

AGENDA



Recommendation for Council Action

AUSTIN CITY COUNCIL

Regular Meeting: December 13, 2018

Item Number: 049

Eminent Domain

Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of approximately 0.333 acres (14,524 square feet) of land in a part of Lot 1, Block A, Scofield Ranch Retail Subdivision, a Subdivision in Travis County, Texas, according to the Plat recorded in Document No. 200100026, Official Public Records Travis County, Texas, the said Lot 1 being described to HD Development Properties LP, in that certain warranty deed recorded in Document No. 2003211517 of which, both documents are recorded in the official public records of Travis County, Texas, in the amount of \$100,144. The owner of the needed property interest is HD Development Properties LP, a Georgia limited partnership, now known as HD Development of Maryland, Inc., a Maryland Corporation. The property is located entirely in District 7, at 13309 North IH-35, Austin, Texas 78753. The general route of the project is along the south side of Avenue N and West Howard Lane from the Howard Lane Substation on Gardenia Drive to the east side of Center Line Pass into the Techridge Substation.

District(s) Affected: District 7

Lead Department	Austin Energy
Fiscal Note	Funding in the amount of \$100,144 is available in the Fiscal Year 2018-2019 Capital Budget of Austin Energy.
Prior Council Action	
For More Information	Jeff Vice, Director, Local Government Issues (512) 322-6087; Dan Smith, VP, Electric Service Delivery, (512) 505-7009; Pamela England, Manager, Public Involvement & Real Estate Services, (512) 322-6442, Angela Rodriguez, Staff Attorney, Law Department (512) 974-6032.

Council Committee, Boards and Commission Action	November 19, 2018 - Recommended unanimously by the Electric Utility Commission on an 8-0 vote with Commissioners Osborne and Wray absent, and one vacancy.
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Additional Backup Information:

This project will upgrade the 1.7-mile Techridge-Howard Lane 138kV transmission line. One of the upgraded circuits (Circuit 1004) will be terminated at Howard Lane. The second circuit will bypass Howard Lane and tie into the existing Howard Lane-Jollyville 138kV transmission line (Circuit 961) to create a new Techridge-Jollyville circuit.

The upgrades are necessary for increased safety and reliability, as well as improved connectivity within the overall electric service system. Austin Energy identified 11 easement tracts required for this upgrade project. To date, six property owners have accepted appraised values. The remaining tracts are in negotiations for acquisition.

The current fair market value of the HD Development tract, as determined by an independent, third-party appraiser, is \$100,144. The City attempted to purchase the needed property for this amount however; the City and the property owner were unable to agree on the value of the tract. The Law Department requests authorization to file an action in eminent domain on behalf of the City of Austin.