

RESOLUTION NO. 20070405-010

WHEREAS, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire fee simple title to a certain real property for public purposes as set out below; and

WHEREAS, the City of Austin has attempted to purchase the needed real property but has been unable to agree with the owner on the fair market value thereof; **NOW, THEREFORE**,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owner now having, or who may acquire, an interest in the real property needed by the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to economically effect the needed acquisition.

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: CJM Investments, LLC

Project: Austin Bergstrom International Airport Noise Mitigation Program

Intended Public Purpose: to protect public health and safety by (1) reducing noise impacts to the public resulting from aircraft take off and landing and other activities at the Austin Bergstrom International Airport and (2) by ensuring land use compatibility within the airport vicinity.

Location: 2419 Cardinal Loop, Del Valle, Texas

Property: Tract A of Bergstrom Arms Subdivision, a Subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 67, Page 42 of the Plat Records of Travis County, Texas

ADOPTED: April 5, 2006

ATTEST: Yvonne Spence for
Shirley A. Gentry
City Clerk