

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:

Owners: JPMorgan Chase Bank, as Trustee of the Frederic Clarke Morse, Jr. Exempt Family Trust; Scott Notley Morse and Frederic Clarke Morse, III, as Successor Co-Independent Executors of the Estate of Frederic Clark Morse, Sr.

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, for the purpose of providing sanitary sewer services to the public.

Location: Located off Boyce Lane, along the north line of Parmer Lane, several lots west of SH-130, in Austin, Travis County, Texas 78653

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: _____, 2011

ATTEST: _____

Shirley A. Gentry
City Clerk