

RESOLUTION NO. 20070726-0

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

WHEREAS, the City of Austin and the landowners have agreed on the fair market value of the two needed easements; but a lienholder is demanding an additional amount for its consent to the easements; **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 owners now having, or who may acquire, an interest in the real property interests 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 acquisitions.

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

Owners: Adrian J. Trevino and Curtis W. Sutherland

Project: Govalle 4-Webberville/San Bernard/4th Street Wastewater Improvement Project, a portion of the Austin Clean Water Program

Intended Purpose: the permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public, to prevent leakage from wastewater lines to protect public health and safety, and to comply with a federal mandate; and

the temporary working space easement described in the attached Exhibit "B" is necessary to install the permanent wastewater lines and appurtenances thereto in the permanent wastewater line easement described in the attached Exhibit "A."

Location: 3019 E. 12th Street, Austin, Travis County, Texas

Property: Described in the attached and incorporated Exhibits A and B.

ADOPTED: July 26, 2007

ATTEST: _____

Shirley A. Gentry
City Clerk