

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:

Owners:	TLBP, Ltd., a Texas limited partnership; and Knippa Family Partnership, Ltd., a Texas limited partnership
Project:	Todd Lane from Ben White to St. Elmo Reconstruction Project

Public Purpose: the right of way dedication as described the attached Exhibit "A" is necessary to provide additional right-of-way for the expansion of Todd Lane from a two lane roadway to a divided four lane arterial roadway with bicycle lanes; and

the temporary construction easement described in the attached Exhibit "B" is necessary to construct the necessary improvements described in the attached Exhibit "A."

Location: 4213 Todd Lane, Austin, Texas

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

ADOPTED: _____, 2010

ATTEST: _____

Shirley A. Gentry
City Clerk