

## **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 real property interests 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:

Owner:       MP Braker, LP

Project:       Braker at IH 35 TSM Project

Public Purpose:   Right-of-Way dedication for the public purpose of alleviating traffic congestion by permitting the public to enter, exit, and re-enter the tract of land described in the attached Exhibit A; and

A temporary construction easement for the public purpose of permitting the City, its agents, employees and contractors to enter, exit, and re-enter the tract

of land described in the attached Exhibit B to construct an additional turning lane to Braker Lane at IH 35 which will alleviate traffic congestion.

Location: 611 East Braker Lane, Austin, Texas

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

**ADOPTED:** \_\_\_\_\_, 2011

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

Shirley A. Gentry  
City Clerk