

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 property interest, or the 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: Rafik S. Momin and Rozmin R. Momin

Project: Williamson Creek Tributary 2 Spring
Meadow-Lark Creek-Williamson Creek Project

Public Purpose: Permanent drainage easements described in the attached Exhibits "A" and "B" are necessary for the public purpose of constructing, operating, maintaining, repairing, replacing, and upgrading, and making connections with a drainage channel, and related facilities in, under, upon and across said tracts of land;

A detention water quality pond described in the attached Exhibit "B" is necessary for the public purpose of constructing, operating, maintaining, repairing and replacing a water quality pond facility;

An access easement in, upon, and across, the property described in Exhibit "B," is necessary for the public purpose of permitting 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 the water detention pond to be constructed on the property; and

A temporary staging and material storage site easement described in the attached Exhibit "C" is necessary the public purpose of permitting the City, its agents, employees and contractors to work, store, and stage building materials for the purposes of constructing and installing a water quality detention.

Location: 5001 Nuckols Crossing Road, Travis County,
Austin, Texas

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

ADOPTED: _____, 2011

ATTEST: _____

Shirley A. Gentry
City Clerk