

RESOLUTION NO. ____

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: Barkley Family Farm Partnership, Ltd, a Texas limited partnership

Project: Pleasant Valley from St. Elmo to Button Bend

Public Purpose: the right-of-way described the attached Exhibits “A” and “B” is necessary to complete the extension of Pleasant Valley Road from St. Elmo Road to Button Bend Road; and

the permanent slope and drainage easements described in the attached Exhibits “C” and “D” are needed to construct, operate, maintain, repair, replace, and upgrade a drainage channel and related facilities and for the construction, placement, maintenance, replacement, upgrade, and repair of fill for the lateral support of the abutting roadway, both in, upon and across the property described in Exhibits “C” and “D”; and

the temporary working space easement described in the attached Exhibit “E” is necessary to facilitate construction of the Project.

Location: 2501 East St. Elmo Road, Austin, Texas 78744

Property: Described in the attached and incorporated Exhibits A, B, C, D and E.

ADOPTED: _____, 2010

ATTEST: _____

Shirley A. Gentry
City Clerk