



City of Austin

Recommendation for Action

File #: 24-5572, Agenda Item #: 64.

9/12/2024

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed for the Cap Ex South, CKT987&1031 Structure Relocation 2021 Project for the public use of the relocating transmission electric structures and lines to accommodate the Texas Department of Transportation's expansion of Interstate Highway 35 (I-35), requiring the acquisition of a Permanent Electric Transmission and Distribution Easement, consisting of a 0.1530 of one acre (6,668 square foot) easement consisting of two parts being a portion of Lots 1A and 2A, Forrest C. Walker Subdivision, a Subdivision recorded in Book 75, Page 219; and a Temporary Construction Easement, consisting of a 0.0734 of one acre (3,196 square foot) easement being a portion of Lot 2A Forrest C. Walker Subdivision, a Subdivision recorded in Book 75, Page 219 Official Public Records of Travis County, Texas, from Long Real Estate Holdings, LLC, a Texas limited liability company. The property is currently appraised at \$556,853, subject to an increase in value based on updated appraisals or a Special Commissioner's award. The owner of the needed property is Long Real Estate, LLC, a Texas limited liability company. The property is located at 6900 and 6940 South I-35, Austin, Texas, 78745. The general route of the project is along I-35 from State Highway (SH) 71 south to SH 45.

Lead Department

Financial Services Department.

Fiscal Note

Funding is available in the Capital Budget of Austin Energy.

For More Information:

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Council Committee, Boards and Commission Action:

September 9, 2024 - To be reviewed by the Electric Utility Commission.

Additional Backup Information:

Various structures along the existing circuits 926, 927, 987, and 988 require relocation to accommodate the Texas Department of Transportation (TxDOT) expansion of Interstate Highway 35 (I-35) as part of its I-35 Capital Express program that runs along I-35 from State Highway 71 south to State Highway 45.

The relocation of the circuit adjacent to the properties at 6900 and 6940 South I-35 requires the City to purchase an electric easement across Lots 1A and 2A, Forrest C. Walker Subdivision, a Subdivision recorded in Book 75, Page 219 of the Official Public Records of Travis County, Texas. The City previously acquired a waterline easement across the same property through condemnation in 1986.

The City has attempted to purchase the needed properties at 6900 and 6940 South I-35, Austin, Texas. The

City and 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), or a Special Commissioners' award.