

**RESOLUTION NO. 20100128-0**

**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 damages; **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 effect the needed acquisitions.

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

Owner: Rafik S. Momin

Project: Williamson Creek Tributary 2, Spring Meadow-Lark Creek-Williamson Creek

Public Purpose: the drainage easement, the boundaries of which are described in the attached Exhibit "A," is necessary to construct, operate, maintain, replace, upgrade and repair the existing drainage channel and related facilities to correct present, and prevent future, erosion and flooding.

Location: 5001 Nuckols Crossing Road, Austin, Texas 78744

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** January 28, 2008

**ATTEST:** \_\_\_\_\_

Shirley A. Gentry  
City Clerk