

LCRA Transmission Services Corporation

Board Agenda

Wednesday, June 21, 2023
LCRA General Office Complex
Board Room – Hancock Building
3700 Lake Austin Blvd.
Austin, TX 78703
Earliest start time: 10:15 a.m.

Items From the Chair

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Consent Items

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3. Minutes of Prior Meeting..... 8

Action Items

4. Capital Improvement Projects Approval 12
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in Travis County..... 19
7. Acquisition of Interests in Real Property – Use of Eminent Domain
in Gillespie County..... 27

***This agenda item requires the approval of 12 members of the Board.**

Executive Session

The Board may go into executive session on any item listed above, pursuant to Chapter 551 of the Texas Government Code, including, but not limited to, sections 551.071, 551.072, 551.074, 551.076, 551.086, 551.089 and 418.183(f) of the Texas Government Code.

Legal Notice

Legal notices are available on the Texas secretary of state website 72 hours prior to the meeting at the following link: <https://www.sos.texas.gov/open/index.shtml>

OVERVIEW OF LCRA TRANSMISSION SERVICES CORPORATION

In connection with the implementation of retail competition in the electric utility industry in the state of Texas, LCRA was required by the Texas Legislature in its amendments to the Public Utility Regulatory Act (enacted in 1999 under state legislation known as Senate Bill 7, and referred to as SB 7) to unbundle its electric generation assets from its electric transmission and distribution assets. LCRA conveyed, effective Jan. 1, 2002, all of its existing electric transmission and transformation assets (collectively, the Transferred Transmission Assets) to the LCRA Transmission Services Corporation (LCRA TSC) pursuant to the terms of an Electric Transmission Facilities Contract (the Initial Contractual Commitment), dated Oct. 1, 2001.

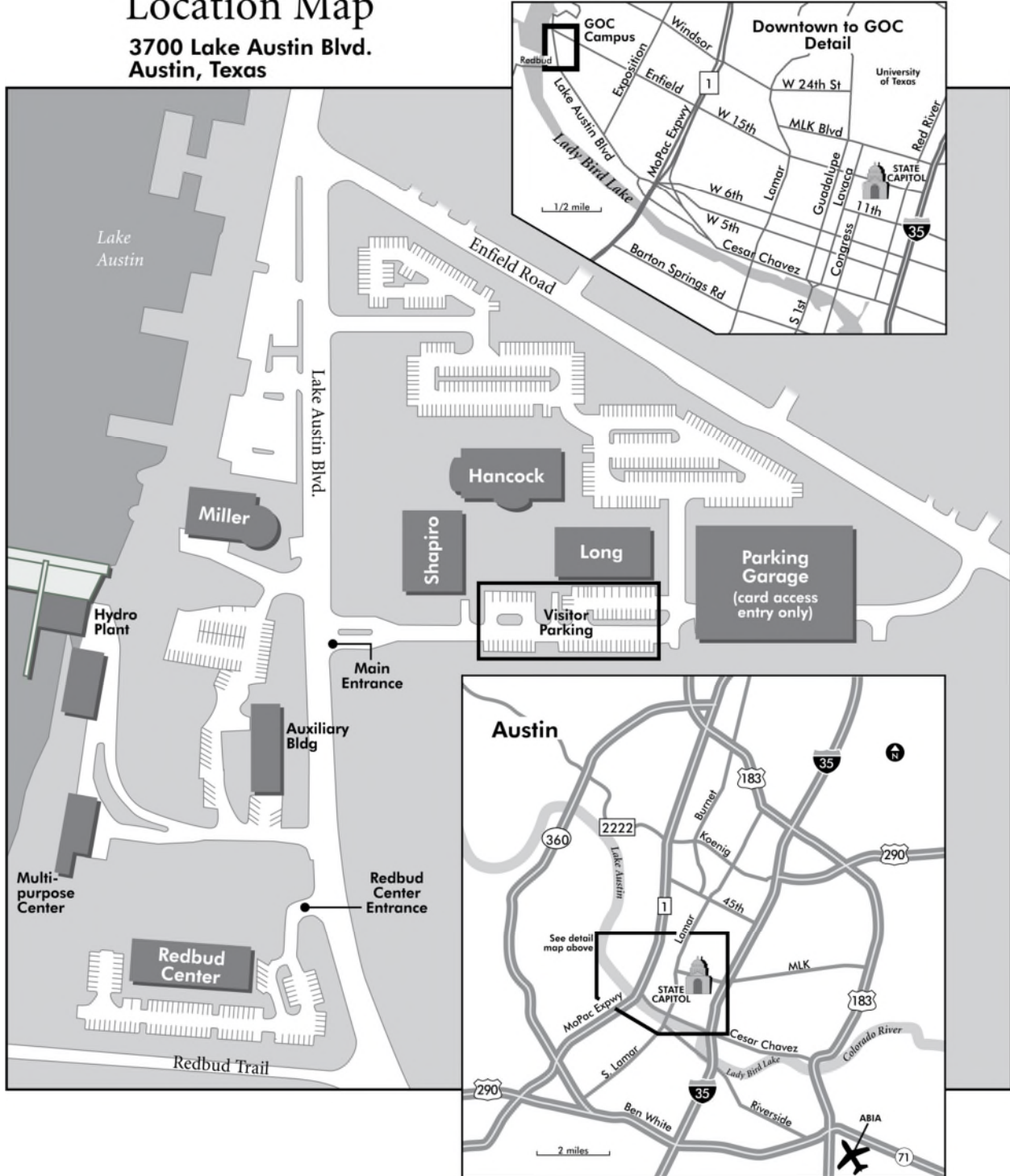
LCRA TSC is a nonprofit corporation created by LCRA to act on LCRA's behalf pursuant to Chapter 152, Texas Water Code, as amended. After Jan. 1, 2002, LCRA TSC engaged in the electric transmission and transformation activities previously carried out by LCRA and assumed LCRA's obligation to provide, and the right to collect revenues for, electric transmission and transformation services. LCRA TSC is an electric transmission service provider (a TSP) under the state's open-access electric transmission regulatory scheme within the approximately 85% area of the state covered by the Electric Reliability Council of Texas (ERCOT). In such capacity, LCRA TSC is entitled to receive compensation from all electric distribution service providers using the electric transmission system within ERCOT. As a TSP in the ERCOT region of the state, the rates that LCRA TSC will charge for transmission services are regulated by the Public Utility Commission of Texas (PUC) and determined pursuant to transmission cost of service rate proceedings filed with and approved by the PUC.

Within the framework of SB 7, LCRA TSC implements the electric transmission business of LCRA, including the expansion of electric transmission services outside of LCRA's traditional electric service territory. LCRA personnel are responsible for performing all of LCRA TSC's activities pursuant to a services agreement between LCRA TSC and LCRA. This includes procuring goods and services on behalf of LCRA TSC and is reflected in the LCRA Board agenda contracts.

Under the LCRA Master Resolution, defined as the LCRA Board resolution governing LCRA's outstanding debt, and certain provisions of state law, the LCRA Board is required to exercise control over all operations of LCRA TSC. This control includes approval of LCRA TSC's business plan and of the sale or disposition of any significant assets of LCRA TSC. The Board of Directors of LCRA TSC (LCRA TSC Board) is appointed by and serves at the will of the LCRA Board. The current membership of LCRA TSC Board is made up entirely of the existing LCRA Board.

LCRA General Office Complex Location Map

3700 Lake Austin Blvd.
Austin, Texas



FOR DISCUSSION

1. Comments From the Public

Summary

This part of the meeting is intended for comments from the public on topics under LCRA Transmission Services Corporation's jurisdiction but not related to an item on the Board of Directors agenda. No responses or action may be taken by the Board during public comments.

In order to address the Board, a member of the public is required to sign and complete the registration form at the entrance to the meeting room.

Any member of the public wishing to comment on an item listed on this agenda will be called to make comments at the appropriate time.

FOR ACTION (CONSENT)

2. Sale of Land in Williamson County

Proposed Motion

Declare a 0.337-acre tract of land in Williamson County nonessential, and authorize the president and chief executive officer or his designee to sell the property to the City of Georgetown.

Board Consideration

LCRA Transmission Services Corporation Board Policy T401 – Land Resources requires at least 12 members of the LCRA Transmission Services Corporation Board to declare the land no longer necessary or beneficial to the business of LCRA TSC before conveyance. Additionally, LCRA TSC Board Policy T401 requires LCRA TSC Board approval of the terms of all land sales before conveyance.

Budget Status and Fiscal Impact

The administrative costs associated with the sale of this land are contained in the fiscal year 2023 business plan. Proceeds from the sale of land will benefit LCRA TSC.

Summary

In 2014, LCRA TSC acquired a 3.83-acre tract from the City of Georgetown to be used as the Georgetown South Substation. Georgetown requested to purchase a 0.337-acre tract to widen Rabbit Hill Road and agreed to a sale price of \$122,382. The sale price is based on an appraisal performed by an independent and certified third-party appraiser.

The property will be sold subject to the following reservations:

1. LCRA TSC will reserve all presently held oil, gas and other mineral rights of every kind or character in, on, and under the property, provided that LCRA TSC shall not be permitted to drill or excavate for minerals on the surface of the property.
2. LCRA TSC will reserve the right to use the land for access to the substation land.

LCRA TSC representatives will complete environmental and cultural resource due diligence assessments in accordance with Board Policy T401.403 before the sale of the property.

Exhibit(s)

- A – Vicinity Map
- B – Site Map

EXHIBIT A

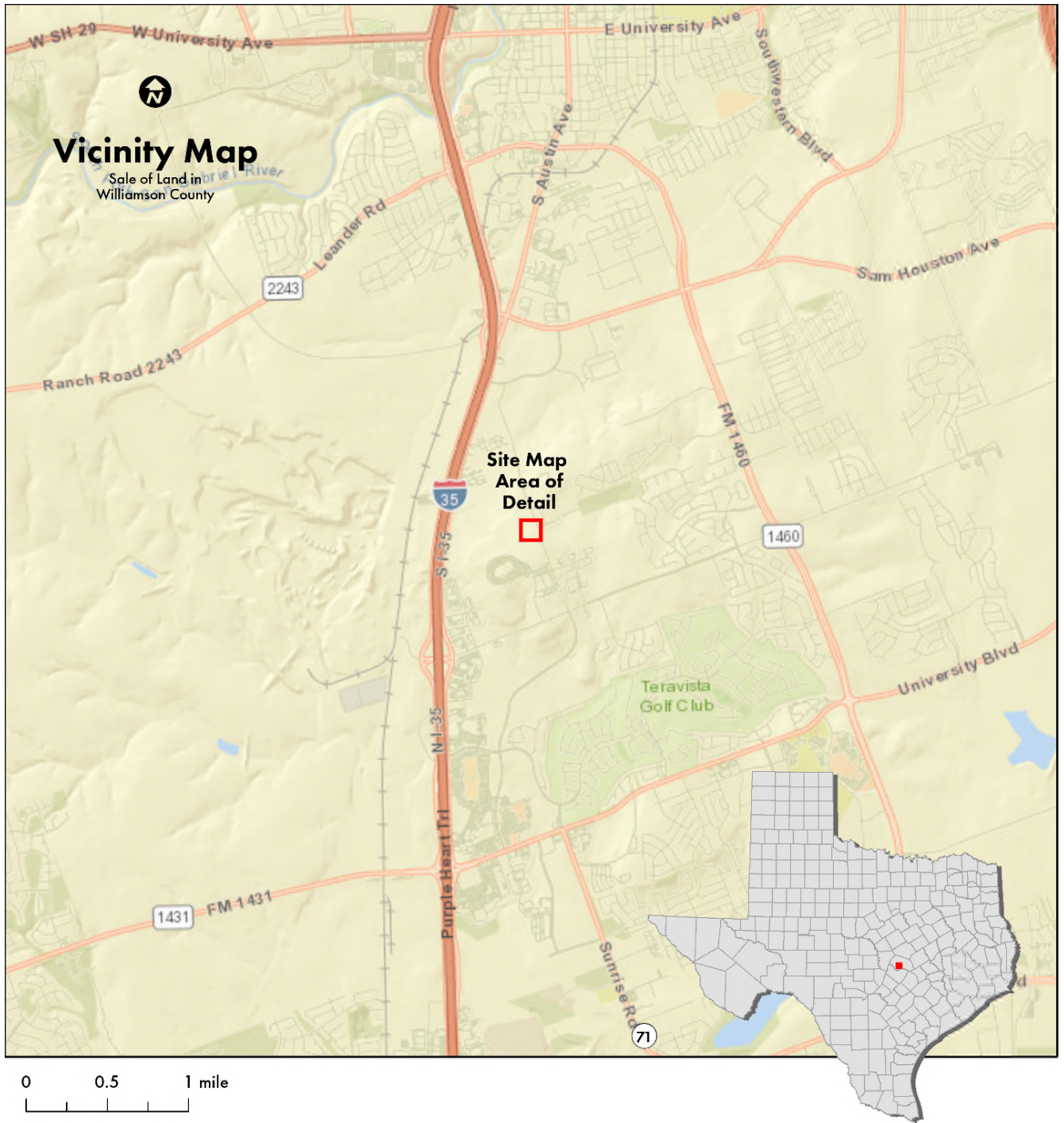
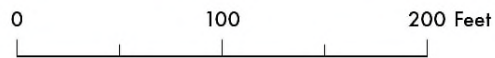
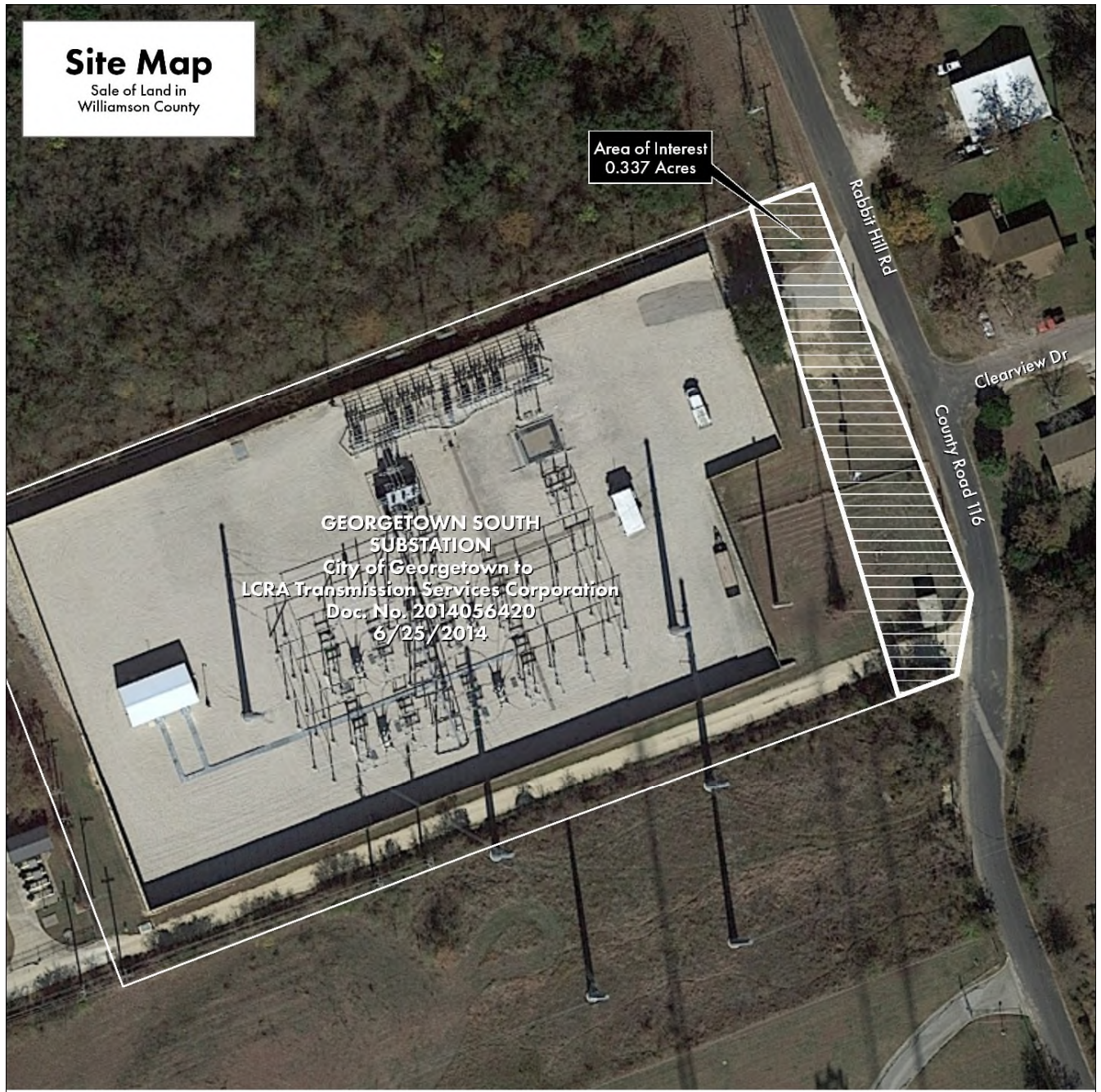


EXHIBIT B



Note: All acreages are approximate.

FOR ACTION (CONSENT)

3. Minutes of Prior Meeting

Proposed Motion

Approve the minutes of the May 24, 2023, meeting.

Board Consideration

Section 4.06 of the LCRA Transmission Services Corporation bylaws requires the secretary to keep minutes of all meetings of the Board of Directors.

Budget Status and Fiscal Impact

Approval of this item will have no budgetary or fiscal impact.

Summary

Staff presents the minutes of each meeting to the Board for approval.

Exhibit(s)

A – Minutes of May 24, 2023, meeting

EXHIBIT A

Minutes Digest
May 24, 2023

- 23-16 Declaration of a tract of land in Round Rock, Williamson County, nonessential, and authorization for the president and chief executive officer or his designee to sell the property to Bat City Financial LLC. Additionally, authorization for the president and CEO or his designee to sell the property using sealed bids, broker listings, or other public and private sale methods in the event the current transaction fails to close and to do all things reasonably necessary to accomplish the sale thereof.
- 23-17 Approval of the minutes of the April 18, 2023, meeting.
- 23-18 Adoption of a resolution approving the LCRA Transmission Services Corporation Fiscal Year 2024 Business and Capital Plans.
- 23-19 Approval and ratification of the Capital Improvement Project Authorization Request for the following projects and associated lifetime budgets: Flood Mitigation – FY 2023 System Upgrade; Instrument Transformer – FY 2023 Substation Upgrade; Mobile Switch Installation – FY 2023 Substation Upgrade; Switch Automation – FY 2023 Substation Upgrade; Winter Storm – FY 2023 System Restoration [Ratification due to Winter Storm Mara restoration work performed]; Cooks Point to Lyle Wolz Transmission Line Upgrade; and LCRA Transmission Services Corporation – FY 2024 General Additions.
- 23-20 Adoption of a resolution authorizing the use of the power of eminent domain in Kendall, Gillespie and Gonzales counties to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the LCRA Broadband Program project to provide, on behalf of LCRA and at LCRA's expense, for communications and to facilitate broadband services on the Kendall to Fredericksburg (T120), Fredericksburg to Peach (T379) and Cuero to Luling (T542) transmission lines.

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF
LCRA TRANSMISSION SERVICES CORPORATION
Austin, Texas
May 24, 2023

Pursuant to notice posted in accordance with the Texas Open Meetings Act, the Board of Directors (Board) of LCRA Transmission Services Corporation (LCRA TSC) convened in a regular meeting at 9:12 a.m. Wednesday, May 24, 2023, in the Board Room of the Hancock Building, at the principal office of the Lower Colorado River Authority, 3700 Lake Austin Blvd., Austin, Travis County, Texas. The following directors were present, constituting a quorum:

Stephen F. Cooper, Vice Chair
Michael L. "Mike" Allen
Matthew L. "Matt" Arthur
Melissa K. Blanding
Joseph M. "Joe" Crane
Laura D. Figueroa
Carol Freeman
Robert "Bobby" Lewis
Thomas Michael Martine
Margaret D. "Meg" Voelter
Martha Leigh M. Whitten
Nancy Eckert Yeary

Absent: Timothy Timmerman, Chair
Raymond A. "Ray" Gill Jr.
Thomas L. "Tom" Kelley

Vice Chair Cooper convened the meeting at 9:12 a.m.

There were no public comments during the meeting [Agenda Item 1].

Treasurer and Chief Financial Officer Jim Travis presented financial highlights for LCRA TSC covering April 2023 and the fiscal year to date [Agenda Item 2].

The Board next took action on the consent agenda. Upon motion by Director Yeary, seconded by Director Whitten, the Board unanimously approved consent items 3 and 4 by a vote of 12 to 0 as follows:

23-16 Declaration of a tract of land in Round Rock, Williamson County, nonessential (not necessary or convenient or of beneficial use to the business of LCRA TSC), and authorization for the president and chief executive officer or his designee to sell the property to Bat City Financial LLC. Additionally, authorization for the president and CEO or his designee to sell the property using sealed bids, broker listings, or other public and private sale methods in the event the current transaction fails to close and to

do all things reasonably necessary to accomplish the sale thereof, as recommended by staff in Consent Item 3 [attached hereto as Exhibit A].

23-17 Approval of the minutes of the April 18, 2023, meeting [Consent Item 4].

23-18 Treasurer and Chief Financial Officer Jim Travis presented for consideration a staff recommendation, described in Agenda Item 5 [attached hereto as Exhibit B], that the Board adopt a resolution approving the LCRA Transmission Services Corporation Fiscal Year 2024 Business and Capital Plans. The Board had a detailed discussion on the FY 2024 business and capital plans during a work session on April 18. Upon motion by Director Crane, seconded by Director Blanding, the recommendation was unanimously approved by a vote of 12 to 0.

23-19 Vice President of Transmission Asset Optimization Kristian M. Koellner presented for consideration a staff recommendation, described in Agenda Item 6 [attached hereto as Exhibit C], that the Board approve and ratify the Capital Improvement Project Authorization Request for the following projects and associated lifetime budgets: Flood Mitigation – FY 2023 System Upgrade; Instrument Transformer – FY 2023 Substation Upgrade; Mobile Switch Installation – FY 2023 Substation Upgrade; Switch Automation – FY 2023 Substation Upgrade; Winter Storm – FY 2023 System Restoration [Ratification due to Winter Storm Mara restoration work performed]; Cooks Point to Lyle Wolz Transmission Line Upgrade; and LCRA Transmission Services Corporation – FY 2024 General Additions. Upon motion by Director Arthur, seconded by Director Crane, the recommendation was unanimously approved by a vote of 12 to 0.

23-20 Vice President of Real Estate Services Mark Sumrall presented for consideration a staff recommendation, described in Agenda Item 7 – Acquisition of Interests in Real Property – Use of Eminent Domain in Kendall, Gillespie and Gonzales counties [attached hereto as Exhibit D]. Director Martine moved, seconded by Director Yeary, that the Board authorize by record vote the use of the power of eminent domain to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the LCRA Broadband Program project to provide, on behalf of LCRA and at LCRA's expense, for communications and to facilitate broadband services on the Kendall to Fredericksburg (T120), Fredericksburg to Peach (T379) and Cuero to Luling (T542) transmission lines; and that the first record vote applies to all units of property to be condemned. The Board unanimously approved the motion by a record vote of 12 to 0.

There being no further business to come before the Board, the meeting was adjourned at 9:28 a.m.

Leigh Sebastian
Secretary
LCRA Transmission Services Corporation
Approved: June 21, 2023

FOR ACTION

4. Capital Improvement Projects Approval

Proposed Motion

Approve the Capital Improvement Project Authorization Request for the projects and associated lifetime budgets as described in exhibits A and B.

Board Consideration

LCRA Transmission Services Corporation Board Policy T301 – Finance requires Board of Directors approval for any project exceeding \$1.5 million.

Budget Status and Fiscal Impact

- All projects recommended for Board approval are within the total annual budget approved in the capital plan.
- Staff will monitor the forecast and will request a fiscal year budget increase if needed.
- The treasurer and chief financial officer will release funds as needed.
- Project costs will be funded through LCRA TSC regulated rates, subject to approval by the Public Utility Commission of Texas.

Summary

Staff recommends approval of the capital projects described in exhibits A and B. These projects meet legal requirements in the Public Utility Regulatory Act and PUC rules.

Project funds will pay for activities, including but not limited to project management, engineering, materials acquisition, construction, and the acquisition of necessary land rights. LCRA TSC representatives will perform all necessary regulatory, real estate, environmental and cultural due diligence activities.

Presenter(s)

Kristian M. Koellner
Vice President, Transmission Asset Optimization

Exhibit(s)

A – Project Cost Estimates and Cash Flow
B – Project Details

EXHIBIT A**Project Cost Estimates and Cash Flow***Dollars in millions*

Project Name	FY 2022 and Prior	FY 2023	FY 2024	FY 2025	FY 2026	Lifetime
Generation Interconnection Projects						
John Dumas Substation Property Acquisition and Upgrade	-	0.1	12.2	-	-	12.3
Service Reliability Projects						
Altair-Garwood Transmission Line Overhaul	0.8	0.3	30.0	-	-	31.1
Cuero Substation Upgrade	0.1	2.1	23.7	-	-	25.9
Hallettsville-Mont Transmission Line Overhaul	0.3	0.3	6.0	-	-	6.6
Howard Lane-McNeil Transmission Line Storm Hardening	-	0.5	9.0	-	-	9.5
Lakeway-Marble Falls Transmission Line Storm Hardening	1.0	1.4	61.5	41.0	-	104.9
Marshall Ford-Spicewood Transmission Line Storm Hardening	-	0.1	3.6	-	-	3.7
Total	2.2	4.8	146.0	41.0	-	194.0

EXHIBIT B

Project Details

Project Name: John Dumas Substation Property Acquisition and Upgrade

Project Number: 1030244

Lifetime Budget: \$12.3 million

Description: The project will acquire property rights for the John Dumas Substation Addition project and perform necessary site preparation and improvements to support a 345-kilovolt generation interconnection request in Caldwell County. The LCRA TSC project scope includes surveying work and document preparations, acquisition of approximately 17 acres, acquisition of necessary site-related permits, and site improvements. The recommended project completion date is June 30, 2024.

Project Name: Altair-Garwood Transmission Line Overhaul

Project Number: 1020844

Lifetime Budget: \$31.1 million

Description: The project will increase the reliability and capacity of transmission facilities by overhauling the 9.4-mile Altair to Garwood 69-kV transmission line in Colorado County. The project scope includes installing or replacing structures, conductor, and fiber to meet or exceed current National Electrical Safety Code and LCRA TSC design standards. Replacement structures will be capable of future operation at 138-kV. The recommended project completion date is June 30, 2024.

Project Name: Cuero Substation Upgrade

Project Number: 1026635

Lifetime Budget: \$25.9 million

Description: The project will increase the reliability of equipment at the Cuero Substation in DeWitt County. The project scope includes converting the substation bus configuration, replacing obsolete and/or aged equipment, upgrading facility structures, and installing a new control enclosure to adhere to high wind requirements. The recommended project completion date is May 15, 2024.

Project Name: Hallettsville-Mont Transmission Line Overhaul

Project Number: 1024841

Lifetime Budget: \$6.6 million

Description: The project will perform an overhaul on the Hallettsville to Mont transmission line in Lavaca County. The LCRA TSC project scope includes rebuilding the existing 2.32-mile 138-kV transmission line between the Hallettsville Substation and Mont Substation, including replacing foundations, structures, and conductor, and installing fiber to increase the reliability, safety, and capacity of the transmission line and ensure it meets or exceeds current NESC and LCRA TSC design standards. The recommended project completion date is May 15, 2024.

Project Name: Howard Lane-McNeil Transmission Line Storm Hardening

Project Number: 1026914

Lifetime Budget: \$9.5 million

Description: The project will perform storm hardening on the 2.7-mile Howard Lane to McNeil 138-kV transmission line in Travis County. The LCRA TSC project scope includes replacing structures and conductor and installing fiber to increase the reliability and safety of the transmission line and ensure it meets or exceeds current NESC and LCRA TSC design standards and complies with PUC storm hardening requirements for this circuit. The recommended project completion date is May 15, 2024.

Project Name: Lakeway-Marble Falls Transmission Line Storm Hardening

Project Number: 1024594

Lifetime Budget: \$104.9 million

Description: The project will perform storm hardening on the 23-mile Lakeway to Marble Falls 138-kV transmission line in Travis County. The LCRA TSC project scope includes replacing structures, conductor, and fiber to improve the reliability, safety, and capacity of the transmission line and ensure it meets or exceeds current NESC and LCRA TSC design standards and complies with PUC storm hardening requirements for this circuit. The recommended project completion date is May 15, 2025.

Project Name: Marshall Ford-Spicewood Transmission Line Storm Hardening

Project Number: 1026917

Lifetime Budget: \$3.7 million

Description: The project will perform storm hardening on a 0.7-mile portion of the Marshall Ford to Spicewood 138-kV transmission line in Travis County. The LCRA TSC project scope includes replacing structures and conductor and installing fiber to increase the reliability, capacity, and safety of the transmission line and ensure it meets or exceeds current NESC and LCRA TSC design standards and complies with PUC storm hardening requirements for this circuit. The recommended project completion date is May 15, 2024.

FOR ACTION

5. Acquisition of Land in Caldwell County

Proposed Motion

Authorize the president and chief executive officer, or his designee, to negotiate and purchase from LCRA approximately 17 acres of land in Caldwell County. Additionally, authorize the president and chief executive officer, or his designee, to acquire a transmission easement from LCRA over two tracts totaling approximately 0.46 acre related to the proposed John Dumas Substation and an approximately 0.4-acre aerial transmission line easement to accommodate the existing T519 transmission line.

Board Consideration

LCRA Transmission Services Corporation Board Policy T401 – Land Resources requires Board authorization for any land acquisition with a purchase price exceeding \$600,000.

Budget Status and Fiscal Impact

The funds for this acquisition are included in the fiscal year 2024 business plan.

Summary

LCRA TSC staff is seeking approval to acquire in fee from LCRA approximately 17 acres located in Caldwell County, a point of transmission easement, over two tracts totaling approximately 0.46 acre, and an additional aerial transmission line easement totaling approximately 0.4 acre, which will be used to develop the John Dumas Substation and to accommodate T519.

The approximately 17 acres will be acquired subject to the following reservations and restrictions:

1. LCRA will reserve all presently held oil, gas and other mineral rights of every kind or character in, on and under the property, provided that LCRA shall not be permitted to drill or excavate for minerals on the surface of the property.
2. LCRA will reserve a variable width road easement on the west side of the sale tract.

The sales price will not exceed \$1,000,000 and will be based on the fair market value of the property. Environmental and cultural resource due diligence will be conducted in accordance with Board Policy T401.401 – Land Acquisition.

Presenter(s)

Mark Sumrall
Vice President, Real Estate Services

Exhibit(s)

A – Vicinity Map
B – Site Map

EXHIBIT A

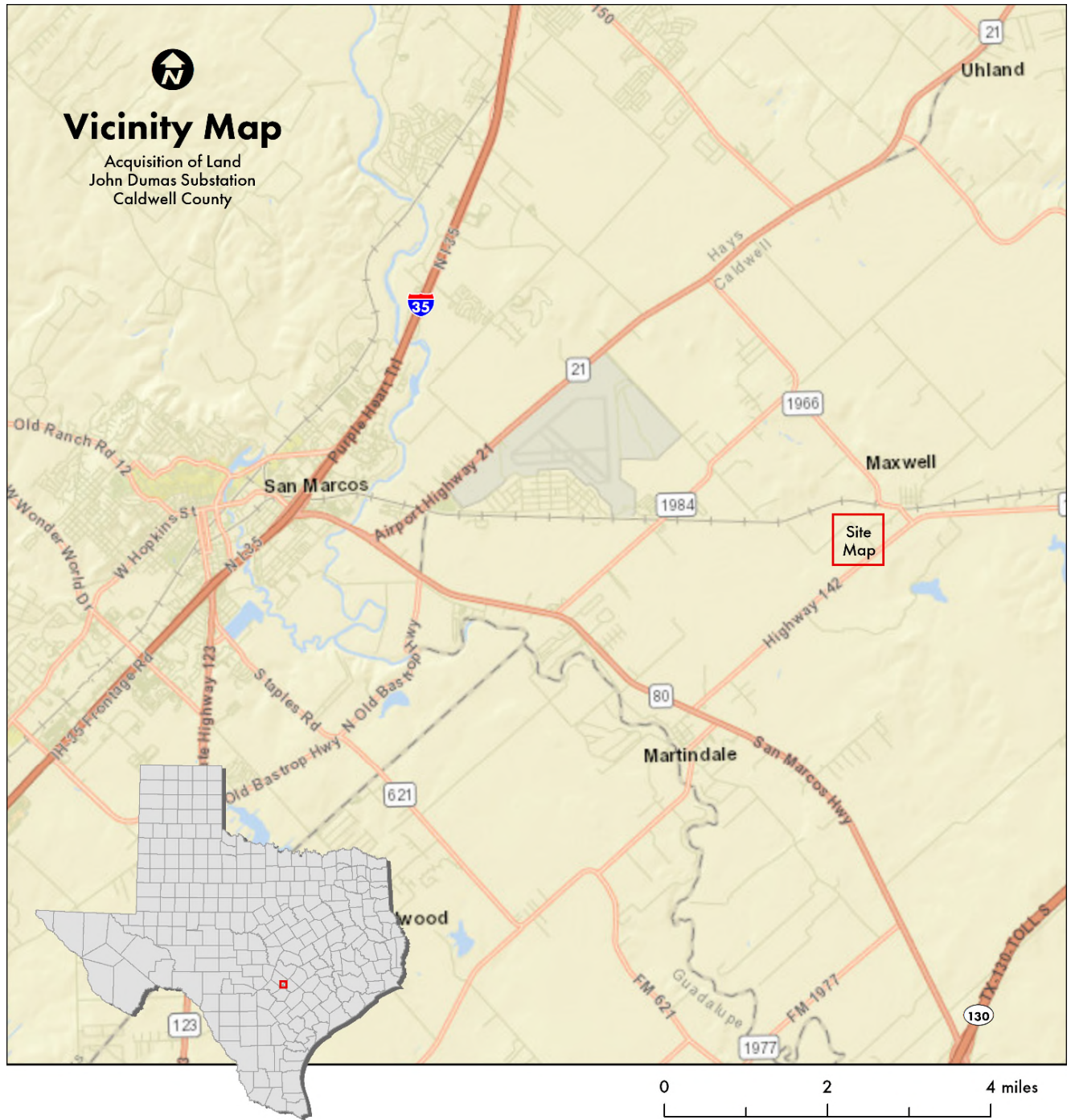




EXHIBIT B



 Fee conveyance, 17 acres (approx.)
 Aerial easements, 0.4 acres (approx.)

 Transmission easements, 0.23 acres each



FOR ACTION

6. Acquisition of Interests in Real Property – Use of Eminent Domain in Travis County

Proposed Motion

I move that the LCRA Transmission Services Corporation Board of Directors adopt the attached resolution; that the Board authorize by record vote the use of the power of eminent domain to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the Marshall Ford to McNeil Storm Hardening project to provide for the continued reliable transmission of electric energy on the Marshall Ford to McNeil (T197) and the Spicewood to McNeil (T242) transmission lines; and that the first record vote applies to all units of property to be condemned.

Board Consideration

LCRA Transmission Services Corporation Board Policy T401 – Land Resources and Section 2206.053 of the Texas Government Code require Board authorization prior to the initiation of eminent domain proceedings.

Section 2206.053 of the Texas Government Code provides that if two or more Board members object to adopting a single resolution for all units, a separate record vote must be taken for each unit of property. If two or more units of real property are owned by the same person, those units may be treated as one unit of property.

Budget Status and Fiscal Impact

The acquisition cost was included in the Board-approved budget for Marshall Ford to McNeil Storm Hardening project.

Summary

LCRA TSC proposes to acquire easement rights in Travis County for the Marshall Ford to McNeil Storm Hardening project. Hornsby and Company Appraisers and Consultants performed independent appraisals of the interests in real property to be acquired to determine just compensation to the landowners.

Staff will make an initial offer to acquire the necessary interests in real property voluntarily from the landowners listed on Exhibit C, as required by Section 21.0113 of the Texas Property Code. Staff will continue to negotiate for the purchase of the interests in real property. Staff seeks Board authorization to proceed with condemnation if an agreement cannot be reached with the landowner(s).

Staff has provided to the Board descriptions of the specific properties to be acquired and will attach the descriptions to the resolution.

LCRA TSC will perform environmental and cultural due diligence studies and address all identified concerns. Staff requests that the Board adopt the resolution in Exhibit D authorizing the initiation of condemnation proceedings on the first record vote for all units of property.

Presenter(s)

Mark Sumrall
Vice President, Real Estate Services

Exhibit(s)

- A – Vicinity Map
- B – Site Maps
- C – Landowner List
- D – Resolution
- 1 – Property Description

EXHIBIT A

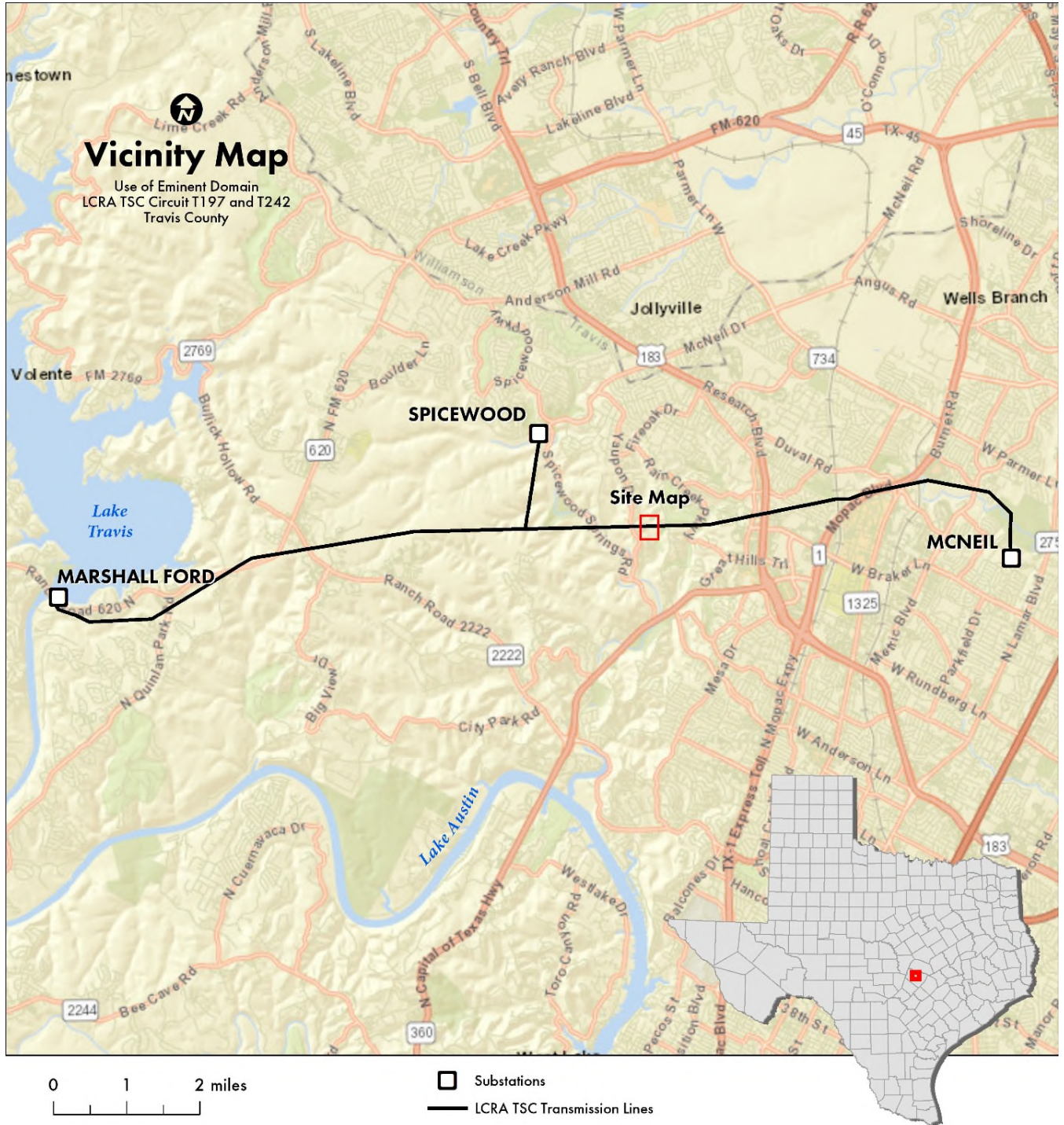


EXHIBIT B



EXHIBIT C

Tract ID	Landowner	Approximate Parent Tract Acreage	Land Rights	Approximate Easement Acreage	County	Approximate Value
565454	Satyendra Kumar and Sweta Rani	5.20 acres	Aerial Easement	0.08 acre	Travis	\$6,294

EXHIBIT D

Page 1 of 2

PROPOSED MOTION

I MOVE THAT THE LCRA TRANSMISSION SERVICES CORPORATION BOARD OF DIRECTORS ADOPT THE ATTACHED RESOLUTION; THAT THE BOARD AUTHORIZE BY RECORD VOTE THE USE OF THE POWER OF EMINENT DOMAIN RIGHTS IN THE PROPERTIES DESCRIBED IN EXHIBIT 1 TO THE RESOLUTION FOR THE ACQUISITION OF EASEMENT RIGHTS FOR THE MARSHALL FORD TO MCNEIL STORM HARDENING PROJECT TO PROVIDE FOR THE CONTINUED RELIABLE TRANSMISSION OF ELECTRIC ENERGY ON THE MARSHALL FORD TO MCNEIL (T197) AND THE SPICEWOOD TO MCNEIL (T242) TRANSMISSION LINES; AND THAT THE FIRST RECORD VOTE APPLIES TO ALL UNITS OF PROPERTY TO BE CONDEMNED.

**RESOLUTION
AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY BY
CONDEMNATION IN TRAVIS COUNTY FOR ELECTRIC TRANSMISSION LINE
EASEMENTS.**

WHEREAS, LCRA Transmission Services Corporation has determined the need to acquire the interests in real property necessary for the public uses of construction, operation and maintenance of electric transmission line(s) in Travis County; and

WHEREAS, an independent, professional appraisal of the subject property will be submitted to LCRA Transmission Services Corporation, and an amount will be established to be just compensation for the interests in real property to be acquired;

NOW, THEREFORE, BE IT RESOLVED that the president and chief executive officer or his designee is authorized to purchase the interests in real property from the landowner(s) listed in the attached Exhibit C for the construction of the Marshall Ford to McNeil Storm Hardening project for the continued reliable transmission of electric energy on the Marshall Ford to McNeil and the Marshall Ford to Spicewood transmission lines, with the description of the location of and interest in the property LCRA Transmission Services Corporation seeks to acquire being more particularly described in maps provided to the Board and attached to this Resolution as Exhibit 1; that the public convenience and necessity requires the acquisition of said interests in real property; that the public necessity requires the condemnation of the interests in real property in order to acquire them for such uses; that LCRA Transmission Services Corporation does not intend to acquire rights to groundwater or surface water in the land; that LCRA Transmission Services Corporation will make a bona fide offer to acquire the interests in real property from the landowner(s) voluntarily as required by Section 21.0113 of the Texas Property Code; and that at such time as LCRA Transmission Services Corporation has determined that the landowner(s) and LCRA Transmission Services Corporation will be unable to

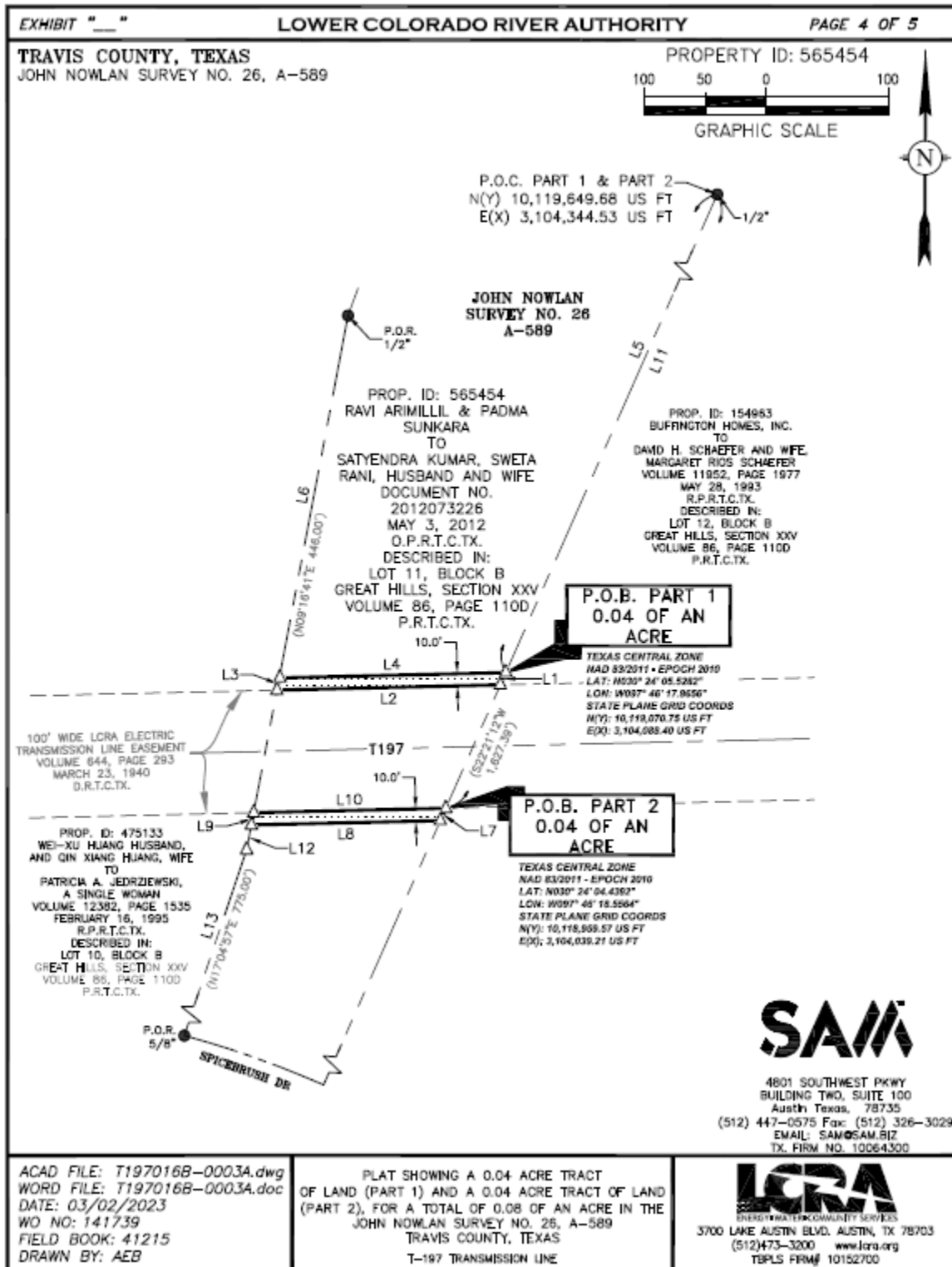
EXHIBIT D

Page 2 of 2

reach an agreement on the fair market value of the subject interests in real property and that it should appear that further negotiations for settlement with the landowner(s) would be futile, then the president and chief executive officer or his designee is authorized and directed to initiate condemnation proceedings against the owner(s) of the property, and against all other owners, lien holders, and other holders of an interest in the property, in order to acquire the necessary interests in real property, and that this resolution take effect immediately from and after its passage;

BE IT FURTHER RESOLVED that the president and chief executive officer or his designee is hereby authorized to do all things necessary and proper to carry out the intent and purpose of this resolution, including determination and negotiation of the interest(s) in real property that are proper and convenient for the operation of the electric transmission line(s).

EXHIBIT 1
Page 1 of 1



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WORD FILE: T197016B-0003A.doc
DATE: 03/02/2023
WO NO: 141739
FIELD BOOK: 41215
DRAWN BY: AEB

PLAT SHOWING A 0.04 ACRE TRACT OF LAND (PART 1) AND A 0.04 ACRE TRACT OF LAND (PART 2), FOR A TOTAL OF 0.08 OF AN ACRE IN THE JOHN NOWLAN SURVEY NO. 26, A-589 TRAVIS COUNTY, TEXAS
T-197 TRANSMISSION LINE

SAM

4801 SOUTHWEST PKWY
BUILDING TWO, SUITE 100
AUSTIN TEXAS, 78735
(512) 447-0575 Fax: (512) 326-3029
EMAIL: SAM@SAM.BIZ
TX. FIRM NO. 10064300

LCRA
ENERGY/WATER/COMMUNITY SERVICES
3700 LAKE AUSTIN BLVD. AUSTIN, TX 78703
(512)473-3200 www.lcra.org
TBPLS FRM# 10152700

FOR ACTION

7. Acquisition of Interests in Real Property – Use of Eminent Domain in Gillespie County

Proposed Motion

I move that the LCRA Transmission Services Corporation Board of Directors adopt the attached resolution; that the Board authorize by record vote the use of the power of eminent domain to acquire rights in the properties described in Exhibit 1 to the resolution for the acquisition of easement rights for the LCRA Broadband Program project to provide, on behalf of LCRA and at LCRA's expense, for communications and to facilitate broadband services on the Kendall to Fredericksburg (T120) and Fredericksburg to Peach (T379) transmission lines; and that the first record vote applies to all units of property to be condemned.

Board Consideration

LCRA Transmission Services Corporation Board Policy T401 – Land Resources and Section 2206.053 of the Texas Government Code require Board authorization prior to the initiation of eminent domain proceedings.

Section 2206.053 of the Texas Government Code provides that if two or more Board members object to adopting a single resolution for all units, a separate record vote must be taken for each unit of property. If two or more units of real property are owned by the same person, those units may be treated as one unit of property.

LCRA uses LCRA Transmission Services Corporation to provide LCRA with fiberoptic communications and broadband services at LCRA's expense pursuant to LCRA Board Policy 220 – Telecommunications and Section 8503.032 of the Special District Local Laws Code.

Budget Status and Fiscal Impact

The acquisition cost was included in the Board-approved budget for LCRA Broadband Program project.

Summary

LCRA TSC proposes to acquire communication rights, including the facilitation of broadband services, in Gillespie County for the LCRA Broadband Program project. Paul Hornsby and Company will perform independent appraisals of the interests in real property to be acquired to determine just compensation to the landowners.

Staff will make an initial offer to acquire the necessary interests in real property voluntarily from the landowners listed on Exhibit C, as required by Section 21.0113 of the Texas Property Code. Staff will continue to negotiate for the purchase of the interests in real property. Staff seeks Board authorization to proceed with condemnation if an agreement cannot be reached with the landowner(s).

Staff has provided to the Board descriptions of the specific properties to be acquired and will attach the descriptions to the resolution.

Staff requests that the Board adopt the resolution in Exhibit D authorizing the initiation of condemnation proceedings on the first record vote for all units of property.

Presenter(s)

Mark Sumrall
Vice President, Real Estate Services

Exhibit(s)

- A – Vicinity Map
- B – Site Maps
- C – Landowner List
- D – Resolution
- 1 – Property Descriptions

EXHIBIT A

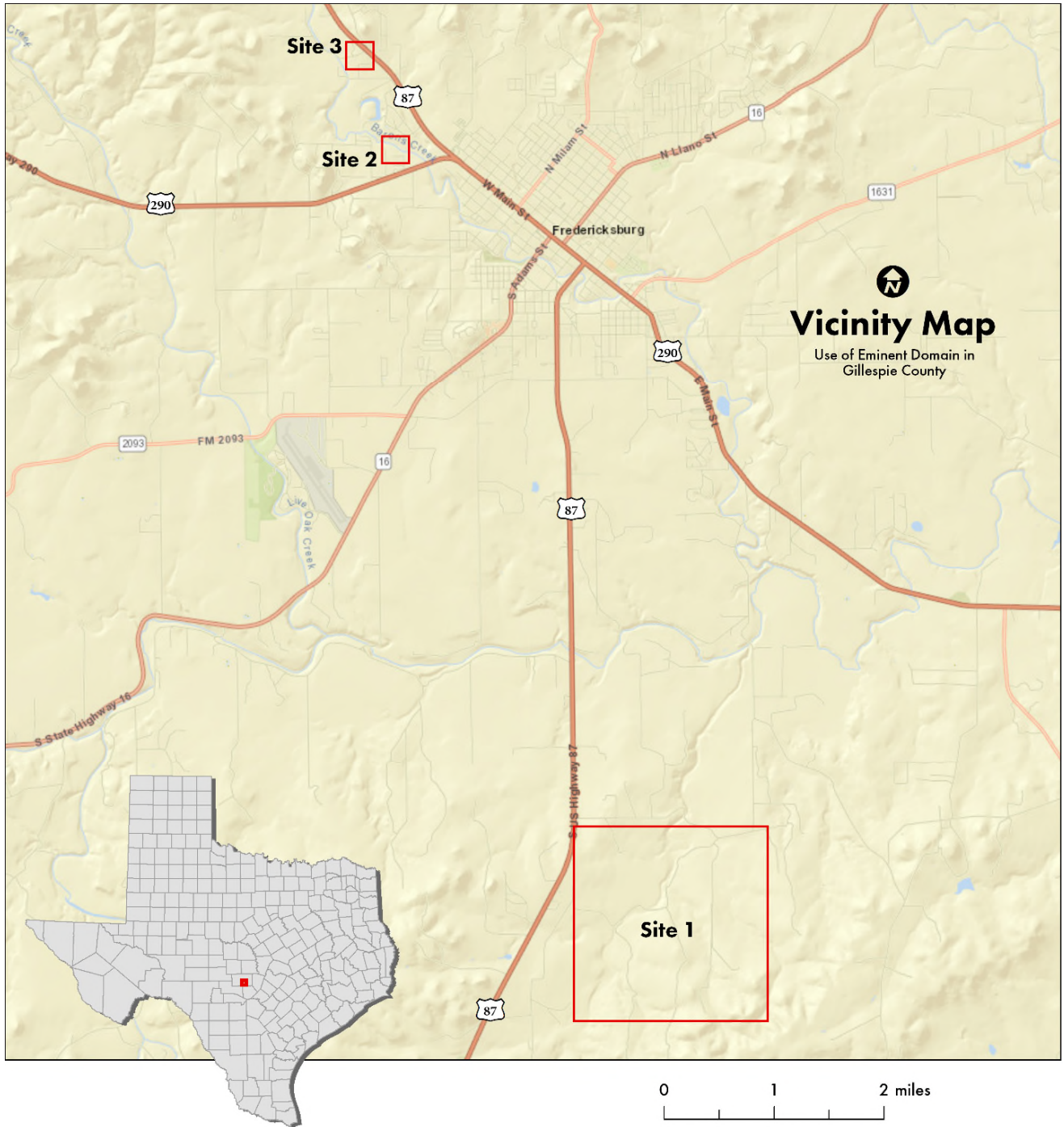
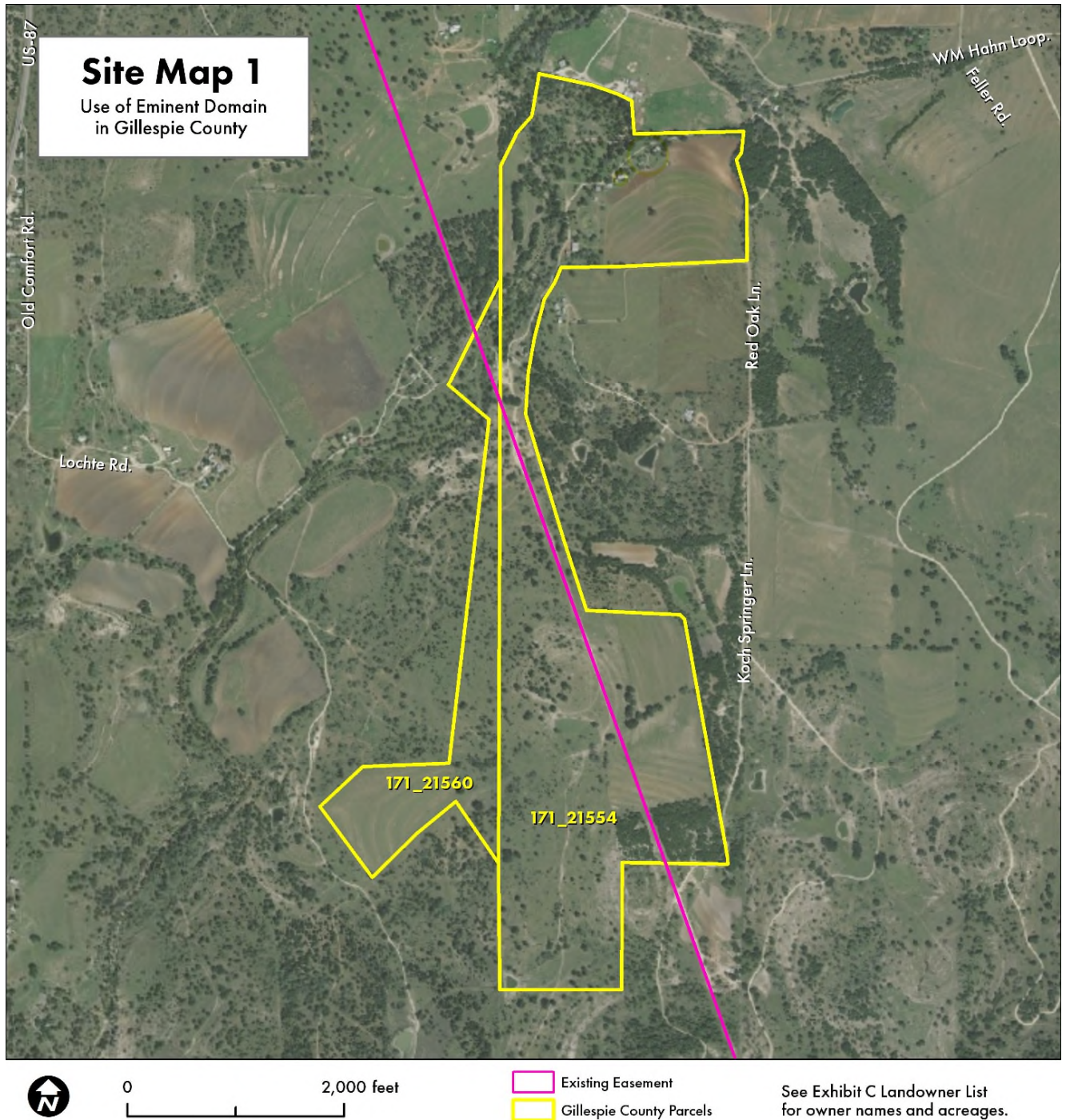
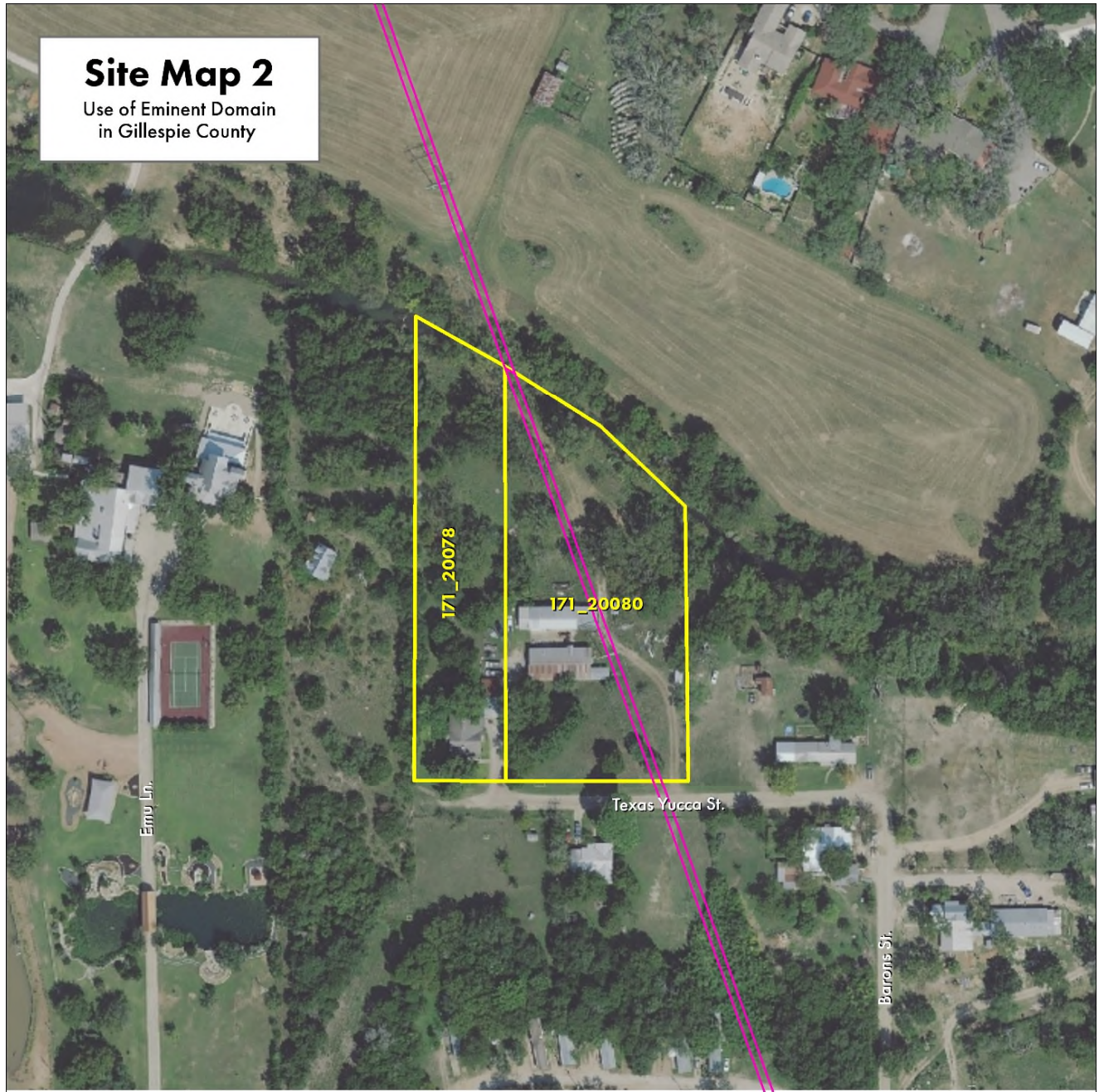




EXHIBIT B

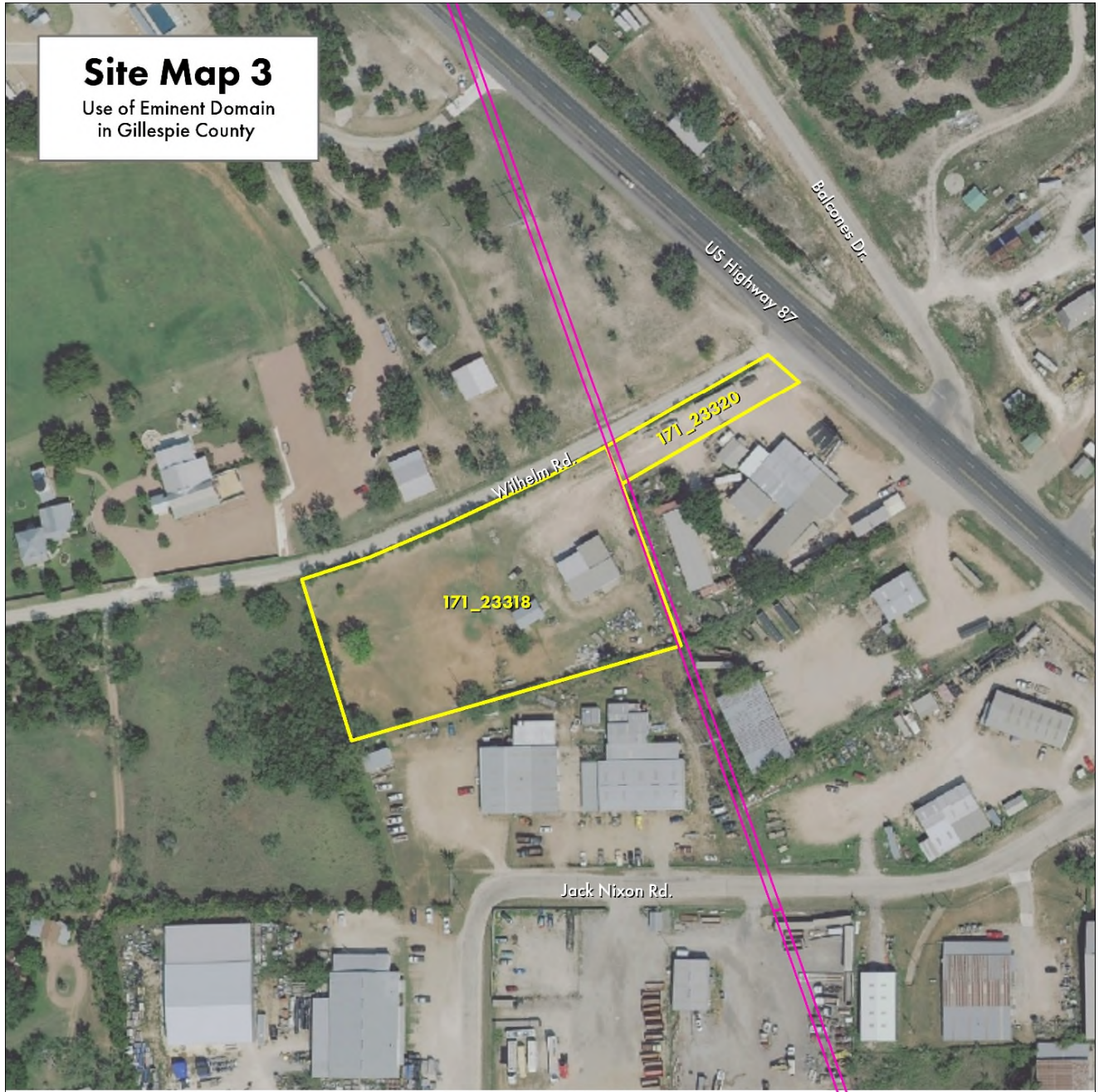




0 300 feet

-  Existing Easement
-  Gillespie County Parcels

See Exhibit C Landowner List
for owner names and acreages.



0 300 feet

- Existing Easement
- Gillespie County Parcels

See Exhibit C Landowner List
for owner names and acreages.

EXHIBIT C

Track ID	Landowners	Approximate Parent Tract Acreage	Land Rights	Approximate Easement Acreage	County	Approximate Value
171_21554	Meusebach Creek Lochte Ranch Ltd.	242.75 acres	Third-Party Communication	10.40 acres	Gillespie	\$3,262.73
171_21560	Meusebach Creek Lochte	68.94 acres	Third-Party Communication	1.59 acres	Gillespie	\$498.82
171_20078	Karen Weinheimer et al.	1.11 acres	Third-Party Communication	0.06 acre	Gillespie	\$166.30
171_20080	Karen Weinheimer et al.	1.89 acres	Third-Party Communication	0.89 acre	Gillespie	\$851.86
171_23318	Beatrice Rivera	2.26 acres	Third-Party Communication	0.21 acre	Gillespie	\$618.29
171_23320	Beatrice Rivera	0.25 acre	Third-Party Communication	0.05 acre	Gillespie	\$147.21

EXHIBIT D

Page 1 of 2

PROPOSED MOTION

I MOVE THAT THE LCRA TRANSMISSION SERVICES CORPORATION BOARD OF DIRECTORS ADOPT THE ATTACHED RESOLUTION; THAT THE BOARD AUTHORIZE BY RECORD VOTE THE USE OF THE POWER OF EMINENT DOMAIN RIGHTS IN THE PROPERTIES DESCRIBED IN EXHIBIT 1 TO THE RESOLUTION FOR THE ACQUISITION OF EASEMENT AMENDMENTS NECESSARY TO PROVIDE, ON BEHALF OF LCRA AND AT LCRA'S EXPENSE, FOR COMMUNICATIONS AND TO FACILITATE BROADBAND SERVICES ON THE KENDALL TO FREDERICKSBURG (T120) AND FREDERICKSBURG TO PEACH (T379) TRANSMISSION LINES; AND THAT THE FIRST RECORD VOTE APPLIES TO ALL UNITS OF PROPERTY TO BE CONDEMNED.

RESOLUTION

AUTHORIZING ACQUISITION OF INTERESTS IN REAL PROPERTY BY CONDEMNATION IN GILLESPIE COUNTY FOR TRANSMISSION LINE EASEMENT AMENDMENTS.

WHEREAS, LCRA Transmission Services Corporation has determined the need to acquire the interests in real property necessary for the public uses of construction, operation and maintenance of electric transmission line(s), communication lines, and appurtenances thereto in Gillespie County; and

WHEREAS, an independent, professional appraisal of the subject property will be submitted to LCRA Transmission Services Corporation, and an amount will be established to be just compensation for the interests in real property to be acquired;

NOW, THEREFORE, BE IT RESOLVED that the president and chief executive officer or his designee is authorized to purchase the interests in real property from the landowner(s) listed in the attached Exhibit C, with the description of the location of and interest in the properties LCRA Transmission Services Corporation seeks to acquire being more particularly described in maps provided to the Board and attached to this Resolution as Exhibit 1; that the public convenience and necessity requires the acquisition of said interests in real property; that the public necessity requires the condemnation of the interests in real property in order to acquire them for such uses; that LCRA Transmission Services Corporation does not intend to acquire rights to groundwater or surface water in the land; that LCRA Transmission Services Corporation will make a bona fide offer to acquire the interests in real property from the landowner(s) voluntarily as required by Section 21.0113 of the Texas Property Code; and that at such time as LCRA Transmission Services Corporation has determined that the landowner(s) and

EXHIBIT D

Page 2 of 2

LCRA Transmission Services Corporation will be unable to reach an agreement on the fair market value of the subject interests in real property and that it should appear that further negotiations for settlement with the landowner(s) would be futile, then the president and chief executive officer or his designee is authorized and directed to initiate condemnation proceedings against the owner(s) of the property(ies), and against all other owners, lien holders, and other holders of an interest in the property, in order to acquire the necessary interests in real property, and that this resolution take effect immediately from and after its passage;

BE IT FURTHER RESOLVED that the president and chief executive officer or his designee is hereby authorized to do all things necessary and proper to carry out the intent and purpose of this resolution, including determination and negotiation of the interest(s) in real property that are proper and convenient for the operation of the electric transmission line(s).

EXHIBIT 1

E00000051-63

D63-1

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

County of ~~Wichita~~ Gillespie

That We, Wm Strocher of Gillespie County, Texas, for and in consideration of the sum of Twenty Six Thousand DOLLARS to us cash in hand paid by WEST TEXAS UTILITIES COMPANY, a private Corporation, the receipt of which is hereby acknowledged, have bargained, sold and conveyed and by these presents do hereby bargain, sell and convey unto the said WEST TEXAS UTILITIES COMPANY, a private corporation, its successors and assigns, an easement and right of way across the following described real estate situated in

Gillespie County, Texas, with the right to construct, operate, patrol, maintain and repair its transmission line, including a private telephone line along said easement for said purposes, and including necessary poles, and fixtures, and authority for cutting and trimming all trees along the line necessary to keep the wires cleared, and with the right to set the necessary guy and brace poles, and attach to trees and to maintain the needed guy wires, together with the right of ingress and egress across said property for the above named purposes. Said real estate across which said easement is granted being described as follows:

Situated in Gillespie County, Texas and being in the J. Lange Survey # 27 abut # 2248, M. Herrera Survey # 35 abut # 2799 Strocher Survey # 198 abut # 1162.

Said Easement along which said line of transmission extends is described as follows:

Beginning at a point in the N. 1/4 line of the above described property 129.8 feet N. of the S.E. corner, thence S 20° 40' E, 483.2 feet across said property to a point in the S. 1/4 line, 583.0 feet W. of the S.E. corner.

TO HAVE AND TO HOLD the above described easement, rights and privileges unto the said WEST TEXAS UTILITIES COMPANY, its successors and assigns forever so long as same are used for said purposes.

And we hereby warrant unto said WEST TEXAS UTILITIES COMPANY its successors and assigns that we have the title to said property and the right to convey said easement and that we will forever warrant and defend the title to same to the said West Texas Utilities Company, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof so long as said easement is used for said purposes for which it is granted.

Witness hand this the 13th day of August, A. D. 1926

Wm. Strocher
Lina Strocher
Wm. Strocher

THE STATE OF TEXAS,
COUNTY OF _____

Before me, the undersigned authority on this day personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that _____ executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the _____ day of _____, A. D. 19____.

THE STATE OF TEXAS,
COUNTY OF Gillespie

Before me, the undersigned authority on this day personally appeared Wm. Strocher and Lina Strocher his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Lina Strocher wife of Wm. Strocher having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said Lina Strocher acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this the 14 day of August, A. D. 1926

Wm. Strocher
Lina Strocher
Wm. Strocher
Wm. Strocher
Notary Public, Gillespie County, Texas.
001 001 305

EXHIBIT 1

E00000051-49

D49-1

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

County of Hillespie

That We, Louis Lockte of Hillespie County, Texas, for and in

consideration of the sum of Sixty Six Dollars DOLLARS to us cash in hand paid by WEST TEXAS UTILITIES COMPANY, a private Corporation, the receipt of which is hereby acknowledged, have bargained, sold and conveyed and by these presents do hereby bargain, sell and convey unto the said WEST TEXAS UTILITIES COMPANY, a private corporation, its successors and assigns, an easement and right of way across the following described real estate situated in

Hillespie County, Texas, with the right to construct, operate, patrol, maintain and repair its transmission line, including a private/telephone line along said easement for said purposes, and including necessary poles, and fixtures, and authority for cutting and trimming all trees along the line necessary to keep the wires cleared, and with the right to set the necessary guy and brace poles, and attach to trees and to maintain the needed guy wires, together with the right of ingress and egress across said property for the above named purposes. Said real estate across which said easement is granted being described as follows:

287 acres, part of Sur No. 37, Jose A. Minchaca, Abst. No. 459.

Said Easement along which said line of transmission extends is described as follows: Beginning at a point in the N Bl. line of the above described property 1511 feet NE 1/4 NW corner, thence S 20°-40' E 4122.4 feet across said property to a point in the E Bl. line 1498 feet N of the SE corner.

TO HAVE AND TO HOLD the above described easement, rights and privileges unto the said WEST TEXAS UTILITIES COMPANY, its successors and assigns forever so long as same are used for said purposes.

And we hereby warrant unto said WEST TEXAS UTILITIES COMPANY its successors and assigns that we have the title to said property and the right to convey said easement and that we will forever warrant and defend the title to same to the said West Texas Utilities Company, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof so long as said easement is used for said purposes for which it is granted.

Witness my hand this the 3th day of August, A. D. 1926
Louis Lockte
Emil Lockte

THE STATE OF TEXAS,
COUNTY OF Hillespie

Before me, the undersigned authority on this day personally appeared Louis Lockte + Emil Lockte known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 14 day of August, A. D. 19 26

THE STATE OF TEXAS,
COUNTY OF _____ }
Will Pittman
Notary Public, Hillespie
County, Texas

Before me, the undersigned authority on this day personally appeared _____ and _____ his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____ wife of _____ having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said _____

acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.
Given under my hand and seal of office this the _____ day of _____, A. D. 19 _____

001 001274

E00000051-65

#8 (265-1)

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

County of Hillespie

That We, Adolph Treibs of Hillespie County, Texas, for and in

consideration of the sum of forty million DOLLARS to us cash in hand paid by WEST TEXAS UTILITIES COMPANY, a private Corporation, the receipt of which is hereby acknowledged, have bargained, sold and conveyed and by these presents do hereby bargain, sell and convey unto the said WEST TEXAS UTILITIES COMPANY, a private corporation, its successors and assigns, an easement and right of way across the following described real estate situated in

Hillespie County, Texas, with the right to construct, operate, patrol, maintain and repair its transmission line, including a private telephone line along said easement for said purposes, and including necessary poles, and fixtures, and authority for cutting and trimming all trees along the line necessary to keep the wires cleared, and with the right to set the necessary guy and brace poles, and attach to trees and to maintain the needed guy wires, together with the right of ingress and egress across said property for the above named purposes. Said real estate across which said easement is granted being described as follows:

Being situated in Hillespie County, and being lot # 365 of the German Immigration Co.

Said Easement along which said line of transmission extends is described as follows: *beginning at a point in the N. Bl. of the above described property, 723 feet W of the N.E. corner thence S 20° 40' E, 1319.9 feet across said property, to a point in the E Bl. 350 feet N of the S.E. corner.*

TO HAVE AND TO HOLD the above described easement, rights and privileges unto the said WEST TEXAS UTILITIES COMPANY, its successors and assigns forever so long as same are used for said purposes.

And we hereby warrant unto said WEST TEXAS UTILITIES COMPANY its successors and assigns that we have the title to said property and the right to convey said easement and that we will forever warrant and defend the title to same to the said West Texas Utilities Company, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof so long as said easement is used for said purposes for which it is granted.

Witness hand this the 29th day of July A. D. 1926

Adolph Treibs

THE STATE OF TEXAS,
COUNTY OF Hillespie

Before me, the undersigned authority on this day personally appeared Adolph Treibs known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the 29 day of July A. D. 1926

Alvin Stanley J. Brown
Public Notary in Texas

THE STATE OF TEXAS,
COUNTY OF _____

Before me, the undersigned authority on this day personally appeared _____ and _____ his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said _____ wife of _____ having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said _____ acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this the _____ day of _____ A. D. 19 _____

001 003 309

E00000051-39

#25

THE STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS:

County of Hillespie

That We, Wm. Knapp of Hillespie County, Texas, for and in

consideration of the sum of _____ DOLLARS to us cash in hand paid by WEST TEXAS UTILITIES COMPANY, a private Corporation, the receipt of which is hereby acknowledged, have bargained, sold and conveyed and by these presents do hereby bargain, sell and convey unto the said WEST TEXAS UTILITIES COMPANY, a private corporation, its successors and assigns, an easement and right of way across the following described real estate situated in Hillespie County, Texas, with the right to construct, operate, patrol, maintain and repair its transmission line, including a private telephone line along said easement for said purposes, and including necessary poles, and fixtures, and authority for cutting and trimming all trees along the line necessary to keep the wires cleared and with the right to set the necessary guy and brace poles and attach to trees and to maintain the needed guy wires, together with the right of ingress and egress across said property for the above named purposes. Said real estate across which said easement is granted being described as follows: Sur. N^o 135, J. A. NAVARRO, Abs. N^o 522

Said Easement along which said line of transmission extends is described as follows: Beginning at a point on the N Bl. line of the above described property, 83 feet W of the N.E. corner, thence S 20° 40' E, 1636.8 feet across said property to a point in the S. Bl. 591 feet W of the S.E. corner.

TO HAVE AND TO HOLD the above described easement, rights and privileges unto the said WEST TEXAS UTILITIES COMPANY, its successors and assigns forever so long as same are used for said purposes.

And we hereby warrant unto said WEST TEXAS UTILITIES COMPANY, its successors and assigns, that we have the title to said property and the right to convey said easement and that we will forever warrant and defend the title to same to the said West Texas Utilities Company, its successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof so long as said easement is used for said purposes for which it is granted.

Witness hand this the _____ day of _____, A. D. 192__

Wm. Knapp
Elizabeth Knapp

THE STATE OF TEXAS,
COUNTY OF _____

Before me, the undersigned authority, on this day personally appeared _____

known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this the _____ day of _____, A. D. 19__

THE STATE OF TEXAS,
COUNTY OF Hillespie

Before me, the undersigned authority, on this day personally appeared Wm. Knapp

and Elizabeth Knapp, his wife, both known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they each executed the same for the purposes and consideration therein expressed, and the said Elizabeth Knapp wife of Wm. Knapp having been examined by me privily and apart from her husband, and having the same fully explained to her, she the said Elizabeth Knapp, acknowledged such instrument to be her act and deed, and she declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and seal of office this the 29 day of July, A. D. 1926

Notary Public
Wm. A. ...
001 001247

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