

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.

BE IT FURTHER RESOLVED:

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

Owner: Nelisa D. and Dean Heddin

Project: Comburg Dam Modernization Project

Public Purpose: the permanent access easement described in the attached Exhibit "A" is necessary to permit the City, its agents, employees and contractors to enter, exit, and re-enter the tract of land described for the purposes of maintaining and performing routine

maintenance of a water detention pond adjacent to the property;

Location: North side of Toulouse Drive, approximately 153 feet east of the roadway's intersection with Comburg Drive, Austin, Texas

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2011

ATTEST: _____

Shirley A. Gentry
City Clerk