RESOLUTION NO. 20080410-0

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 has attempted to purchase those needed real property interests 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 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:

Owner: Villasenor Family Limited Partnership, a Texas limited partnership

Project: Govalle 4 –Waller Pedernales Improvement Project, a portion of the Austin Clean Water Program

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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 easements described in the attached Exhibits "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: 2704 E. Cesar Chavez Street, Austin, Texas

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

ADOPTED: April 10, **2008** **ATTEST:**_____

Shirley A. Gentry
City Clerk

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