

Date: May 20, 2024

Location: General Marshall Middle School, 4401 Tilley St, Austin, TX 78723

Time: 5:30 PM CST

**DETERMINATIONS OF AUSTIN INDEPENDENT SCHOOL DISTRICT PURSUANT TO
CHAPTER 26 OF THE TEXAS PARKS AND WILDLIFE CODE CONCERNING THE
ACQUISITION OF AN INTEREST IN 3.275 ACRES COMPRISING A PORTION OF THE
ANDREWS ELEMENTARY SCHOOL CAMPUS IN AUSTIN, TRAVIS COUNTY, TEXAS**

Background

Under section 26.001 of the Texas Parks and Wildlife Code, a department, agency, political subdivision, county, or municipality of this state may not approve any program or project that requires the use or taking of any public land designated and used prior to the arrangement of the program or project as a park, recreation area, scientific area, wildlife refuge, or historic site, unless the department, agency, political subdivision, county, or municipality, acting through its duly authorized governing body or officer, determines that: (1) there is no feasible and prudent alternative to the use or taking of such land; and (2) the program or project includes all reasonable planning to minimize harm to the land, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking.

The proposed program or project relates to the Andrews Elementary School Campus. In particular, Austin Independent School District ("AISD") is acquiring the City of Austin's interest in 3.275 acres of land in order to provide Andrews Elementary with a significant modernization, including renovation or renovation combined with tear down and rebuild of existing buildings to bring the permanent capacity to 522 students (the "Project"). The property being acquired is more particularly described in Exhibit A attached hereto and incorporated herein for all purposes (the "Property").

I, Jeremy Striffler, have been duly authorized by AISD to make the following determinations pursuant to Chapter 26 of the Texas Parks and Wildlife Code. All notices required under Texas law have been issued for this public hearing. Should anyone have any questions after my statements, please do not hesitate to ask.

Determination Number 1: There is no feasible and prudent alternative to the use or taking of the Property to support the construction of the Project.

There is no feasible and prudent alternative to the use or taking of the Property to support the construction of the Project. The existing facility on the Andrews Elementary School campus will be modernized, including the renovation of existing buildings or renovation combined with tear down and rebuild of portions of existing buildings to a permanent capacity of 522 students. The modernization of the facility must adhere to the education specifications adopted by the AISD Board of Trustees. The education specifications and student population set the building

requirements. Due to the unique characteristics of the Andrews Elementary School campus as a whole, the location of the campus, and the configuration of the campus, AISD does not believe that there is another site outside of the campus that would be as suitable for the needs of AISD and the community.

Determination Number 2: The Project includes all reasonable planning to minimize harm to the Property, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking of the Property.

The design of the Project includes all reasonable planning to minimize harm to the Property, as a park, recreation area, scientific area, wildlife refuge, or historic site, resulting from the use or taking of the Property. The design will include landscaping with native or adapted low maintenance grasses, shrubs, plants and trees AISD is taking all reasonable precautions to minimize harm to the trees on the Property. AISD will work to preserve healthy Protected and Heritage trees during the design phase. AISD will implement a proactive tree protection strategy for all trees planned for preservation that will be reviewed by the City Arborist during the permitting process. Additionally, the health of the trees will be monitored throughout construction. AISD has also worked with the contractor to develop a phased construction strategy that limits impacts to the site and open space. To the extent possible, the grounds will be open to the public over the duration of the project and properly secured to separate construction activity and park usage.

Executed on May 20, 2024 by:

A handwritten signature in black ink, appearing to read "Jeremy Striffler". The signature is fluid and cursive, with a large initial "J" and "S".

Jeremy Striffler
Director of Real Estate
Austin Independent School District

EXHIBIT "A"
Condemnation Description

**METES AND BOUNDS DESCRIPTION
FOR
A 3.275-ACRE TRACT**

Being a **3.275-acre tract** of land, being over and across the remaining portion of an 8.18-acre tract conveyed to Charles, N. Avery Jr., President of the Board of Trustees, Mrs. Hulon W. Black, Mrs. Garrie Bray, Thomas A. Graham, Jack S. Gray, Alden M. Mason, and Jay Smith, as members of the Board of Trustees of the Ausin Independent School District recorded in Volume 2127 Page 185 of the Deed Records of Travis County, Texas (DRTCT), being all of a 3.27-acre tract conveyed to the City of Austin of record in Volume 3388, Page 841 (DRTCT) out of the William Wilks Survey No. 29, Abstract No. 815 Travis County, Texas, said **3.275-acre tract** being more particularly described by metes and bounds as follows:

BEGINNING at a found $\frac{1}{2}$ " iron rod on the West right-of-way line at the Southern-most Northwest corner of Roanoke Drive, (a 50' right-of-way) with the intersection of Loyola Lane, (a 60' right-of-way), of "University Hills Section Two, Phase Three", a plat recorded in Book 17, Page 57 of the Plat Records of Travis County, Texas (PRTCT), the Northeast corner of said 8.18-acre tract, said 3.27-acre tract, and the herein described tract;

THENCE: With the West right-of-way line of said Roanoke Drive, Roanoke Drive, (a 50' right-of-way) of "University Hills Section Two, Phase Five, a plat of record in Book 18, Page 37 (PRTCT), and the East line of said 8.18-acre tract and said 3.27-acre tract, **South 05°47'37" East**, a distance of **423.07 feet** to a set $\frac{1}{2}$ " iron rod stamped "KFW SURVEY" (hereinafter called SET KFW), for a point of curvature of a curve to the **right** of the herein described tract;

THENCE: With said curve, having a radius of **15.00 feet**, a delta of **84°11'08"**, a chord bearing and distance of **South 36°16'23 West, 20.11 feet**, an arc length of **22.04 feet** to a SET KFW, for a point of tangency in the North right-of-way line of Lehigh Drive, (50' right-of-way), of said "University Hills Section Two, Phase Five", said 8.18-acre tract, called 3.27-acre tract, and of the herein described tract;

THENCE: With the North line of said Lehigh Drive, the South line of said 8.18-acre tract and of said 3.27-acre tract, the following two (2) courses:

1. **South 78°23'23" West**, a distance of **273.91 feet** to a SET KFW, for a point of curvature of a curve to the **right** of the herein described tract, and
2. With said curve, having a radius of **361.67 feet**, a delta of **14°30'00"**, a chord bearing and distance of **South 85°38'23" West, 91.29 feet**, an arc length of **91.53 feet** to a SET KFW, for the Southwest corner of said 3.27-acre tract and the herein described tract;

THENCE: Over and across said 8.18-acre tract, with the East lines of said 3.27-acre tract, the following five (5) courses:

1. **North 11°49'58" East**, a distance of **204.37 feet** to a SET KFW, for an exterior corner of the herein described tract,
2. **South 78°09'02" East**, a distance of **77.74 feet** to a SET KFW, for an interior corner of the herein described tract,
3. **North 11°44'58" East**, a distance of **199.88 feet** to a found $\frac{1}{2}$ " iron rod, for an interior corner of the herein described tract,

4. **North 78°13'02" West**, a distance of **201.47 feet** to a found ½" iron rod, for an exterior corner of the herein described tract, and
5. **North 27°51'58" East**, a distance of **161.05 feet** to a SET KFW in the South right-of-way line of said Loyola Lane, the North line of said 8.18-acre tract, for the Northeast corner of said 3.27-acre tract and the herein described tract;

THENCE: With the South right-of-way line of said Loyola Lane, the North line of said 8.18-acre tract and said 3.27-acre tract, the following three (3) courses:

1. **South 62°16'37" East**, a distance of **11.66 feet** to a SET KFW, for a point of curvature of a curve to the **left** of the herein described tract,
2. With said curve, having a radius of **433.79 feet**, a delta of **36°01'02"**, a chord bearing and distance of **South 80°16'37" East, 268.22 feet**, an arc length of **272.69 feet** to a SET KFW, for a point of reverse curvature of a curve to the **right** of the herein described tract, and
3. With said curve, having a radius of **15.00 feet**, a delta of **92°29'42"**, a chord bearing and distance of **South 52°02'37" East, 21.67 feet**, an arc length of **24.22 feet** to the **POINT OF BEGINNING**, containing 142,675 S.F. or **3.275 acres of land**, in Travis County, Texas. Said tract being described in accordance with a survey prepared by KFW Surveying. Basis of bearings is based on the Texas State Plane Central Zone, 4203, North American Datum of 1983 (NAD83).

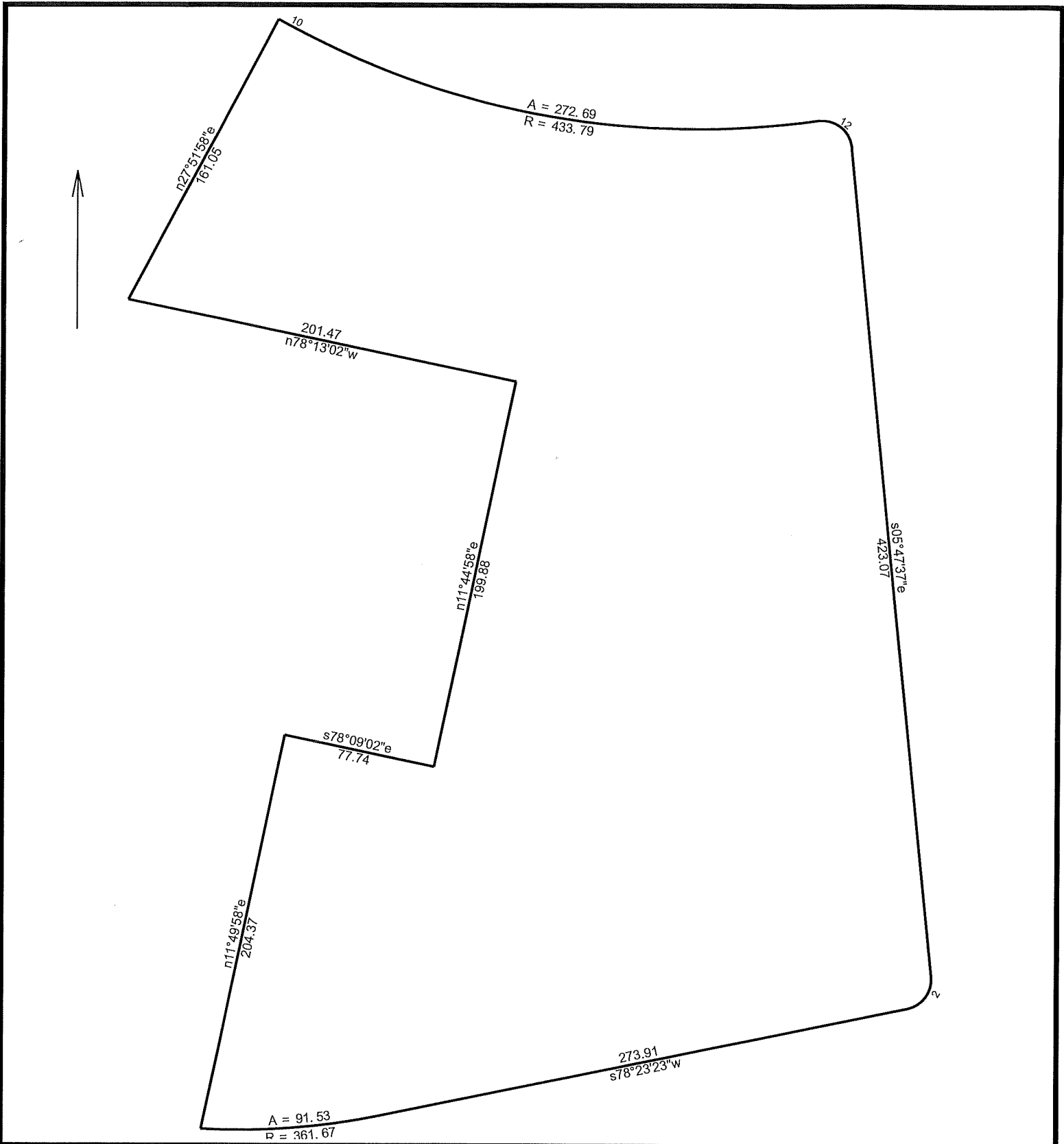
Job No.: 23-048
Prepared by: KFW Surveying
Date: February 20, 2024
File: S:\Draw 2023\23-048 Austin ISD\6801 NE Drive -Andrews Elementary\DOCS\FN 3.27AC



Saul V. Castillo



Date:



2/16/2024

Scale: 1 inch= 67 feet

File: 3.2755AC.ndp

Tract 1: 3.2755 Acres (142682 Sq. Feet), Closure: s10.1504w 0.03 ft. (1/63715), Perimeter=1964 ft.

- | | |
|---|---|
| 01 s05.4737e 423.07 | 10 s62.1637e 11.66 |
| 02 Rt, r=15.00, arc=22.04, chord=s36.1623w 20.11 | 11 Lt, r=433.79, arc=272.69, chord=s80.1637e 268.22 |
| 03 s78.2323w 273.91 | 12 Rt, r=15.00, arc=24.22, chord=s52.0237e 21.67 |
| 04 Rt, r=361.67, arc=91.53, chord=s85.3823w 91.29 | |
| 05 n11.4958e 204.37 | |
| 06 s78.0902e 77.74 | |
| 07 n11.4458e 199.88 | |
| 08 n78.1302w 201.47 | |
| 09 n27.5158e 161.05 | |