



Recommendation for Action

File #: 19-3701, Agenda Item #: 80.

12/5/2019

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings for the acquisition of easement rights consisting of an approximately 0.046 of one acre (2,021 square feet) parcel of land situated in the J.P. Wallace Survey, in Travis County, Texas, being a portion of Lot 1-A, Resubdivision of Lots A and B Powell Lane Subdivision, Section Two, Recorded in Volume 33, Page 30 of the Plat Records, Travis County, Texas, said Lot 1-A being described in a Special Warranty deed with Vendor's Lien to Fatima RE, Inc., recorded in Document No. 2010115102 of the Official Public Records Travis County, Texas, in the amount of \$55,638 for the public use of upgrading the capacity of the overall electric system, and ensuring the distribution of safe and reliable electric services to the community. The owner of the property interest is Fatima RE, Inc., a Texas Corporation. The property is located entirely within District 4, at 8201 N. Lamar Blvd., Austin, Texas 78753. The general route of the project is along the east side of N. Lamar Blvd. from the Justin Lane Substation on North Lamar Blvd., crossing Lamar Blvd. at Wagon Trail Road from there the circuit traverses the North Park Estates and Gracywoods neighborhoods until it reaches the McNeil Substation on Knollpark Drive., in Austin, Travis County, Texas.

Lead Department

Austin Energy

Fiscal Note

Funding in the amount of \$55,638 is available in the Fiscal Year 2019-2020 Capital Budget of Austin Energy.

For More Information:

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Council Committee, Boards and Commission Action:

November 18, 2019 - Recommended by the Electric Utility Commission on a 7-0 vote, with Vice Chair Hopkins and Commissioners Funkhouser and Wray absent, and Hadden off the dais.

Additional Backup Information:

This project will upgrade the four-mile Circuit 811 transmission line from 69kV to 138kV to provide redundancy and increase reliability of the electric service system.

Additional easement widths are necessary for safety and clearance requirements pursuant to the National Electric Safety Code, and for access and maintenance of Circuit 811. Austin Energy identified 103 easement tracts necessary for this upgrade project. To date, 36 property owners have accepted appraised values; 26 are unwilling to accept the appraised values; and 41 are in negotiations.

The current fair market value of the 8201 N. Lamar tract, as determined by an independent, third-party appraiser, is \$55,638. 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.

