla Station south of Braker Lane, along the Metrorail Red line. The proposed work includes approximately 546 square feet of sidewalk, trail, and recreational easement.

The City of Austin has attempted to purchase the needed property at 2511 West Braker Lane, 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, 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.