



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #4 SUMMARY
Monday, August 24, 2015

Consideration of the use of eminent domain to
condemn property for the 183 South Project.

Strategic Plan Relevance: Regional Mobility Initiative
Department: Engineering / Law
Associated Costs: N/A
Funding Source: N/A
Board Action Required: Yes

Description of Matter:

The Mobility Authority must acquire additional right-of-way, related property interests, or both ("Property") from real estate that abuts or is near the existing 183 South Project right-of-way. Under the design-build contract with Colorado River Constructors, the Mobility Authority must provide the contractor with possession and use of the required additional right-of-way no later than 180 days after the Mobility Authority issues its first Notice To Proceed.

Each owner of a parcel or property interest identified on the following page has received an official written offer to purchase the Property for an amount determined by an independent, professional appraiser. The Mobility Authority is required to pay no less than the offer made for the Property.

The six parcels identified below have been identified by the right-of-way acquisition team as the most time-critical. If, for any reason, negotiations to acquire one of these properties come to an impasse, having the authority to file a condemnation suit will minimize the risk of a possible delay and additional costs.

Reference: Draft Resolutions to be provided at or before the meeting

Contact: Andrew Martin, General Counsel

Parcels to be acquired:

- A. Parcel 117 of the 183 South (Bergstrom Expressway) Project, a 0.461 acre parcel of real estate, and Parcel 117E of the 183 South (Bergstrom Expressway) Project, a 0.404 acre parcel of real estate, **owned by Randall W. Ferneau, Roberta A. Ferneau, and Robin M. Ferneau as the sole successors-in-interest to Ferneau Investments, Inc., a dissolved California corporation**, located in the 2800 block of Ed Bluestein, Austin, Travis County, Texas.
- B. Parcel 131 of the 183 South (Bergstrom Expressway) Project, a 0.217 acre parcel of real estate **owned by Ben Fuentes, Daniel C. Castro, Esther Nanez Ledesma, Edward Ledesma, Abel Ledesma, Tina Villareal, and Alfred Ledesma**, located at 6501 Regiene Road, in the 3000 block of Ed Bluestein, Austin, Travis County, Texas.
- C. Parcel 132 of the 183 South (Bergstrom Expressway) Project, a 0.673 acre parcel of real estate **owned by Brian Evans and Yoon Sin Kim**, located at 6705 Regiene Road, Austin, Travis County, Texas.
- D. Parcel 155 of the 183 South (Bergstrom Expressway) Project, a 0.131 acre parcel of real estate **owned by Sunbelt Cleveland Properties, L.P.**, located in the 2700 block of Howard Road, Austin, Travis County, Texas.
- E. Parcel 157 of the 183 South (Bergstrom Expressway) Project, a 0.163 acre parcel of real estate **owned by William E. Selman**, located in the 400 block of Bastrop Highway, Austin, Travis County, Texas.
- F. Parcel 158 of the 183 South (Bergstrom Expressway) Project, a 0.035 acre parcel of real estate **owned by 422 Bastrop Hwy., Ltd.**, located at 436 Bastrop Highway, Austin, Travis County, Texas.