

RESOLUTION NO. \_\_\_\_\_

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

WHEREAS, the City of Austin has attempted to purchase that real property interest but has been unable to agree with the owner on the damages 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 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 effect the needed acquisitions.

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

Owners: Magdalena Ledesma and Saiz Excavation, L.L.C.

Project: Fort Branch Creek Reach 6 & 7 Channel Rehabilitation—  
Truelight and Eleanor Street Area

Public Purpose: the permanent drainage easement described in the attached Exhibit "A" is necessary to construct and maintain structural improvements to stabilize the Fort Branch creek bank and increase the channel capacity to reduce erosion and to decrease the frequency of flooding in the surrounding neighborhood.

Location: 1214 Fort Branch, Austin, Texas.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: \_\_\_\_\_, 2010

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

Shirley A. Gentry  
City Clerk