



# City of Austin

## Recommendation for Action

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**File #:** 25-2354, **Agenda Item #:** 61.

11/20/2025

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### **Posting Language**

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the LBL CKT1015 Project in support of the Interstate Highway 35 (IH-35) Capital Express Lady Bird Lake Project for the public use of relocating various utility structures requiring the acquisition of permanent electric transmission and distribution easement consisting of 0.0040 of one acre (174 square foot) of a permanent electric transmission and distribution easement, out of Outlot 55, Division "O", City of Austin, Travis County, Texas, being a portion of Lot 12A, Resubdivision of Lots 11 and 12, Block 3, Elm Grove Addition, a subdivision of record in Book 13, Page 61, Plat Records, Travis County, Texas, said Lot 12A being described as a Declaration of Condominium Regime for 48 Waller Street Condominiums dated February 11, 2017, as recorded in Document Number 2017036860, Official Public Records, Travis County, Texas, same being a portion of Unit A in said Condominium Regime, said Unit A conveyed to Jason S. Goss, Justin Atwell Goss, and Courtney Camille Goss, all Individually and as Members of 48 Waller Street Condominium Association, Inc., by Warranty Deed with Vendor's Lien dated June 20, 2017, as recorded in Document Number 2017100009, Official Public Records, Travis County, Texas; currently appraised at \$19,009 subject to an increase in value based on updated appraisal(s), a Special Commissioner's award, negotiated settlement or judgment. The owners of the needed property are Jason S. Goss, Justin Atwell Goss, Courtney Camille Goss, and 48 Waller Street Condominium Association Incorporated. The property is located at 48 Waller Street, Austin, Texas 78702. The general route of the project is along I-35 from Holly Street to State Highway 71/Ben White Boulevard. Funding: \$19,009 is available in the Capital Budget of Austin Energy.

### **Lead Department**

Austin Financial Services.

### **Fiscal Note**

Funding is available in the Capital Budget of Austin Energy.

### **For More Information:**

Brandon Williamson, Austin Financial Services, 512-974-5666; Michael Gates, Austin Financial Services, 512-974-5639; Amy Everhart, Austin Energy, Director, Local Government Issues (512) 322-6087; David Tomczyszyn, Austin Energy, VP Electric Systems Engineering and Technical Services, (512) 322-6821.

### **Council Committee, Boards and Commission Action:**

November 10, 2025- Recommended by the Electric Utility Commission on a 9-0 vote with Vice Chair White off the dais and Commissioner Kirksey absent.

### **Additional Backup Information:**

This proposed acquisition is required to relocate various structures along the existing Circuit 1015 to accommodate the Texas Department of Transportation's expansion of Interstate Highway 35 (I-35) as part of its I-35 Capital Express Lady Bird Lake program. The I-35 Capital Express Lady Bird Lake project runs along I-35 from Holly Street to State Highway 71/Ben White Blvd.

The City has attempted to purchase the needed property at 48 Waller Street, Austin, TX 78702. The City and

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the 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), a Special Commissioners' award, negotiated settlement, or judgment.

The State of Texas will reimburse the City for the cost to acquire these property rights, pursuant to both the Standard Utility Agreement executed between the parties regarding the relocation of Circuit 1015 and the Settlement Agreement in Case No. C-1-PB-24-001200 in Travis County Probate Court No. 1, concerning the State's condemnation of the City's property at 1007 Lambie Street.