



# City of Pflugerville

## Legislation Details (With Text)

**File #:** 2021-0225    **Version:** 1    **Name:**  
**Type:** Agenda Item    **Status:** Approved  
**File created:** 2/26/2021    **In control:** Engineering Dept  
**On agenda:** 3/9/2021    **Final action:** 3/9/2021  
**Title:** Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between Frank E. Martin III as Independent Executor of the Estate of Ardalía Ellen Stark Martin, Deceased (Parcel 5a) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 2 Roadway Project.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. P5a\_Martin\_Purchase Agreement, 2. P5a\_Martin\_Purchase Agreement Exhibits, 3. Kelly Lane Phase 2 ROW Exhibit\_Martin, 4. Draft Presentation\_2021-0225

Date	Ver.	Action By	Action	Result
3/9/2021	1	City Council	Approved	Pass

Authorizing the City Manager to execute a conditional purchase agreement and associated conveyance documents between Frank E. Martin III as Independent Executor of the Estate of Ardalía Ellen Stark Martin, Deceased (Parcel 5a) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 2 Roadway Project.

The Kelly Lane Phase 2 Roadway Project requires property acquisition, including the acquisition of right of way and a public utility easement necessary to construct the project. The City’s property acquisition consultant and city staff have negotiated with Mr. Frank Martin for the necessary right of way and easement. The cost of \$49,700 was agreed upon, subject to City Council approval, based on appraisals obtained by the City.

ROW acquisitions for Kelly Ln Phase 2 included eleven (11) parcels, five (5) parcels have been completed with Parcel 5a included for the last six (6) remaining parcels to be cleared. City staff continues bi-weekly coordination meetings with the ROW Agent in addition to hosting monthly Utility coordination meetings with the Utility providers for the Kelly Lane project.

Approval of this item will authorize the City Manager to execute a purchase agreement, an easement, and associated conveyance documents necessary for formal conveyance of the real property interests.

**Prior City Council Action**

City Council approved a professional services agreement with Seven Arrows Land Staff, LLC. In the amount of \$93,750.00 for right-of-way services for the Kelly Lane Phase 2 project on February 25, 2020.

City Council approved a professional Services Agreement with JMT for professional Services associated with the Kelly Lane Project in the amount \$1,157,068.88.

Supplemental Agreement No. 1 with JMT was approved by City Council September 10, 2019 for \$44,255.00 to prepare alignment alternatives for the east terminus of Kelly Lane.

Supplemental Agreement No. 2 with JMT was approved March 10, 2020 for an amount \$49,058.68 to increase geotechnical services and subsurface utility evaluation (SUE).

Supplemental Agreement No. 3 with JMT was approved July 28, 2020 for an amount \$455,311.85 to provide additional professional engineering services for drainage and construction phase services.

**Deadline for City Council Action**

Action is requested on March 9, 2021.

**Funding Expected:** Revenue  Expenditure  N/A

**Budgeted Item:** Yes  No  N/A

\*This portion of this Capital Improvement Project is funded by the 2018 General Obligation Bond Program.

**Amount:** \$49,700.00

**1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  Date Completed: 2/25/2021

**Supporting documents attached**

- Purchase Agreement
- Kelly Lane Phase 2 ROW Exhibit Martin
- Draft Presentation

**Recommended Action**

Authorize the City Manager to execute a conditional purchase agreement and associated conveyance documents between Frank E. Martin III as Independent Executor of the Estate of Ardalina Ellen Stark Martin, Deceased (Parcel 5a) and the City of Pflugerville as necessary to acquire real property interests for the Kelly Lane Phase 2 Roadway Project.