

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 4.55 ACRES COMPRISING A PORTION OF THE
PECAN SPRINGS 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 Pecan Springs Elementary School Campus. In particular, Austin Independent School District ("AISD") is acquiring the City of Austin's interest in 4.55 acres of land in order to provide Pecan Springs Elementary with a significant modernization, including the tearing down and rebuilding of existing buildings to bring the permanent capacity to 375 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 Pecan Springs Elementary School campus will be modernized, including the tearing down and rebuilding of existing buildings to a permanent capacity of 375 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

Pecan Springs 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', written in a cursive style.

Jeremy Striffler
Director of Real Estate
Austin Independent School District

EXHIBIT "A"
Condemnation Description

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CONDEMNATION DESCRIPTION

DESCRIPTION OF 4.550 ACRE (198,198 SQUARE FEET) TRACT OF LAND, BEING OUT OF THE THOMAS ELDRIDGE SURVEY NO. 26 ABSTRACT 258 SITUATED IN TRAVIS COUNTY, TEXAS. SAID 4.550 ACRE (198,198 SQUARE FEET) TRACT OF LAND BEING THE CALLED 4.55 ACRES OF LAND BEING AN UNDIVIDED ONE-FOURTH (1/4) INTEREST TO THE CITY OF AUSTIN, TEXAS AS DESCRIBED IN DEED RECORDED VOLUME 5409, PAGE 1730 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS (D.R.T.C.TX.), AND ALSO BEING OUT OF THE REMAINDER OF A CALLED 8.00 ACRE TRACT OF LAND TO THE BOARD OF TRUSTEES OF AUSTIN INDEPENDENT SCHOOL DISTRICT, AS DESCRIBED IN A DEED RECORDED IN VOLUME 1679, PAGE 101 D.R.T.C.TX.; SAVE AND EXCEPT FOR STREET DEDECATION TO THE CITY OF AUSTIN, TEXAS A 0.88 ACRE AS DESCRIBED IN VOLUME 1679, PAGE 115, D.R.T.C.TX.. AND A 920 SQUARE FEET TRACT AS DESCRIBED IN VOLUME 3498, PAGE 1160 D.R.T.C.TX., SAID 4.550 ACRE (198,198 SQUARE FEET) TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar with a yellow cap stamped Chapparral found in the westerly line of a called 11.43 acres, also called Tract Three, to Council 8441 Home Association, Inc. described in a deed recorded in Real Property Records of Travis County, Texas (R.P.R.T.C.TX.), also being the southeast corner of Tract No. Four, a called 8 acres, to Sacred Heart Parish, Inc., as described in deed recorded in Volume 5161, Page. 1693, D.R.T.C.TX., also being the northeast corner of the tract described herein;

THENCE South 28°18'35" West, with the westerly line of said 11.43 acres, the easterly line of said 4.550 acres, a distance of 638.27 feet to a calculated point in the northerly line of said 920 square feet street deed, in the existing northerly right-of-way (R.O.W.) of Rogge Lane (R.O.W. varies) and for the southeast corner of the tract described herein, from which a mag nail with a washer stamped Chapparral found for the southwest corner of said 11.43 acre tract, bears South 28°18'35" West, a distance of 0.16 feet;

THENCE North 62°24'25" West, with the northerly line of said Rogge Lane, with the northerly line of said 920 square feet tract, and the southerly line of the said 4.550 acre tract, a distance of 103.00 feet to a calculated point in the northerly line of Rogge Lane, for the southwest corner of the tract herein described and from which a 1/2" rebar found for an angle corner of Lot 1, Lamber Addition, as shown on a plat recorded in Volume 24, Page 36, Plat Records of Travis County, Texas (P.R.T.C.TX.), bears North 60°27'17" West, a distance of 471.97 feet;

THENCE over and across said 8.00 acres and the tract described herein, the following four (4) courses and distances, numbered 1-4:

- 1) North 28°18'35" East, a distance of 152.00 feet to a calculated point,
- 2) North 03°07'25" West, a distance of 301.00 feet to a calculated point,
- 3) South 86°59'35" West, a distance of 262.00 feet to a calculated point,
- 4) North 61°41'25" West, a distance of 31.49 feet to a calculated point in the easterly line said 0.88 acre being the easterly R.O.W of Reicher Drive (60' R.O.W.) as described in said Volume 1679, Page. 115, D.R.T.C.TX., for the westerly southwest corner of the tract described herein;

THENCE North 28°12'53" East, with the easterly R.O.W. line of said Reicher Drive, and with the westerly line of the said 4.550 acre tract, a distance of 357.01 feet to a 5/8" rebar set in the easterly R.O.W. line of said Reicher Drive, for the northwest corner of said 4.550 acre tract, also being the southwest corner of said Sacred Heart Parish Tract No. 4 and for the northwest corner of the tract described herein;

