

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: Eunice O. Alff aka Eunice F. Alff aka Eunice R. Alff, Charles W. Alff—Trustee of the William C. Alff Exempt Trust created under the Last Will and Testament of William C. Alff, deceased, Probate Cause No. 15424, County Court of Law No. 2, Williamson County, Texas.

Project: Harris Branch Interceptor Lower B

Public Purpose: 0.284-acre (12,384 square feet) tract of land situated in the Josiah Willbarger Survey No. 42, Abstract No. 794, Travis County, Texas, being out of a remainder of called 25.00-acre tract of land, described as Tract Two, for a 50-foot wide permanent wastewater easement for the purpose of installing, operating, maintaining, repairing, replacing, and upgrading permanent wastewater lines and appurtenances thereto, in order to increase and improve the City's ability to provide sanitary sewer services to the public and to prevent leakage from wastewater lines to protect public health.

Location: Off Hill Lane, east side of SH 130, 0.4 mile north of Parmer Lane, in northeast Austin, Travis County, Texas 78653.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2011

ATTEST: _____

Shirley A. Gentry
City Clerk