

## **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 owners on the value of the real property interests or damages, if any; **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 necessary to 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 necessary acquisitions.

### **BE IT FURTHER RESOLVED:**

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

Owner: Austin HB Residential Properties, Ltd.

Project: Harris Branch Interceptor Lower A Project

Public Purpose: The permanent wastewater line easement described in the attached Exhibit "A" is necessary to install, operate, maintain, repair, replace, and upgrade permanent wastewater lines and appurtenances, and to increase and improve the City's ability to provide sanitary sewer services to the public.

Location: East side of Harris Branch Parkway, 0.5 miles south of Parmer Lane, in Austin, Travis County, Texas

Property: Described in the attached and incorporated Exhibit "A".

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

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

Shirley A. Gentry  
City Clerk