City of Austin

Recommendation for Action

File #: 26-3008, **Agenda Item #:** 82. 11/19/2026

Posting Language

Approve a resolution authorizing the filing of eminent domain proceedings and payment to acquire the property interests needed in support of Austin Energy's Capital Express Central CKT823, 834, & 835 Structure Relocation 2021 Project for the public use of relocating various transmission structures along the existing Circuits 823, 834, & 835 to accommodate the Texas Department of Transportation's expansion of Interstate Highway 35 as part of the Interstate 35 Capital Express program requiring the acquisition of a permanent electric transmission and distribution easement consisting of 0.0297 of one acre (1,294 square foot) easement, out of Outlot 28, Division "C", City of Austin, Travis County, Texas, being a portion of Lot 5, Block B, Dancy Addition, a subdivision of record in Book 2, Page 149, Plat Records, Travis County, Texas, said Lot 5 conveyed to Amy Lucinda Averett by Special Warranty Deed dated January 29, 2008, as recorded in Document Number 2008022217, Official Public Records, Travis County, Texas, currently appraised at $104,491 subject to an increase in value based on updated appraisals, a Special Commissioners' award, negotiated settlement, or judgment. The owner of the needed property is Amy Lucinda Averett. The property is located at 2706 Dancy Street, Austin, Texas 78722. The general route of the Circuit 835 portion of this project is located along Dean Keeton Street and runs east across Interstate Highway 35 to Dancy Street. Circuit 823 is located along East 38 ½ Street, and Circuit 834 is located along the north and south sides of Dean Keeton Street. Funding: $104,491 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:

November 9, 2026 - To be reviewed by the Electric Utility Commission.

Additional Backup Information:

This specific portion of the project is for Austin Energy Circuit 835, 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 as part of the Interstate Highway 35 Capital Express program. This section of the CKT835 Project is along Dean Keeton Street, running east across Interstate Highway 35 to Dancy Street. 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 2706 Dancy Street, Austin, Texas 78722. The City

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and the 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), a Special Commissioners' award, negotiated settlement, or judgment.