

## **RESOLUTION NO.**

**WHEREAS**, the City Council was requested to conduct a public hearing to consider the permanent use of approximately 274 square feet of land and the temporary use of approximately 1,315 square feet of land for sidewalk and workspace purposes in connection with the construction, use, maintenance, repair and replacement of a sidewalk that is a portion of the Group 10 ADA Sidewalk Improvements—Brodie Lane Project, through a dedicated scientific area that is part of Austin Water Utility's Water Quality Protection Lands, more particularly described as Lot 7, Block A, Mission Bethany Subdivision (the "Proposed Use"); and

**WHEREAS**, the land being used for the Proposed Use is described in Exhibit A (the "Affected Land"); and

**WHEREAS**, notice of the public hearing to be held on December 8, 2011 was given for three consecutive weeks on November 13, November 20, and November 27, 2011 in a newspaper of general circulation; and

**WHEREAS**, such public hearing was held December 8, 2011 by the City Council to consider the use of Affected Land for the Proposed Use;  
**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

Having taken into account clearly enunciated local preferences, the City Council finds that there is no feasible and prudent alternative to the use of the Affected Land for the Proposed Use, and that all reasonable planning has been done to minimize harm to the Affected Land from the Proposed Use. The use of the Affected Land for the Proposed Use is approved.

The City Manager is authorized to take such measures as may be necessary, favorable or required to effectuate the purpose and intent of this resolution.

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

Shirley A. Gentry  
City Clerk

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