

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: The Butler Family Partnership, Ltd., a Texas Limited Partnership

Project: Harris Branch Interceptor Lower B

Public Purpose: 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: Northeast corner of the intersection of U.S. Highway 290 and Parmer Lane in Austin, Travis County, Texas.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2011

ATTEST: _____

Shirley A. Gentry
City Clerk