



City of Austin

Recommendation for Action

File #: 24-5571, Agenda Item #: 63.

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 for the public use of 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 Temporary Construction Easement, consisting of a 0.0703 acre (3,062 square foot) easement out of the Santiago Del Valle Survey No. 24, Travis County, Texas. Being a portion of Lot 1E Mrs. Rosa J. Spillman Estate, a Subdivision Recorded October 15, 1956, in Book 8, Page 15, Plat Records of Travis County, Texas, from Emil E. Spillmann, Stephanie S. Koch & Stacy S. Greene, Charlene W. Spillmann, Charles Douglas Spillmann, Mildred Anne Witt, Carl G. Knappe, Luanne Pillsbury Slaughter, Lexine Spillmann, and Sherrill D. Spillmann Oates and the Estate of Richard D. Spillmann. The property is currently appraised at \$20,209, subject to an increase in value based on updated appraisals or a Special Commissioner's Award. The owner of the needed property is Charlene W. Spillmann, also known as Charlene Wilna Spillmann, Emil Edward Spillmann and Emil E. Spillmann as to a Life Estate Interest, Charles Douglas Spillmann, also known as Charles D. Spillmann, Mildred Anne Witte, Carl G. Knappe, Luanne Pillsbury Slaughter, Lexine Spillmann, Individually and Lexine Trisha Spillmann, Independent Executor of the Estate of Richard Dale Spillmann, Deceased and the Unknown Trustees of the Revocable Trust Agreement executed December 18, 1999 as defined in the Will of Richard Dale Spillmann, Deceased under Cause No. PB-20-002458 Probate Court No. 1, Travis County, Texas, Stephanie Spillmann Koch, Stacy Spillmann Greene, Sherrill D. Spillmann Oates. The property is located at South Interstate Highway 35, Austin, Texas 78748 (Premises Identification 430743). The general route of the project is along I-35 from State Highway 71 south to State Highway 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 property at South I-35, requires the City to purchase a Temporary Construction easement across Santiago Del Valle Survey No. 24, Travis County, Texas. Being a portion of Lot 1E Mrs. Rosa J. Spillman Estate, a Subdivision Recorded October 15, 1956, in Book 8, Page 15, Plat Records of Travis County, Texas

The City has attempted to purchase the needed property at 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.