

**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 owners of the interests 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 owners now having, or who may acquire, an interest in the real property interests needed by the City, described below, for the public purposes described 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: Fannie Ruth Salyer, Don Allen Salyer, Sylvia Gay Meyer, Ella Louise Lind, Ralph Dailey Glass, James Robert Glass, Mary Frances Wisian, Joe Jaime and James Parker.

Project: Austin Energy Dunlap Substation

Public Purpose: the acquisition of the aerial electric transmission and distribution utility easements described in the attached Exhibits A and B is necessary to permit the City to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade, or remove (in whole or in part) electric transmission, distribution, and telecommunication lines and systems and all necessary or desirable appurtenances and structures (the “Facilities”), to permit telephone and cable television lines and systems to be installed, constructed, reconstructed, operated, repaired, inspected, upgraded, replaced or removed (in whole or in part) and maintained in the easements, and to cut or trim trees and shrubbery and to remove obstructions as necessary to keep them clear of the Facilities to permit the City unimpeded access to the Facilities, all of which will further the City’s ability to provide reliable electric utility services to the public, and to protect and promote public health and safety;

the acquisition of a fee-simple interest in the property described in the attached Exhibit C is necessary to permit the City to place, construct, reconstruct, install, operate, repair, maintain, inspect, replace, upgrade, or remove (in whole or in part) a transmission/distribution substation (the “Substation”) that will further the City’s ability to provide reliable electric utility services to the public, and to protect and promote public health and safety.

Location: The subject property is located on the east side of Taylor Lane, approximately 1.73 miles south of the intersection of Taylor Lane and Blake Manor Road, and approximately 1.51 miles north of the intersection of Taylor Lane and FM 969

(Webberville Road) in the Austin, Texas ETJ, Travis County,  
Texas.

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

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

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

Shirley A. Gentry  
City Clerk