

**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: Travis Mizpah, Ltd., a Texas Limited Partnership

Project: South IH-35 Water & Wastewater Infrastructure Improvements Program, Segment WW Interceptor South Segment Golf Course - Pleasant Valley Extension, Rinard

Creek to E Slaughter Lane, 42-inch Water Transmission  
Main

Public Purpose: subterranean wastewater easement described in the attached Exhibit "A" is needed to needed to provide sanitary sewer services to the public; and

the permanent access easement described in the attached Exhibit "B" is needed to access the permanent wastewater line easement described in the attached "A" in order to install, inspect, and repair the wastewater lines and appurtenances therein.

Location: 11922 S IH-35, Austin, Texas.

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

**ADOPTED:** \_\_\_\_\_, 2008

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

Shirley A. Gentry  
City Clerk