Posting Language
Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire a permanent electric transmission and distribution easement for Austin Energy needed for the Capital Express Central CKT823, 834, & 835 Structure Relocation 2021 Project requiring the acquisition of permanent easement consisting of approximately 0.0198 acres (861 square feet) out of Outlots 20 and 21, Division "C", City of Austin, Travis County, Texas, being a portion of Lot 6, Block 2, Resubdivision of Block 5 Plainview Heights, a subdivision of record in Book 4, Page 53, Plat Records, Travis County, Texas, said Lot 6 conveyed to Sean H. Nayebi-Oskoui an unmarried person, and Michael N. Nayebi-Oskoui, an unmarried person, by Warranty Deed with Vendor's Lien dated June 5, 2024, as recorded in Document No. 2024062333, Official Public Records, Travis County, Texas, currently appraised at $69,526 subject to an increase in value based on updated appraisals, a Special Commissioner's award, negotiated settlement, or judgment. The owners of the needed property are Sean H. Nayebi-Oskoui and Michael N. Nayebi-Oskoui. The property is located at 1008 E 38th ½ St., Austin, Texas 78751. The general route of the CKT823 portion of this project is along E 38th ½ Street, running east, across Interstate Highway 35 to Robinson Avenue. Funding: $69,526 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:
September 14, 2026 - to be reviewed by the Electric Utility Commission.

Additional Backup Information:
This specific portion of the project is for Austin Energy Circuit 823, one of three circuits included in the Capital Express Central CKT823, 834, & 835 Structure Relocation 2021 Project intended to relocate various transmission structures along the existing circuits 823, 834, & 835 to accommodate the Texas Department of Transportation's expansion of Interstate Highway 35 (I-35) as part of the I-35 Capital Express program. This section of the CKT823 Project is along E 38th ½ Street, running east across Interstate Highway 35 to Robinson Avenue. This easement is necessary for safety and clearance requirements pursuant to the National Electrical Safety Code.

The City has attempted to purchase the needed property at 1008 E 38th ½ St., Austin, Texas 78751. The City and property owners 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.